

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0695.01 Esther van Mourik x4215

HOUSE BILL 12-1224

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HOUSE SPONSORSHIP

Becker, Gerou, Levy

SENATE SPONSORSHIP

Lambert, Hodge, Steadman

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House Committees  
Transportation

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE CREATION OF A CONSOLIDATED COMMUNICATIONS  
102 SYSTEM AUTHORITY.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

**Joint Budget Committee.** The bill creates the consolidated communications system authority (authority). The bill defines the membership of the authority as the following entities that use the statewide digital trunked radio system (system) as their primary means of public safety wireless communication:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*



1 (b) PARTNERSHIPS BETWEEN THE STATE, LOCAL, TRIBAL, AND  
2 FEDERAL GOVERNMENTS ARE AN EFFECTIVE WAY TO PROVIDE IMPROVED  
3 COMMUNICATION SERVICES, AVOID COSTLY DUPLICATION, AND REDUCE  
4 OVERALL COSTS;

5 (c) THE PROGRAM TO CREATE A STATEWIDE DIGITAL TRUNKED  
6 RADIO SYSTEM HAS SIGNIFICANTLY IMPROVED WIRELESS COMMUNICATION  
7 FOR STATE AGENCIES WHERE THE SYSTEM IS IN OPERATION;

8 (d) THE STATE, LOCAL, TRIBAL, AND FEDERAL GOVERNMENTS, IN  
9 PARTNERSHIP, HAVE CONTRIBUTED SIGNIFICANT INFRASTRUCTURE AND  
10 INVESTMENTS TO CREATE THE SYSTEM; AND

11 (e) MONEYS TO FUND THE EXPANSION, IMPROVEMENT, AND  
12 MAINTENANCE OF THE STATEWIDE DIGITAL TRUNKED RADIO SYSTEM ARE  
13 AVAILABLE TO POLITICAL SUBDIVISIONS OF THE STATE.

14 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT  
15 THE CONSOLIDATED COMMUNICATIONS SYSTEM AUTHORITY IS CREATED  
16 FOR THE BENEFIT OF AND TO PROMOTE THE HEALTH AND SAFETY OF THE  
17 PEOPLE OF COLORADO, AND IT IS THE INTENT OF THE GENERAL ASSEMBLY  
18 THAT THIS ARTICLE SHALL BE LIBERALLY CONSTRUED TO EFFECT ITS  
19 PURPOSE.

20 **29-24.5-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
21 CONTEXT OTHERWISE REQUIRES:

22 (1) "AUTHORITY" MEANS THE CONSOLIDATED COMMUNICATIONS  
23 SYSTEM AUTHORITY CREATED IN THIS ARTICLE.

24 (2) "BOARD" MEANS THE BOARD OF DIRECTORS OF THE AUTHORITY  
25 AS DESCRIBED IN SECTION 29-24.5-103 (4) AND IN THE BYLAWS OF THE  
26 AUTHORITY.

27 (3) "FUND" MEANS THE CONSOLIDATED COMMUNICATIONS FUND

1       CREATED IN SECTION 29-24.5-104.

2           (4) "MEMBER" MEANS ONE OF THE FOLLOWING ENTITIES THAT  
3       USES THE STATEWIDE DIGITAL TRUNKED RADIO SYSTEM AS ITS PRIMARY  
4       MEANS OF PUBLIC SAFETY WIRELESS COMMUNICATION IN THE  
5       PERFORMANCE OF ITS DUTIES:

6           (a) A LAW ENFORCEMENT AGENCY OR FIRE DEPARTMENT;

7           (b) A LICENSED AMBULANCE OR EMERGENCY MEDICAL SERVICE  
8       USING THE NETWORK FOR DISPATCHING 9-1-1 OR EMERGENCY CALLS OR  
9       FOR COMMUNICATING WITH A LICENSED HOSPITAL OR TRAUMA CENTER;

10          (c) A SCHOOL DISTRICT OR SCHOOL;

11          (d) AN AGENCY OF A CITY, COUNTY, CITY AND COUNTY, SPECIAL  
12       DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THE STATE;

13          (e) AN AGENCY OF AN INDIAN TRIBE;

14          (f) AN AGENCY OF THE STATE OR FEDERAL GOVERNMENT; OR

15          (g) A PERSON OR ENTITY ELIGIBLE TO HOLD AN AUTHORIZATION IN  
16       THE PUBLIC SAFETY RADIO POOL PURSUANT TO RULE 47 CFR 90.20 OF THE  
17       FEDERAL COMMUNICATIONS COMMISSION OR A SUCCESSOR RULE.

18          (5) "SYSTEM" MEANS THE STATEWIDE DIGITAL TRUNKED RADIO  
19       SYSTEM.

20           **29-24.5-103. Authority - creation - purposes.** (1) THERE IS  
21       HEREBY CREATED THE CONSOLIDATED COMMUNICATIONS SYSTEM  
22       AUTHORITY, WHICH SHALL BE A BODY CORPORATE AND POLITIC AND A  
23       POLITICAL SUBDIVISION OF THE STATE. THE AUTHORITY IS NOT AN AGENCY  
24       OF STATE GOVERNMENT. THE AUTHORITY SHALL HAVE PERPETUAL  
25       EXISTENCE AND SUCCESSION. THE AUTHORITY IS A PUBLIC ENTITY FOR  
26       PURPOSES OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE  
27       10 OF TITLE 24, C.R.S. THE AUTHORITY IS A POLITICAL SUBDIVISION OF

1 THE STATE FOR PURPOSES OF SECTIONS 24-6-402 (1) (c) AND 24-72-202  
2 (5), C.R.S. THE AUTHORITY IS NOT A LOCAL GOVERNMENT FOR PURPOSES  
3 OF THE "COLORADO LOCAL GOVERNMENT AUDIT LAW", PART 6 OF  
4 ARTICLE 1 OF THIS TITLE; EXCEPT THAT THE STATE AUDITOR MAY ORDER  
5 THE AUTHORITY TO COMPLY WITH THE REQUIREMENTS OF SECTION  
6 29-1-603 FOR ANY FISCAL YEAR.

7 (2) THE PURPOSES OF THE AUTHORITY ARE:

8 (a) TO SOLICIT AND ACCEPT APPROPRIATIONS, GRANTS, AND OTHER  
9 MONEYS TO BE USED FOR THE PURPOSE OF EXPANDING, UPGRADING, AND  
10 OPERATING THE SYSTEM;

11 (b) TO REPRESENT THE MEMBERS IN MATTERS CONCERNING  
12 NETWORK GROWTH, MAINTENANCE, UPGRADE, OPERATION, TECHNOLOGY,  
13 RULES, SPECTRUM ALLOCATIONS, AND RADIO FREQUENCY LICENSING; AND

14 (c) TO ADVISE THE GOVERNOR AND THE GENERAL ASSEMBLY ON  
15 THE DEVELOPMENT, MAINTENANCE, UPGRADE, AND OPERATION OF THE  
16 SYSTEM.

17 (3) THE DUTIES OF THE AUTHORITY ARE TO PRESENT AN ANNUAL  
18 REPORT TO THE JOINT BUDGET COMMITTEE IN WRITING NO LATER THAN  
19 OCTOBER 15 THAT INCLUDES:

20 (a) OPERATIONAL AND CAPITAL INFRASTRUCTURE NEEDS TO  
21 MAINTAIN THE SYSTEM; AND

22 (b) POTENTIAL FUNDING OPTIONS TO MEET THE OPERATIONAL AND  
23 CAPITAL INFRASTRUCTURE NEEDS OF THE SYSTEM.

24 (4) THE BOARD CONSISTS OF THE FOLLOWING THIRTEEN MEMBERS:

25 (a) SIX MEMBERS REPRESENTING LOCAL GOVERNMENT AS  
26 FOLLOWS:

27 (I) ONE MEMBER FROM EACH OF FIVE STATEWIDE DIGITAL

1 TRUNKED RADIO SYSTEM MUTUAL AID CHANNEL REGIONS, AS DEFINED BY  
2 THE AUTHORITY BYLAWS; AND

3 (II) ONE AT-LARGE MEMBER;

4 (b) (I) SIX MEMBERS REPRESENTING STATE GOVERNMENT, WITH  
5 ONE EACH FROM:

6 (A) THE GOVERNOR'S OFFICE OF INFORMATION TECHNOLOGY;

7 (B) THE COLORADO STATE PATROL;

8 (C) THE COLORADO DEPARTMENT OF CORRECTIONS;

9 (D) THE COLORADO DEPARTMENT OF TRANSPORTATION;

10 (E) THE COLORADO DEPARTMENT OF NATURAL RESOURCES; AND

11 (F) THE COLORADO DEPARTMENT OF LOCAL AFFAIRS.

12 (II) THE SIX MEMBERS REPRESENTING STATE GOVERNMENT ARE  
13 APPOINTED BY THE GOVERNOR.

14 (c) ONE MEMBER REPRESENTING THE TWO TRIBAL NATIONS IN THE  
15 STATE, WHO IS SELECTED BY THE TRIBAL NATIONS.

16 (5) THE BOARD SHALL ELECT FROM ITS MEMBERSHIP A CHAIR, A  
17 VICE-CHAIR, A SECRETARY, AND OTHER APPROPRIATE OFFICERS. OFFICERS  
18 ARE ELECTED FOR TERMS NOT TO EXCEED TWO YEARS, TAKING OFFICE ON  
19 JANUARY 1 OF THE YEAR DIRECTLY FOLLOWING THE ELECTION.

20 (6) ON THE EFFECTIVE DATE OF THIS SECTION, EVERY AGENCY  
21 THAT IS CURRENTLY A FULL MEMBER OF THE COLORADO CORPORATION  
22 CREATED TO PROVIDE THE GOVERNANCE STRUCTURE FOR MANAGING THE  
23 STATEWIDE DIGITAL TRUNKED RADIO SYSTEM AND THAT QUALIFIES TO  
24 COOPERATE WITH OTHER GOVERNMENTS ACCORDING TO SECTION 29-1-203  
25 BECOMES A MEMBER OF THE AUTHORITY UNLESS THE GOVERNING BODY OF  
26 SUCH AGENCY SPECIFICALLY EXCLUDES ITSELF FROM THE AUTHORITY.  
27 ANY AGENCY WISHING TO BE EXCLUDED FROM THE AUTHORITY MUST

1 NOTIFY THE SECRETARY OF THE AUTHORITY IN WRITING.

2 **29-24.5-104. Consolidated communications fund - created -**  
3 **use - investment or deposit.** (1) THERE IS HEREBY CREATED IN THE  
4 AUTHORITY THE CONSOLIDATED COMMUNICATIONS FUND. THE AUTHORITY  
5 SHALL DEPOSIT INTO THE FUND:

6 (a) MONEYS MADE AVAILABLE BY THE STATE FOR THE PURPOSES  
7 OF THE AUTHORITY;

8 (b) DUES AND SUBSCRIPTIONS PAID BY MEMBERS;

9 (c) MONEYS OBTAINED BY THE AUTHORITY UNDER GRANTS FROM  
10 THE FEDERAL GOVERNMENT OR ANY OTHER SOURCE; AND

11 (d) MONEYS MADE AVAILABLE TO THE AUTHORITY FROM ANY  
12 OTHER SOURCE.

13 (2) THE AUTHORITY MAY EXPEND THE MONEYS IN THE FUND FOR  
14 THE FOLLOWING PURPOSES:

15 (a) TO OPERATE, MAINTAIN, ENHANCE, OR IMPROVE PORTIONS OF  
16 THE SYSTEM; AND

17 (b) TO PAY THE ADMINISTRATIVE EXPENSES OF THE AUTHORITY.

18 (3) THE AUTHORITY MAY INVEST OR DEPOSIT MONEYS IN THE FUND  
19 IN ACCORDANCE WITH PART 6 OF ARTICLE 75 OF TITLE 24, C.R.S. IN  
20 ADDITION, THE AUTHORITY MAY INVEST OR DEPOSIT MONEYS IN THE FUND  
21 IN OTHER INVESTMENTS OR DEPOSITS IF THE BOARD DETERMINES BY  
22 RESOLUTION THAT THE INVESTMENT OR DEPOSIT MEETS THE STANDARD  
23 ESTABLISHED IN SECTION 15-1-304, C.R.S., AND THE INCOME IS AT LEAST  
24 COMPARABLE TO INCOME AVAILABLE ON INVESTMENTS OR DEPOSITS  
25 SPECIFIED BY PART 6 OF ARTICLE 75 OF TITLE 24, C.R.S.

26 **29-24.5-105. Exemption from taxation.** THE INCOME AND OTHER  
27 REVENUE OF THE AUTHORITY AND ALL PROPERTY INTERESTS OF THE

1 AUTHORITY ARE EXEMPT FROM ALL STATE AND LOCAL TAXES AND  
2 ASSESSMENTS.

3 **SECTION 2.** In Colorado Revised Statutes, 24-77-102, **add** (15)  
4 (b) (XVIII) as follows:

5 **24-77-102. Definitions.** As used in this article, unless the context  
6 otherwise requires:

7 (15) (b) "Special purpose authority" includes, but is not limited to:  
8 (XVIII) THE CONSOLIDATED COMMUNICATIONS SYSTEM  
9 AUTHORITY CREATED IN SECTION 29-24.5-103, C.R.S.

10 **SECTION 3. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety.