

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REREVISED

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

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
Appropriations

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/billsummaries>.)

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.

SENATE
3rd Reading Unamended
April 4, 2014

SENATE
Amended 2nd Reading
April 3, 2014

HOUSE
3rd Reading Unamended
March 28, 2014

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 TWENTY-NINE 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 FORTY MILLION THREE
10 HUNDRED THIRTY-FIVE THOUSAND SEVEN HUNDRED FORTY-EIGHT
11 DOLLARS, THEN THE AMOUNTS TRANSFERRED ARE AVAILABLE FOR
12 APPROPRIATION 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) TEN 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) TWENTY MILLION SEVEN HUNDRED SEVENTY-NINE
16 THOUSAND EIGHT HUNDRED FIFTY-THREE DOLLARS TO WESTERN STATE
17 COLORADO UNIVERSITY FOR RENOVATIONS OF QUIGLEY HALL TO ADDRESS
18 CODE-COMPLIANCE ISSUES IN THE TWO-STORY ACADEMIC BUILDING;

19 (IX) SIXTEEN MILLION SEVENTY THOUSAND DOLLARS TO THE
20 OFFICE OF INFORMATION TECHNOLOGY FOR ITS STATEWIDE LEAVE, TIME
21 TRACKING, AND HUMAN RESOURCES MANAGEMENT SYSTEMS
22 MODERNIZATION; AND

23 (X) TWENTY-ONE MILLION FOUR HUNDRED EIGHTY THOUSAND
24 NINE HUNDRED EIGHTY DOLLARS TO FUND LEVEL TWO CONTROLLED
25 MAINTENANCE PROJECTS THROUGH SCORE FOURTEEN AS PRIORITIZED BY
26 THE OFFICE OF THE STATE ARCHITECT.

27 (b) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS

1 PARAGRAPH (b), IF THE AMOUNT TRANSFERRED TO THE CAPITAL
2 CONSTRUCTION FUND PURSUANT TO SECTION 24-75-220 (4) (a) (IV) FOR
3 THE FISCAL YEAR 2013-14 IS LESS THAN ONE HUNDRED FORTY MILLION
4 THREE HUNDRED THIRTY-FIVE THOUSAND SEVEN HUNDRED FORTY-EIGHT
5 DOLLARS, THEN THE GENERAL ASSEMBLY SHALL APPROPRIATE THE
6 AMOUNT TRANSFERRED IN THE ORDER OF THE PRIORITIZED LIST SPECIFIED
7 IN PARAGRAPH (a) OF THIS SUBSECTION (2.7), BUT ONLY INSOFAR AS THE
8 TRANSFER CAN COMPLETELY FUND A PRIORITIZED PROJECT. IF THE
9 TRANSFER IS NOT SUFFICIENT TO COMPLETELY FUND THE FIRST
10 PRIORITIZED PROJECT, THEN THE APPROPRIATION MUST BE MADE FOR THE
11 NEXT OR FOLLOWING PROJECT IN THE PRIORITIZED LIST THAT COULD BE
12 COMPLETELY FUNDED, AND SO FORTH; EXCEPT THAT IF THERE ARE NO
13 NEXT OR FOLLOWING PROJECTS IN THE PRIORITIZED LIST THAT COULD BE
14 COMPLETELY FUNDED, THEN THE GENERAL ASSEMBLY SHALL WAIT TO
15 MAKE ANY FURTHER APPROPRIATIONS UNTIL ADDITIONAL AMOUNTS ARE
16 TRANSFERRED TO THE CAPITAL CONSTRUCTION FUND PURSUANT TO
17 SECTION 24-75-220 (4) (b). IF ADDITIONAL AMOUNTS ARE TRANSFERRED
18 PURSUANT TO SECTION 24-75-220 (4) (b), THEN THE GENERAL ASSEMBLY
19 SHALL APPROPRIATE THE AMOUNT TRANSFERRED IN ORDER OF THE NEXT
20 OR FOLLOWING PRIORITIZED PROJECT THAT CAN BE COMPLETELY FUNDED.

21 (II) IF THE AMOUNT TRANSFERRED IS NOT SUFFICIENT TO COVER
22 ALL LEVEL TWO CONTROLLED MAINTENANCE PROJECTS THROUGH SCORE
23 FOURTEEN AS PRIORITIZED BY THE OFFICE OF THE STATE ARCHITECT,
24 PURSUANT TO SUBPARAGRAPH (IX) OF PARAGRAPH (a) OF THIS PARAGRAPH
25 (2.7), THEN THE GENERAL ASSEMBLY SHALL APPROPRIATE THE AMOUNTS
26 NECESSARY TO FULLY FUND EACH SCORE UP TO SCORE FOURTEEN.

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

1 **SECTION 2.** In Colorado Revised Statutes, 24-75-302.5, **add** (8)
2 **as follows:**

3 **24-75-302.5. Controlled maintenance - trust fund.**
4 **(8) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE**
5 **CONTRARY, ON JULY 1, 2014, THE STATE TREASURER SHALL DEDUCT TWO**
6 **MILLION DOLLARS FROM THE TRUST FUND AND TRANSFER SUCH SUM TO**
7 **THE GENERAL FUND.**

8 **SECTION 3.** In Colorado Revised Statutes, 12-47.1-1201, **add**
9 **(6) as follows:**

10 **12-47.1-1201. State historical fund - administration -**
11 **legislative declaration - state museum cash fund - capitol dome**
12 **restoration fund. (6) FOR THE FISCAL YEAR COMMENCING JULY 1, 2014,**
13 THE STATE TREASURER SHALL TRANSFER ONE MILLION DOLLARS FROM THE
14 STATE HISTORICAL FUND AT THE BEGINNING OF THE FISCAL YEAR TO THE
15 CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S.,
16 FOR HISTORIC RENOVATION OF THE STATE HOUSE OF REPRESENTATIVES'
17 CHAMBERS AND THE STATE SENATE'S CHAMBERS.

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

20 **24-75-220. State education fund - transfers - surplus -**
21 **legislative declaration. (4) (a) NOTWITHSTANDING ANY PROVISION OF**
22 **LAW TO THE CONTRARY, FOLLOWING THE RELEASE OF THE PRELIMINARY**
23 **CERTIFICATION BY THE STATE CONTROLLER FOR THE FISCAL YEAR 2013-14**
24 **AS SPECIFIED IN SECTION 24-77-106.5 (1) (b), THE DIRECTOR OF RESEARCH**
25 **OF THE LEGISLATIVE COUNCIL SHALL WORK WITH THE STATE CONTROLLER**
26 **TO DETERMINE A PRELIMINARY FIGURE REPRESENTING THE ESTIMATED**
27 **GENERAL FUND SURPLUS DESIGNATED IN ACCORDANCE WITH SECTION**

1 24-75-201 (1) FOR THE FISCAL YEAR 2013-14. THE STATE CONTROLLER
2 SHALL PROVIDE SUCH PRELIMINARY FIGURE TO THE STATE TREASURER,
3 THE DIRECTOR OF THE OFFICE OF STATE PLANNING AND BUDGETING, AND
4 THE DIRECTOR OF THE JOINT BUDGET COMMITTEE BEFORE SEPTEMBER 15,
5 2014. ON SEPTEMBER 15, 2014, AN AMOUNT EQUAL TO NINETY PERCENT
6 OF THAT PRELIMINARY FIGURE IS ALLOCATED IN THE FOLLOWING ORDER
7 OF PRIORITY:

8 (I) THE STATE TREASURER SHALL TRANSFER THIRTY MILLION
9 DOLLARS FROM THE GENERAL FUND TO THE COLORADO WATER
10 CONSERVATION BOARD CONSTRUCTION FUND CREATED IN SECTION
11 37-60-121, C.R.S.;

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

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

18 (IV) THE STATE TREASURER SHALL TRANSFER UP TO ONE HUNDRED
19 FORTY MILLION THREE HUNDRED THIRTY-FIVE THOUSAND SEVEN HUNDRED
20 FORTY-EIGHT DOLLARS FROM THE GENERAL FUND TO THE CAPITAL
21 CONSTRUCTION FUND CREATED IN SECTION 24-75-302, FOR THE PURPOSE
22 OF FUNDING CERTAIN CAPITAL CONSTRUCTION PROJECTS IN THE FISCAL
23 YEAR 2014-15 AS SPECIFIED IN SECTION 24-75-302 (2.7); AND

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

27 (b) (I) ON THE DATE ON WHICH THE STATE CONTROLLER PUBLISHES

1 THE COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THE STATE FOR THE
2 FISCAL YEAR 2013-14, THE AMOUNT OF THE REMAINING GENERAL FUND
3 SURPLUS, NOT INCLUDING THE AMOUNT REMAINING IN THE GENERAL FUND
4 AS SPECIFIED IN SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS
5 SUBSECTION (4), IS ALLOCATED AS FOLLOWS:

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

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

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

19 **SECTION 5.** In Colorado Revised Statutes, **repeal** 24-75-223.

20 **SECTION 6. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.