

**NOTE: The governor signed this measure on 5/10/2013.**

# An Act

SENATE BILL 13-236

BY SENATOR(S) Steadman, Hodge, Lambert, Aguilar, Carroll, Heath, Hudak, Jahn, Kefalas, Kerr, Newell, Nicholson, Tochtrop, Todd, Morse; also REPRESENTATIVE(S) Levy, Duran, Gerou, Fields, Fischer, Garcia, Hullinghorst, Labuda, Lebsack, Moreno, Pabon, Pettersen, Rosenthal, Schafer, Vigil.

CONCERNING TRANSFERS OF MONEYS RELATED TO CAPITAL CONSTRUCTION.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 24-75-302, **amend** (2) introductory portion, (2) (y), (2.5) introductory portion, (2.5) (f), and (2.5) (g); and **add** (2) (z) and (2.5) (h) as follows:

**24-75-302. Capital construction fund - capital assessment fees - calculation.** (2) On July 1 of each year through ~~July 1, 2012~~ **JULY 1, 2013**, the state treasurer and the controller shall transfer a sum as specified in this subsection (2) out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2) are as follows:

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(y) On July 1, 2012, ~~fifty-nine million nine hundred nineteen thousand three hundred nine~~ SIXTY MILLION THREE HUNDRED THIRTY-NINE THOUSAND FOUR HUNDRED NINETY-THREE dollars, plus one hundred twelve thousand six hundred forty-nine dollars pursuant to H.B. 08-1115, enacted at the second regular session of the sixty-sixth general assembly; plus three hundred seventy-five thousand four hundred ninety-five dollars pursuant to S.B. 08-239, enacted at the second regular session of the sixty-sixth general assembly; plus eighty-three thousand eight hundred sixty-one dollars pursuant to S.B. 10-128, enacted at the second regular session of the sixty-seventh general assembly.

(z) ON JULY 1, 2013, ONE HUNDRED EIGHTY-SIX MILLION TWO HUNDRED FIFTEEN THOUSAND FOUR HUNDRED NINETY-THREE DOLLARS.

(2.5) In addition to the sums accrued pursuant to subsection (2) of this section, on July 1 of each year through ~~July 1, 2012~~ JULY 1, 2013, the state treasurer and the controller shall transfer a sum as specified in this subsection (2.5) from the general fund exempt account of the general fund created pursuant to section 24-77-103.6 to the capital construction fund as moneys become available in the general fund exempt account during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2.5) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2.5) are as follows:

(f) On July 1, 2011, five hundred thousand dollars; ~~and~~

(g) On July 1, 2012, five hundred thousand dollars; AND

(h) ON JULY 1, 2013, FIVE HUNDRED THOUSAND DOLLARS.

**SECTION 2.** In Colorado Revised Statutes, **add** 24-75-223 as follows:

**24-75-223. Transfer of general fund surplus to Colorado water conservation board construction fund - repeal.** (1) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ON THE DATE ON WHICH THE STATE CONTROLLER PUBLISHES THE COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THE STATE FOR THE FISCAL YEAR 2013-14, THE STATE

TREASURER SHALL TRANSFER TO THE COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND CREATED IN SECTION 37-60-121, C.R.S., AN AMOUNT OF THE GENERAL FUND SURPLUS DESIGNATED IN ACCORDANCE WITH SECTION 24-75-201 (1) FOR THE FISCAL YEAR 2013-14 THAT IS EQUAL TO THE LESSER OF THIRTY MILLION DOLLARS OR THE TOTAL GENERAL FUND SURPLUS.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015.

**SECTION 3.** In Colorado Revised Statutes, 12-47.1-1201, **repeal** (5) (c) (III) (C).

**SECTION 4.** In Colorado Revised Statutes, 12-47.1-1201, **amend** (5) (c) (III) (E) as follows:

**12-47.1-1201. State historical fund - administration - legislative declaration - state museum cash fund - capitol dome restoration fund.** (5) (c) (III) (E) Prior to the end of the 2014-15 state fiscal year and after a complete accounting is available of the total in-kind and monetary donations received through the fundraising program established in section 2-3-1304.3, C.R.S., an end-of-project accounting shall occur based on the final total cost of the dome restoration construction project to ensure, through the annual general appropriations act, supplemental appropriations acts, or transfers between funds, as necessary, that all of the transfers from the state historical fund specified in sub-subparagraphs ~~(A), (B), and (C)~~ (A) AND (B) of this subparagraph (III), AND THE 2013-14 APPROPRIATION FROM THE CAPITAL CONSTRUCTION FUND SPECIFIED IN SENATE BILL 13-230, are reduced, dollar for dollar, by the combined total of moneys deposited into the capitol dome restoration trust fund as specified in section 2-3-1304.3 (6) (b), C.R.S., grants for repairs and safety improvements to the state capitol dome and supporting structures made by the state historical society under the grants process set forth in subsection (1) of this section, any money received for the recycling of salvaged building materials from the state capitol dome during the construction period, and any in-kind gifts and donations, such as materials or labor, that resulted in the reduction of the total cost of the construction. The total value of any in-kind gifts and donations for purposes of the dollar-for-dollar reduction specified in this sub-subparagraph (E) shall be calculated by the department of personnel and approved by the capital development committee as specified in section 2-3-1304.3 (6) (a) (II), C.R.S.

**SECTION 5. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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John P. Morse  
PRESIDENT OF  
THE SENATE

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Mark Ferrandino  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO