

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

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**  
Appropriations

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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.*

SENATE  
3rd Reading Unamended  
March 26, 2012

SENATE  
Amended 2nd Reading  
March 23, 2012

HOUSE  
Amended 3rd Reading  
February 28, 2012

HOUSE  
Amended 2nd Reading  
February 27, 2012



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 (5) AND IN THE BYLAWS OF THE  
26 AUTHORITY.

27 

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

- 5           (a) A LAW ENFORCEMENT AGENCY OR FIRE DEPARTMENT;
- 6           (b) A LICENSED AMBULANCE OR EMERGENCY MEDICAL SERVICE  
7 USING THE NETWORK FOR DISPATCHING 9-1-1 OR EMERGENCY CALLS OR  
8 FOR COMMUNICATING WITH A LICENSED HOSPITAL OR TRAUMA CENTER;
- 9           (c) A SCHOOL DISTRICT OR SCHOOL;
- 10          (d) AN AGENCY OF A CITY, COUNTY, CITY AND COUNTY, SPECIAL  
11 DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THE STATE;
- 12          (e) AN AGENCY OF AN INDIAN TRIBE;
- 13          (f) AN AGENCY OF THE STATE OR FEDERAL GOVERNMENT; OR
- 14          (g) A PERSON OR ENTITY ELIGIBLE TO HOLD AN AUTHORIZATION IN  
15 THE PUBLIC SAFETY RADIO POOL PURSUANT TO RULE 47 CFR 90.20 OF THE  
16 FEDERAL COMMUNICATIONS COMMISSION OR A SUCCESSOR RULE.

17          (4) "SYSTEM" MEANS THE STATEWIDE DIGITAL TRUNKED RADIO  
18 SYSTEM.

19           **29-24.5-103. Authority - creation - purposes.** (1) THERE IS  
20 HEREBY CREATED THE CONSOLIDATED COMMUNICATIONS SYSTEM  
21 AUTHORITY, WHICH SHALL BE A BODY CORPORATE AND POLITIC AND A  
22 POLITICAL SUBDIVISION OF THE STATE. THE AUTHORITY IS NOT AN AGENCY  
23 OF STATE GOVERNMENT. THE AUTHORITY SHALL HAVE PERPETUAL  
24 EXISTENCE AND SUCCESSION. THE AUTHORITY IS A PUBLIC ENTITY FOR  
25 PURPOSES OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE  
26 10 OF TITLE 24, C.R.S. THE AUTHORITY IS A POLITICAL SUBDIVISION OF  
27 THE STATE FOR PURPOSES OF SECTIONS 24-6-402 (1) (c) AND 24-72-202

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

6 (2) THE PURPOSES OF THE AUTHORITY ARE:

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

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

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

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

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

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

23 (4) THE AUTHORITY SHALL NOT:

24 (a) LEVY ANY TAXES;

25 (b) ASSESS ANY FEE ON ITS MEMBERS; OR

26 (c) TAKE ANY ASSETS OWNED BY A MEMBER WITHOUT PRIOR  
27 AGREEMENT.

1 (5) THE BOARD CONSISTS OF THE FOLLOWING TWENTY MEMBERS:

2 (a) (I) TWELVE MEMBERS REPRESENTING LOCAL GOVERNMENT AS  
3 FOLLOWS:

4 (A) ONE MEMBER REPRESENTING THE FIVE STATEWIDE DIGITAL  
5 TRUNKED RADIO SYSTEM MUTUAL AID CHANNEL REGIONS, WHO IS  
6 APPOINTED AS SPECIFIED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a);

7 (B) TWO MEMBERS REPRESENTING THE FOUR ZONE SWITCH USERS,  
8 WHO ARE APPOINTED AS SPECIFIED IN SUBPARAGRAPH (II) OF THIS  
9 PARAGRAPH (a);

10 (C) ONE MEMBER REPRESENTING THE LICENSED AMBULANCE OR  
11 EMERGENCY MEDICAL SERVICE AND THE LICENSED HOSPITAL OR TRAUMA  
12 CENTER, WHO IS SELECTED BY THE STATE EMERGENCY MEDICAL AND  
13 TRAUMA SERVICES ADVISORY COUNCIL CREATED IN SECTION 25-3.5-104,  
14 C.R.S.;

15 (D) FIVE MEMBERS REPRESENTING THE NINE ALL-HAZARD  
16 REGIONS, WHO ARE APPOINTED AS SPECIFIED IN SUBPARAGRAPH (II) OF  
17 THIS PARAGRAPH (a);

18 (E) ONE MEMBER REPRESENTING THE STATEWIDE FIRE  
19 DEPARTMENTS, WHO IS SELECTED BY THE COLORADO STATE FIRE CHIEFS'  
20 ASSOCIATION; AND

21 (F) TWO MEMBERS REPRESENTING THE LAW ENFORCEMENT  
22 AGENCIES, ONE WHO IS SELECTED BY THE COLORADO ASSOCIATION OF  
23 CHIEFS OF POLICE AND ONE WHO IS SELECTED BY THE COUNTY SHERIFFS OF  
24 COLORADO.

25 (II) FOR THE MEMBERS REPRESENTING THE ENTITIES DESCRIBED IN  
26 SUB-SUBPARAGRAPHS (A), (B), AND (D) OF SUBPARAGRAPH (I) OF THIS  
27 PARAGRAPH (a), EACH ENTITY MAY NOMINATE ONE OR MORE PERSONS TO

1 THE GOVERNOR FOR APPOINTMENT TO THE POSITIONS. THE GOVERNOR  
2 SHALL CONSIDER GEOGRAPHIC REPRESENTATION AND TECHNICAL  
3 EXPERTISE IN CHOOSING WHICH NOMINEES TO APPOINT. THE GOVERNOR  
4 SHALL NOTIFY THE ENTITIES IN WRITING REGARDING THE APPOINTMENTS  
5 MADE. EACH APPOINTEE SERVES AT THE PLEASURE OF THE GOVERNOR.  
6 SUCH APPOINTMENTS ARE NOT SUBJECT TO THE CONSENT OF THE SENATE.

7 (b) SIX MEMBERS REPRESENTING STATE GOVERNMENT, WITH  
8 ONE EACH FROM:

9 (I) THE CHIEF INFORMATION OFFICER OF THE GOVERNOR'S OFFICE  
10 OF INFORMATION TECHNOLOGY, OR HIS OR HER DESIGNEE;

11 (II) THE CHIEF OF THE COLORADO STATE PATROL, OR HIS OR HER  
12 DESIGNEE;

13 (III) THE DIRECTOR OF THE COLORADO DEPARTMENT OF  
14 CORRECTIONS, OR THE DIRECTOR'S DESIGNEE;

15 (IV) THE DIRECTOR OF THE COLORADO DEPARTMENT OF  
16 TRANSPORTATION, OR THE DIRECTOR'S DESIGNEE;

17 (V) THE DIRECTOR OF THE COLORADO DEPARTMENT OF NATURAL  
18 RESOURCES, OR THE DIRECTOR'S DESIGNEE; AND

19 (VI) THE DIRECTOR OF THE COLORADO DEPARTMENT OF LOCAL  
20 AFFAIRS, OR THE DIRECTOR'S DESIGNEE.

21 (c) TWO MEMBERS REPRESENTING THE TWO TRIBAL NATIONS IN  
22 THE STATE, ONE SELECTED BY EACH OF THE TWO TRIBAL NATIONS.

23 (6) (a) THE BOARD SHALL ELECT FROM ITS MEMBERSHIP A CHAIR,  
24 A VICE-CHAIR, A SECRETARY, AND OTHER APPROPRIATE OFFICERS.  
25 OFFICERS ARE ELECTED FOR TERMS OF TWO YEARS, TAKING OFFICE ON  
26 JANUARY 1 OF THE YEAR DIRECTLY FOLLOWING THE ELECTION.

27 (b) THE MEMBERS OF THE BOARD APPOINTED OR SELECTED

1 PURSUANT TO PARAGRAPHS (a) AND (c) OF SUBSECTION (5) OF THIS  
2 SECTION SERVE AT THE PLEASURE OF THE APPOINTING OR SELECTING  
3 AUTHORITY.

4 (7) ON THE EFFECTIVE DATE OF THIS SECTION, EVERY AGENCY  
5 THAT IS CURRENTLY A MEMBER OF THE COLORADO CORPORATION  
6 CREATED TO PROVIDE THE GOVERNANCE STRUCTURE FOR MANAGING THE  
7 STATEWIDE DIGITAL TRUNKED RADIO SYSTEM AND THAT QUALIFIES TO  
8 COOPERATE WITH OTHER GOVERNMENTS ACCORDING TO SECTION 29-1-203  
9 BECOMES A MEMBER OF THE AUTHORITY UNLESS THE GOVERNING BODY OF  
10 SUCH AGENCY SPECIFICALLY EXCLUDES ITSELF FROM THE AUTHORITY.  
11 ANY AGENCY WISHING TO BE EXCLUDED FROM THE AUTHORITY MUST  
12 NOTIFY THE SECRETARY OF THE AUTHORITY IN WRITING.

13 (8) AFTER THE EFFECTIVE DATE OF THIS SECTION, NEW MEMBERS  
14 OF THE AUTHORITY SHALL BE ADMITTED IN ACCORDANCE WITH ANY  
15 BYLAWS OR POLICIES ESTABLISHED BY THE AUTHORITY.

16 **29-24.5-104. Exemption from taxation.** THE INCOME AND OTHER  
17 REVENUE OF THE AUTHORITY AND ALL PROPERTY INTERESTS OF THE  
18 AUTHORITY ARE EXEMPT FROM ALL STATE AND LOCAL TAXES AND  
19 ASSESSMENTS.

20 **29-24.5-105. Consolidated communications system authority**  
21 **- subject to termination - repeal.** (1) THE PROVISIONS OF SECTION  
22 24-34-104, C.R.S., CONCERNING THE TERMINATION OF REGULATORY  
23 AGENCIES OF THE STATE UNLESS EXTENDED AS PROVIDED IN SAID SECTION,  
24 ARE APPLICABLE TO THE CONSOLIDATED COMMUNICATIONS SYSTEM  
25 AUTHORITY CREATED IN THIS ARTICLE. IN THE EVENT THE AUTHORITY IS  
26 EXTENDED AS PROVIDED IN SECTION 24-34-104, C.R.S., THE GENERAL  
27 ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT THE



1 AUTHORITY SHOULD BE SUBJECT TO REVIEW PURSUANT TO SAID SECTION  
2 AT LEAST EVERY FIVE YEARS.

3 (2) THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2018. PRIOR TO  
4 SUCH REPEAL, THE FUNCTIONS OF THE CONSOLIDATED COMMUNICATIONS  
5 SYSTEM AUTHORITY SHALL BE REVIEWED AS PROVIDED FOR IN SECTION  
6 24-34-104, C.R.S.

7 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **add** (49)  
8 (i) as follows:

9 **24-34-104. General assembly review of regulatory agencies**  
10 **and functions for termination, continuation, or reestablishment.**

11 (49) The following agencies, functions, or both, shall terminate on July  
12 1, 2018:

13 (i) THE CONSOLIDATED COMMUNICATIONS SYSTEM AUTHORITY  
14 CREATED IN SECTION 29-24.5-103, C.R.S.

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

17 **24-77-102. Definitions.** As used in this article, unless the context  
18 otherwise requires:

19 (15) (b) "Special purpose authority" includes, but is not limited to:

20 (XVIII) THE CONSOLIDATED COMMUNICATIONS SYSTEM  
21 AUTHORITY CREATED IN SECTION 29-24.5-103, C.R.S.

22 **SECTION 4. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, and safety.