

**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. 14-1015.01 Esther van Mourik x4215

HOUSE BILL 14-1342

HOUSE SPONSORSHIP

Duran, May, Gerou

SENATE SPONSORSHIP

Steadman, Hodge, Lambert

House Committees
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING TRANSFERS OF MONEYS RELATED TO CAPITAL**
102 **CONSTRUCTION.**

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/bills summaries>.)

Joint Budget Committee. For the 2014-15 fiscal year, the bill transfers \$219,993,465 from the general fund to the capital construction fund and \$500,000 from the general fund exempt account of the general fund to the capital construction fund.

For the 2014-15 fiscal year, the bill transfers \$1 million from the

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.*

HOUSE
Amended 2nd Reading
March 27, 2014

state historical fund to the capital construction fund for historical renovations of the state house of representatives' chambers and the state senate's chambers.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-75-302, **amend**
3 (2) introductory portion, (2) (z), (2.5) introductory portion, (2.5) (g), and
4 (2.5) (h); and **add** (2) (aa), (2.5) (i), and (2.7) as follows:

5 **24-75-302. Capital construction fund - capital assessment fees**
6 **- calculation.** (2) On July 1 of each year through ~~July 1, 2013~~ JULY 1,
7 2014, the state treasurer and the controller shall transfer a sum as
8 specified in this subsection (2) out of the general fund and into the capital
9 construction fund as moneys become available in the general fund during
10 the fiscal year beginning on said July 1. Transfers between funds pursuant
11 to this subsection (2) are not appropriations subject to the limitations of
12 section 24-75-201.1. The amounts transferred pursuant to this subsection
13 (2) are as follows:

14 (z) On July 1, 2013, one hundred eighty-six million two hundred
15 fifteen thousand four hundred ninety-three dollars; AND

16 (aa) ON JULY 1, 2014, TWO HUNDRED NINETEEN MILLION NINE
17 HUNDRED NINETY-THREE THOUSAND FOUR HUNDRED SIXTY-FIVE DOLLARS.

18 (2.5) In addition to the sums accrued pursuant to subsection (2) of
19 this section, on July 1 of each year through ~~July 1, 2013~~ JULY 1, 2014, the
20 state treasurer and the controller shall transfer a sum as specified in this
21 subsection (2.5) from the general fund exempt account of the general
22 fund created pursuant to section 24-77-103.6 to the capital construction
23 fund as moneys become available in the general fund exempt account
24 during the fiscal year beginning on said July 1. Transfers between funds

1 pursuant to this subsection (2.5) are not appropriations subject to the
2 limitations of section 24-75-201.1. The amounts transferred pursuant to
3 this subsection (2.5) are as follows:

4 (g) On July 1, 2012, five hundred thousand dollars; ~~and~~

5 (h) On July 1, 2013, five hundred thousand dollars; AND

6 (i) ON JULY 1, 2014, FIVE HUNDRED THOUSAND DOLLARS.

7 (2.7) (a) IF THE AMOUNT TRANSFERRED TO THE CAPITAL
8 CONSTRUCTION FUND PURSUANT TO SECTION 24-75-220 (4) (a) (IV) FOR
9 THE FISCAL YEAR 2013-14 EQUALS ONE HUNDRED NINETEEN MILLION FIVE
10 HUNDRED FIFTY-FIVE THOUSAND EIGHT HUNDRED NINETY-FIVE DOLLARS,
11 THEN THE AMOUNTS TRANSFERRED ARE AVAILABLE FOR APPROPRIATION
12 IN THE FOLLOWING ORDER OF PRIORITY:

13 (I) FIVE MILLION DOLLARS TO THE AURARIA HIGHER EDUCATION
14 CENTER FOR THE SECOND PHASE OF A TWO-PHASE PROJECT TO RENOVATE
15 THE AURARIA LIBRARY;

16 (II) TWENTY MILLION EIGHT HUNDRED TWENTY-SEVEN THOUSAND
17 SEVEN HUNDRED FIFTY-FIVE DOLLARS TO FORT LEWIS COLLEGE FOR PHASE
18 TWO OF A THREE-PHASE PROJECT TO CONSTRUCT A NEW FACILITY FOR THE
19 GEOSCIENCES, PHYSICS, AND ENGINEERING DEPARTMENTS, KNOWN AS
20 BERNDT HALL;

21 (III) FIFTEEN MILLION DOLLARS TO COLORADO STATE UNIVERSITY
22 FOR THE FIRST PHASE OF A THREE-PHASE PROJECT TO CONSTRUCT A
23 CHEMISTRY BUILDING ADDITION;

24 (IV) ELEVEN MILLION FIVE HUNDRED NINETY-TWO THOUSAND
25 SEVEN HUNDRED TWELVE DOLLARS TO THE UNIVERSITY OF COLORADO,
26 BOULDER CAMPUS, FOR PHASE TWO OF A TWO-PHASE PROJECT TO
27 UPGRADE THE KETCHUM ARTS AND SCIENCES BUILDING;

1 (V) FIVE MILLION TWO HUNDRED SEVENTY-NINE THOUSAND ONE
2 HUNDRED TWENTY-EIGHT DOLLARS TO THE METROPOLITAN STATE
3 UNIVERSITY OF DENVER FOR THE FIRST PHASE OF A THREE-PHASE PROJECT
4 TO CONSTRUCT A NEW FACILITY TO SUPPORT THE DEVELOPMENT OF AN
5 AVIATION, AEROSPACE, AND ADVANCED MANUFACTURING DEGREE
6 PROGRAM;

7 (VI) EIGHTEEN MILLION FOUR HUNDRED SIXTY-TWO THOUSAND
8 ONE HUNDRED TWO DOLLARS TO COLORADO MESA UNIVERSITY FOR THE
9 CONSTRUCTION OF ADDITIONS TO AND RENOVATION OF THE TOMLINSON
10 LIBRARY;

11 (VII) FIVE MILLION EIGHT HUNDRED FORTY-THREE THOUSAND TWO
12 HUNDRED EIGHTEEN DOLLARS TO ADAMS STATE UNIVERSITY FOR
13 RENOVATIONS OF A NEWLY PURCHASED BUILDING ON ITS EAST CAMPUS TO
14 ADDRESS ACCESSIBILITY, CODE, AND LIFE-SAFETY DEFICIENCIES;

15 (VIII) SIXTEEN MILLION SEVENTY THOUSAND DOLLARS TO THE
16 OFFICE OF INFORMATION TECHNOLOGY FOR ITS STATEWIDE LEAVE, TIME
17 TRACKING, AND HUMAN RESOURCES MANAGEMENT SYSTEMS
18 MODERNIZATION; AND

19 (IX) TWENTY-ONE MILLION FOUR HUNDRED EIGHTY THOUSAND
20 NINE HUNDRED EIGHTY DOLLARS TO FUND LEVEL TWO CONTROLLED
21 MAINTENANCE PROJECTS THROUGH SCORE FOURTEEN AS PRIORITIZED BY
22 THE OFFICE OF THE STATE ARCHITECT.

23 (b) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
24 PARAGRAPH (b), IF THE AMOUNT TRANSFERRED TO THE CAPITAL
25 CONSTRUCTION FUND PURSUANT TO SECTION 24-75-220 (4) (a) (IV) FOR
26 THE FISCAL YEAR 2013-14 IS LESS THAN ONE HUNDRED NINETEEN MILLION
27 FIVE HUNDRED FIFTY-FIVE THOUSAND EIGHT HUNDRED NINETY-FIVE

1 DOLLARS, THEN THE GENERAL ASSEMBLY SHALL APPROPRIATE THE
2 AMOUNT TRANSFERRED IN THE ORDER OF THE PRIORITIZED LIST SPECIFIED
3 IN PARAGRAPH (a) OF THIS SUBSECTION (2.7), BUT ONLY INSOFAR AS THE
4 TRANSFER CAN COMPLETELY FUND A PRIORITIZED PROJECT. IF THE
5 TRANSFER IS NOT SUFFICIENT TO COMPLETELY FUND THE FIRST
6 PRIORITIZED PROJECT, THEN THE APPROPRIATION MUST BE MADE FOR THE
7 NEXT OR FOLLOWING PROJECT IN THE PRIORITIZED LIST THAT COULD BE
8 COMPLETELY FUNDED, AND SO FORTH; EXCEPT THAT IF THERE ARE NO
9 NEXT OR FOLLOWING PROJECTS IN THE PRIORITIZED LIST THAT COULD BE
10 COMPLETELY FUNDED, THEN THE GENERAL ASSEMBLY SHALL WAIT TO
11 MAKE ANY FURTHER APPROPRIATIONS UNTIL ADDITIONAL AMOUNTS ARE
12 TRANSFERRED TO THE CAPITAL CONSTRUCTION FUND PURSUANT TO
13 SECTION 24-75-220 (4) (b). IF ADDITIONAL AMOUNTS ARE TRANSFERRED
14 PURSUANT TO SECTION 24-75-220 (4) (b), THEN THE GENERAL ASSEMBLY
15 SHALL APPROPRIATE THE AMOUNT TRANSFERRED IN ORDER OF THE NEXT
16 OR FOLLOWING PRIORITIZED PROJECT THAT CAN BE COMPLETELY FUNDED.

17 (II) IF THE AMOUNT TRANSFERRED IS NOT SUFFICIENT TO COVER
18 ALL LEVEL TWO CONTROLLED MAINTENANCE PROJECTS THROUGH SCORE
19 FOURTEEN AS PRIORITIZED BY THE OFFICE OF THE STATE ARCHITECT,
20 PURSUANT TO SUBPARAGRAPH (IX) OF PARAGRAPH (a) OF THIS PARAGRAPH
21 (2.7), THEN THE GENERAL ASSEMBLY SHALL APPROPRIATE THE AMOUNTS
22 NECESSARY TO FULLY FUND EACH SCORE UP TO SCORE FOURTEEN.

23 (c) THIS SUBSECTION (2.7) IS REPEALED, EFFECTIVE JULY 1, 2016.

24 **SECTION 2.** In Colorado Revised Statutes, 12-47.1-1201, **add**
25 (6) as follows:

26 **12-47.1-1201. State historical fund - administration -**
27 **legislative declaration - state museum cash fund - capitol dome**

1 **restoration fund.** (6) FOR THE FISCAL YEAR COMMENCING JULY 1, 2014,
2 THE STATE TREASURER SHALL TRANSFER ONE MILLION DOLLARS FROM THE
3 STATE HISTORICAL FUND AT THE BEGINNING OF THE FISCAL YEAR TO THE
4 CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S.,
5 FOR HISTORIC RENOVATION OF THE STATE HOUSE OF REPRESENTATIVES'
6 CHAMBERS AND THE STATE SENATE'S CHAMBERS.

7 **SECTION 3.** In Colorado Revised Statutes, 24-75-220, **recreate**
8 **and reenact, with amendments,** (4) as follows:

9 **24-75-220. State education fund - transfers - surplus -**
10 **legislative declaration.** (4) (a) NOTWITHSTANDING ANY PROVISION OF
11 LAW TO THE CONTRARY, FOLLOWING THE RELEASE OF THE PRELIMINARY
12 CERTIFICATION BY THE STATE CONTROLLER FOR THE FISCAL YEAR 2013-14
13 AS SPECIFIED IN SECTION 24-77-106.5 (1) (b), THE DIRECTOR OF RESEARCH
14 OF THE LEGISLATIVE COUNCIL SHALL WORK WITH THE STATE CONTROLLER
15 TO DETERMINE A PRELIMINARY FIGURE REPRESENTING THE ESTIMATED
16 GENERAL FUND SURPLUS DESIGNATED IN ACCORDANCE WITH SECTION
17 24-75-201 (1) FOR THE FISCAL YEAR 2013-14. THE STATE CONTROLLER
18 SHALL PROVIDE SUCH PRELIMINARY FIGURE TO THE STATE TREASURER,
19 THE DIRECTOR OF THE OFFICE OF STATE PLANNING AND BUDGETING, AND
20 THE DIRECTOR OF THE JOINT BUDGET COMMITTEE BEFORE SEPTEMBER 15,
21 2014. ON SEPTEMBER 15, 2014, AN AMOUNT EQUAL TO NINETY PERCENT
22 OF THAT PRELIMINARY FIGURE IS ALLOCATED IN THE FOLLOWING ORDER
23 OF PRIORITY:

24 (I) THE STATE TREASURER SHALL TRANSFER THIRTY MILLION
25 DOLLARS FROM THE GENERAL FUND TO THE COLORADO WATER
26 CONSERVATION BOARD CONSTRUCTION FUND CREATED IN SECTION
27 37-60-121, C.R.S.;

1 (II) THE STATE TREASURER SHALL TRANSFER THIRTY-ONE MILLION
2 ONE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO THE
3 STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF
4 THE STATE CONSTITUTION;

5 (III) TEN MILLION THREE HUNDRED THOUSAND DOLLARS SHALL
6 REMAIN IN THE GENERAL FUND;

7 (IV) THE STATE TREASURER SHALL TRANSFER UP TO ONE HUNDRED
8 NINETEEN MILLION FIVE HUNDRED FIFTY-FIVE THOUSAND EIGHT HUNDRED
9 NINETY-FIVE DOLLARS FROM THE GENERAL FUND TO THE CAPITAL
10 CONSTRUCTION FUND CREATED IN SECTION 24-75-302, FOR THE PURPOSE
11 OF FUNDING CERTAIN CAPITAL CONSTRUCTION PROJECTS IN THE FISCAL
12 YEAR 2014-15 AS SPECIFIED IN SECTION 24-75-302 (2.7); AND

13 (V) THE STATE TREASURER SHALL TRANSFER ANY REMAINING
14 AMOUNT TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF
15 ARTICLE IX OF THE STATE CONSTITUTION.

16 (b) (I) ON THE DATE ON WHICH THE STATE CONTROLLER PUBLISHES
17 THE COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THE STATE FOR THE
18 FISCAL YEAR 2013-14, THE AMOUNT OF THE REMAINING GENERAL FUND
19 SURPLUS, NOT INCLUDING THE AMOUNT REMAINING IN THE GENERAL FUND
20 AS SPECIFIED IN SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS
21 SUBSECTION (4), IS ALLOCATED AS FOLLOWS:

22 (A) IF THE TRANSFER SPECIFIED IN SUBPARAGRAPH (IV) OF
23 PARAGRAPH (a) OF THIS SUBSECTION (4) WAS NOT FULLY FUNDED, THE
24 STATE TREASURER SHALL TRANSFER AN AMOUNT TO THE CAPITAL
25 CONSTRUCTION FUND CREATED IN SECTION 24-75-302 EQUAL TO THE
26 LESSER OF THE AMOUNT OF THE REMAINING GENERAL FUND SURPLUS OR
27 THE AMOUNT REQUIRED TO FULLY FUND THE TRANSFER.

1 (B) IF THERE IS EXCESS REMAINING GENERAL FUND SURPLUS OVER
2 AND ABOVE THE TOTAL TRANSFER SPECIFIED IN SUB-SUBPARAGRAPH (A)
3 OF THIS PARAGRAPH (b), THE STATE TREASURER SHALL TRANSFER SUCH
4 EXCESS REMAINING GENERAL FUND SURPLUS TO THE STATE EDUCATION
5 FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE
6 CONSTITUTION.

7 (c) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2016.

8 **SECTION 4.** In Colorado Revised Statutes, **repeal** 24-75-223.

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