

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

REREVISED

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

LLS NO. 13-0820.02 Nicole Myers x4326

HOUSE BILL 13-1301

HOUSE SPONSORSHIP

Ryden and Gardner,

SENATE SPONSORSHIP

Todd and Grantham,

House Committees

Business, Labor, Economic, & Workforce Development
Appropriations

Senate Committees

Business, Labor, & Technology
Legislative Council
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE FUTURE OPERATION OF CENTERS THAT OFFER**
102 **PROCUREMENT TECHNICAL ASSISTANCE IN COLORADO, AND, IN**
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

Procurement technical assistance programs offer education, counseling, and technical assistance to businesses and entrepreneurs to compete for government contracts. Currently, a procurement technical assistance center operates as a nonprofit organization in certain regions

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
May 3, 2013

SENATE
Amended 2nd Reading
May 2, 2013

HOUSE
3rd Reading Unamended
April 19, 2013

HOUSE
Amended 2nd Reading
April 18, 2013

of Colorado.

The bill creates a procurement technical assistance task force to discuss and determine the future structure and oversight of procurement technical assistance centers in Colorado and specifies the membership of the task force.

The bill requires the task force to meet as necessary after the first regular session of the 69th general assembly and specifies the issues that the task force is required to address. All staff needed to assist the task force in conducting its duties shall be provided by the Colorado office of economic development (office). The members of the task force are required to serve without compensation.

The bill requires the general assembly to appropriate moneys to the office to be used for costs incurred in connection with the task force.

In addition, the bill requires the office to provide financial assistance for the 2013-14 fiscal year, subject to available appropriations, to an organization in the state that offers procurement technical assistance to businesses and entrepreneurs to help the organization satisfy its financial obligations to receive matching moneys from the federal government for the purpose of providing procurement technical assistance.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-48.5-117 and
3 24-48.5-118 as follows:

4 **24-48.5-117. Procurement technical assistance task force -**
5 **members - duties - legislative declaration - repeal.** (1) (a) THE

6 GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

7 (I) COLORADO BUSINESSES AND ENTREPRENEURS NEED THE
8 CAPABILITY AND CAPACITY TO COMPETE FOR GOVERNMENT CONTRACTS
9 AT THE FEDERAL, STATE, AND LOCAL LEVELS;

10 (II) GOVERNMENT CONTRACTING, AT ALL LEVELS, IS A
11 COMPETITIVE PROCESS;

12 (III) A PROCUREMENT TECHNICAL ASSISTANCE PROGRAM OFFERS
13 EDUCATION, COUNSELING, AND TECHNICAL ASSISTANCE TO BUSINESSES
14 AND ENTREPRENEURS TO COMPETE FOR GOVERNMENT CONTRACTS; AND

1 (IV) THE FEDERAL GOVERNMENT WILL MATCH THE STATE'S
2 INVESTMENT IN A PROGRAM TO PROVIDE PROCUREMENT TECHNICAL
3 ASSISTANCE ON A ONE-TO-ONE BASIS.

4 (b) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
5 THE CREATION OF A TASK FORCE TO DISCUSS AND DETERMINE THE FUTURE
6 STRUCTURE AND OVERSIGHT OF PROCUREMENT TECHNICAL ASSISTANCE
7 CENTERS IN COLORADO IS NECESSARY TO ENSURE THAT SUCH CENTERS
8 MAY CONTINUE TO PROVIDE EFFICIENT AND EFFECTIVE PROCUREMENT
9 TECHNICAL ASSISTANCE RESOURCES TO COLORADO BUSINESSES AND
10 ENTREPRENEURS.

11 (2) THERE IS HEREBY CREATED THE PROCUREMENT TECHNICAL
12 ASSISTANCE TASK FORCE, REFERRED TO IN THIS SECTION AS THE "TASK
13 FORCE". THE TASK FORCE CONSISTS OF EIGHT MEMBERS AS FOLLOWS:

14 (a) FOUR MEMBERS OF THE GENERAL ASSEMBLY, APPOINTED AS
15 FOLLOWS:

16 (I) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES APPOINTED
17 BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

18 (II) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES APPOINTED
19 BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

20 (III) ONE MEMBER OF THE SENATE APPOINTED BY THE PRESIDENT
21 OF THE SENATE; AND

22 (IV) ONE MEMBER OF THE SENATE APPOINTED BY THE MINORITY
23 LEADER OF THE SENATE;

24 (b) TWO REPRESENTATIVES FROM THE COLORADO OFFICE OF
25 ECONOMIC DEVELOPMENT APPOINTED BY THE EXECUTIVE DIRECTOR OF
26 THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT;

27 (c) THE EXECUTIVE DIRECTOR OF THE NONPROFIT ORGANIZATION

1 THAT CURRENTLY PROVIDES PROCUREMENT TECHNICAL ASSISTANCE IN
2 THE STATE; AND

3 (d) A BOARD MEMBER OF THE NONPROFIT ORGANIZATION THAT
4 CURRENTLY PROVIDES PROCUREMENT TECHNICAL ASSISTANCE IN THE
5 STATE, WHO SHALL BE CHOSEN BY THE TWO MEMBERS OF THE HOUSE OF
6 REPRESENTATIVES WHO ARE APPOINTED TO SERVE ON THE TASK FORCE.

7 (3) THE TASK FORCE SHALL BE CO-CHAIRLED BY ONE LEGISLATIVE
8 MEMBER OF THE TASK FORCE, WHO SHALL BE CHOSEN BY THE MEMBERS OF
9 THE TASK FORCE, AND BY ONE MEMBER FROM THE COLORADO OFFICE OF
10 ECONOMIC DEVELOPMENT, WHO SHALL BE CHOSEN BY THE EXECUTIVE
11 DIRECTOR OF THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT.

12 (4) THE TASK FORCE SHALL MEET AS NECESSARY, AS DETERMINED
13 BY THE MEMBERS OF THE TASK FORCE, AFTER THE FIRST REGULAR SESSION
14 OF THE SIXTY-NINTH GENERAL ASSEMBLY. THE TASK FORCE MAY INVITE
15 REPRESENTATIVES FROM STATE AND LOCAL GOVERNMENTAL ENTITIES,
16 BUSINESSES OR ENTREPRENEURS, CHAMBERS OF COMMERCE, OR OTHER
17 PUBLIC OR PRIVATE ORGANIZATIONS TO PARTICIPATE IN THE MEETINGS OF
18 THE TASK FORCE, AS DEEMED NECESSARY AND APPROPRIATE BY THE
19 MEMBERS OF THE TASK FORCE. THE TASK FORCE SHALL COMPLETE ITS
20 WORK AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, IF
21 NECESSARY, ON OR BEFORE JANUARY 1, 2014.

22 (5) THE TASK FORCE SHALL:

23 (a) DISCUSS BEST MANAGEMENT PRACTICES AND CREATE A
24 MANAGEMENT STRATEGY FOR THE FUTURE OF PROCUREMENT TECHNICAL
25 ASSISTANCE CENTERS IN THE STATE;

26 (b) DEVELOP A PLAN FOR THE LONG-TERM FUNDING AND
27 SUSTAINABILITY OF PROCUREMENT TECHNICAL ASSISTANCE CENTERS IN

1 THE STATE;

2 (c) FORMULATE A FRAMEWORK FOR PROCUREMENT TECHNICAL
3 ASSISTANCE CENTERS IN THE STATE THAT WILL ENSURE LONG-TERM
4 EFFICIENCY AND EFFECTIVENESS OF THE PROGRAM;

5 (d) EVALUATE BEST PRACTICES DERIVED FROM THE OTHER
6 PROCUREMENT TECHNICAL ASSISTANCE CENTERS THROUGHOUT THE
7 UNITED STATES, INCLUDING THE POSSIBILITY OF INTEGRATING
8 PROCUREMENT TECHNICAL ASSISTANCE CENTERS INTO THE EXISTING
9 SMALL BUSINESS RESOURCE CENTER STRUCTURE OF THE COLORADO
10 OFFICE OF ECONOMIC DEVELOPMENT;

11 (e) DEVELOP A PUBLIC-PRIVATE PARTNERSHIP TO ENHANCE THE
12 PROCUREMENT TECHNICAL ASSISTANCE PROGRAM; AND

13 (f) IF DEEMED NECESSARY BY THE MEMBERS OF THE TASK FORCE,
14 MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING HOW
15 TO BEST ACHIEVE THE DESIRED RESULTS FOR THE FUTURE OF THE
16 PROCUREMENT TECHNICAL ASSISTANCE PROGRAM.

17 (6) ALL STAFF NEEDED TO ASSIST THE TASK FORCE IN CONDUCTING
18 ITS DUTIES SHALL BE PROVIDED BY THE COLORADO OFFICE OF ECONOMIC
19 DEVELOPMENT.

20 (7) ALL NONLEGISLATIVE MEMBERS OF THE TASK FORCE SHALL
21 SERVE WITHOUT COMPENSATION. THIS SECTION SHALL NOT BE CONSTRUED
22 TO PREVENT NONLEGISLATIVE MEMBERS OF THE TASK FORCE FROM
23 RECEIVING THEIR REGULAR SALARY IF THEY PARTICIPATE IN TASK FORCE
24 MEETINGS DURING THEIR REGULAR BUSINESS HOURS.

25 (8) THE LEGISLATIVE MEMBERS OF THE TASK FORCE SHALL BE
26 COMPENSATED FOR ATTENDANCE AT MEETINGS OF THE TASK FORCE AND
27 SHALL RECEIVE REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES

1 INCURRED IN THE PERFORMANCE OF THEIR DUTIES AS MEMBERS OF THE
2 TASK FORCE, AS PROVIDED IN SECTION 2-2-307, C.R.S. THE TOTAL
3 AMOUNT AVAILABLE FOR REIMBURSEMENT AND COMPENSATION
4 PURSUANT TO THIS PARAGRAPH (8) SHALL NOT EXCEED FIVE THOUSAND
5 DOLLARS.

6 (9) FOR THE 2013-14 FISCAL YEAR, THE GENERAL ASSEMBLY
7 SHALL APPROPRIATE TO THE COLORADO OFFICE OF ECONOMIC
8 DEVELOPMENT AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS
9 TO BE USED BY THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT TO
10 COVER ITS COSTS IN CONNECTION WITH THE DUTIES OF THE TASK FORCE
11 PURSUANT TO THIS SECTION.

12 (10) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2014.

13 **24-48.5-118. Procurement technical assistance centers -**
14 **funding for 2013-14 fiscal year - repeal.** (1) SUBJECT TO AVAILABLE
15 APPROPRIATIONS FOR THE PURPOSES OF THIS SECTION, FOR THE 2013-14
16 FISCAL YEAR, THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT SHALL
17 ASSIST AN ORGANIZATION IN THE STATE THAT OFFERS PROCUREMENT
18 TECHNICAL ASSISTANCE TO BUSINESSES AND ENTREPRENEURS AND THAT
19 WAS THE RECIPIENT OF A GRANT FROM THE COLORADO OFFICE OF
20 ECONOMIC DEVELOPMENT FOR SUCH PURPOSES DURING THE 2012-13
21 FISCAL YEAR, IN SATISFYING ITS FINANCIAL OBLIGATIONS TO RECEIVE
22 MATCHING MONEYS FROM THE FEDERAL GOVERNMENT FOR THE PURPOSE
23 OF PROVIDING PROCUREMENT TECHNICAL ASSISTANCE.

24 (2) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2014.

25 **SECTION 2. Appropriation.** In addition to any other
26 appropriation, there is hereby appropriated, out of any moneys in the
27 general fund not otherwise appropriated, to the governor - lieutenant

1 governor - state planning and budgeting for the fiscal year beginning July
2 1, 2013, the sum of \$215,000, or so much thereof as may be necessary,
3 for allocation to economic development programs for administrative
4 support and procurement technical assistance related to the
5 implementation of this act.

6 **SECTION 3. Appropriation.** In addition to any other
7 appropriation, there is hereby appropriated, out of any moneys in the
8 general fund not otherwise appropriated, to the legislative department, for
9 the fiscal year beginning July 1, 2013, the sum of \$5,000, or so much
10 thereof as may be necessary, for allocation to legislative council for
11 reimbursement and compensation related to the implementation of this
12 act.

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