

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 14-0855.01 Esther van Mourik x4215

SENATE BILL 14-110

SENATE SPONSORSHIP

Steadman, Hodge, Lambert

HOUSE SPONSORSHIP

Gerou, Duran, May

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE GENERAL ASSEMBLY'S DEVELOPMENT OF**
102 **RECOMMENDATIONS REGARDING NEW METHODS OF FINANCING**
103 **THE STATE'S ONGOING CAPITAL CONSTRUCTION NEEDS.**

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. In Senate Bill 09-228, the general assembly set a 5-year block of statutory transfers from the general fund to the capital construction fund and the highway users tax fund. The transfer for capital construction was scheduled to begin in the 2012-13

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
Amended 2nd Reading
February 21, 2014

state fiscal year, provided a trigger was met. Since the trigger has not yet occurred, the block of transfers has not started.

In addition to the transfers, Senate Bill 09-228 also required the capital development committee to develop and make recommendations concerning new methods of financing the state's ongoing capital construction and controlled maintenance needs prior to January 1, 2016, which would have been just prior to the last fiscal year of the required transfers, if the trigger occurred, so that when the transfers end a new funding mechanism could possibly be in place.

Since the transfers have not yet occurred, the bill changes the deadline for the development of recommendations concerning new methods of financing the state's ongoing capital construction and controlled maintenance needs to align with the fourth year of anticipated transfers to the capital construction fund. The bill also moves the responsibility for recommendation development to the joint budget committee rather than the capital development committee.

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

2 **SECTION 1. Legislative declaration.** The general assembly
3 hereby finds and declares that while it is an appropriate duty of the joint
4 budget committee to develop and make recommendations concerning new
5 methods of financing the state's ongoing capital construction, capital
6 renewal, and controlled maintenance needs, the capital development
7 committee's role in studying, reviewing, and prioritizing the state's
8 ongoing capital construction, capital renewal, and controlled maintenance
9 needs and making recommendations to the joint budget committee
10 regarding the funding of such needs in the annual general appropriation
11 act remains unchanged.

12 **SECTION 2.** In Colorado Revised Statutes, 2-3-1304, **repeal** (1)
13 (g) as follows:

14 **2-3-1304. Powers and duties of capital development**
15 **committee.** (1) The capital development committee has the following
16 powers and duties:

1 (g) ~~Prior to January 1, 2016, to develop and make~~
2 ~~recommendations concerning new methods of financing the state's~~
3 ~~ongoing capital construction needs and controlled maintenance. No later~~
4 ~~than February 1, 2016, the committee shall recommend legislation to~~
5 ~~implement the recommendations.~~

6 **SECTION 3.** In Colorado Revised Statutes, 2-3-203, **add** (1) (g)
7 as follows:

8 **2-3-203. Powers and duties of the joint budget committee -**
9 **repeal.** (1) The committee has the following power and duties:

10 (g) ~~PRIOR TO JANUARY 1 OF THE YEAR PRIOR TO THE LAST YEAR IN~~
11 ~~WHICH A TRANSFER MAY BE MADE UNDER SECTION 24-75-219, C.R.S., TO~~
12 ~~DEVELOP AND MAKE RECOMMENDATIONS IN CONSULTATION WITH THE~~
13 ~~CAPITAL DEVELOPMENT COMMITTEE ESTABLISHED IN SECTION 2-3-1302~~
14 ~~CONCERNING NEW METHODS OF FINANCING THE STATE'S ONGOING CAPITAL~~
15 ~~CONSTRUCTION, CAPITAL RENEWAL, AND CONTROLLED MAINTENANCE~~
16 ~~NEEDS. NO LATER THAN THE FOLLOWING FEBRUARY 1, THE COMMITTEE~~
17 ~~SHALL RECOMMEND LEGISLATION TO IMPLEMENT THE RECOMMENDATIONS.~~

18 **SECTION 4. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly (August
21 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
22 referendum petition is filed pursuant to section 1 (3) of article V of the
23 state constitution against this act or an item, section, or part of this act
24 within such period, then the act, item, section, or part will not take effect
25 unless approved by the people at the general election to be held in
26 November 2014 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor.