

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0772.01 Esther van Mourik x4215

SENATE BILL 15-270

SENATE SPONSORSHIP

Lambert, Grantham, Steadman, Baumgardner, Kefalas

HOUSE SPONSORSHIP

Rankin, Hamner, Young, Becker K., Brown, Vigil

Senate Committees

Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE OFFICE OF THE STATE**
102 **ARCHITECT, AND, IN CONNECTION THEREWITH, ADDING**
103 **STATEWIDE PLANNING RESPONSIBILITIES AND MAKING AND**
104 **REDUCING 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>.)

Joint Budget Committee. The bill statutorily creates the office of the state architect (office) within the department of personnel (department). The bill makes conforming amendments to replace 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.*

office as the responsible party for duties attributed in current law to the department. The office is already managing these responsibilities in practice. The bill adds a new responsibility to the office for statewide planning. With respect to the planning responsibilities, the office must:

- ! Work with the office of state planning and budgeting and the Colorado commission on higher education to develop and establish criteria for recommending capital construction projects;
- ! Review and make recommendations to the office of state planning and budgeting regarding all capital construction budget requests and supplemental budget requests submitted by a state agency;
- ! Review and make recommendations to the office of state planning and budgeting regarding all capital construction budget requests and supplemental budget requests of a state institution of higher education received after the Colorado commission of higher education's review and approval as specified in current law;
- ! Review each state agency's operational master plan and approve each state agency's facilities master plans, facilities program plans, and 5-year plans;
- ! Provide the capital development committee with a report regarding the approved facilities master plans, facilities program plans, and 5-year plans of each state agency and state institution of higher education;
- ! Develop, after consultation with the office of state planning and budgeting, standards for the preparation of current facilities master plans coordinated with operational master plans, and facility program plans coordinated with operational program plans for each state agency, except state institutions of higher education;
- ! Coordinate the preparation and maintenance of long-range master plans that recommend executive and legislative actions for achieving desired state objectives and that include recommended methods for evaluation.

The bill makes clear that the acquisition of a capital asset or a capital construction project for any state agency or state institution of higher education may not be authorized unless the facilities program plan has been approved by the state architect. The bill also clarifies that it is the policy of the General Assembly to only appropriate funds for capital construction projects if such projects have been approved by the office.

The bill also specifies that the office of state planning and budgeting's plan for capital construction expenditures must consider recommendations made by the office.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-1301, **add**
3 (13.5) as follows:

4 **24-30-1301. Definitions.** As used in this part 13, unless the
5 context otherwise requires:

6 (13.5) "OFFICE OF THE STATE ARCHITECT" OR "OFFICE" MEANS THE
7 OFFICE OF THE STATE ARCHITECT CREATED IN SECTION 24-30-1302.5.

8 **SECTION 2.** In Colorado Revised Statutes, **add** 24-30-1302.5 as
9 follows:

10 **24-30-1302.5. Office of the state architect.** (1) THERE IS
11 CREATED WITHIN THE DEPARTMENT AN OFFICE OF THE STATE ARCHITECT,
12 THE HEAD OF WHICH IS THE STATE ARCHITECT. THE STATE ARCHITECT IS
13 DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, SUBJECT
14 TO THE PROVISIONS OF SECTION 13 OF ARTICLE XII OF THE STATE
15 CONSTITUTION, AND THE STATE ARCHITECT MUST BE QUALIFIED BY
16 TRAINING IN ARCHITECTURE AND PLANNING. THE STATE ARCHITECT SHALL
17 APPOINT THE NECESSARY STAFF OF THE OFFICE OF THE STATE ARCHITECT
18 IN ACCORDANCE WITH THE PROVISIONS OF SECTION 13 OF ARTICLE XII OF
19 THE STATE CONSTITUTION.

20 (2) THE STATE ARCHITECT SHALL EXERCISE ALL POWERS
21 NECESSARY AND PROPER FOR THE DISCHARGE OF HIS OR HER DUTIES AS
22 SPECIFIED IN THIS PART 13 AND PART 14 OF THIS ARTICLE.

23 **SECTION 3.** In Colorado Revised Statutes, 24-30-1303, **amend**
24 (1) introductory portion, (1) (s) (II), (1) (t) (I), (1) (w), (1) (z), (3) (a), (4),
25 and (5); **repeal** (1) (l); and **add** (1) (s.5) as follows:

26 **24-30-1303. Office of the state architect - responsibilities.**

1 (1) The ~~department~~ OFFICE OF THE STATE ARCHITECT shall:

2 (l) ~~Develop, or cause to be developed, after consultation with the~~
3 ~~office of state planning and budgeting pursuant to section 24-37-201,~~
4 ~~standards for the preparation of current facilities master plans coordinated~~
5 ~~with operational master plans, and facility program plans coordinated~~
6 ~~with operational program plans for each state agency, except state~~
7 ~~institutions of higher education as provided in section 23-1-106, C.R.S.,~~
8 ~~for review and recommendation by the capital development committee;~~

9 (s) (II) In cooperation with the project architect, engineer, or
10 consultant, be responsible for the administration of the bid procedure for
11 state agencies and state institutions of higher education without staff
12 capability and perform such additional functions as the ~~department~~ OFFICE
13 may determine;

14 (s.5) WORK WITH THE OFFICE OF STATE PLANNING AND
15 BUDGETING, THE COLORADO COMMISSION ON HIGHER EDUCATION, THE
16 DEPARTMENT OF HIGHER EDUCATION, AND A REPRESENTATIVE FROM A
17 STATE INSTITUTION OF HIGHER EDUCATION TO DEVELOP AND ESTABLISH
18 CRITERIA FOR RECOMMENDING CAPITAL CONSTRUCTION PROJECTS;

19 (t) (I) ~~Review and~~ Make recommendations on capital construction
20 ~~or~~ AND capital renewal project requests ~~if requested by~~ MADE BY EACH
21 STATE AGENCY _____ AFTER THE REQUESTS HAVE BEEN REVIEWED BY THE
22 OFFICE AS SPECIFIED IN SECTION 24-30-1310 AND MADE BY STATE
23 INSTITUTIONS OF HIGHER EDUCATION AS PROVIDED TO THE OFFICE BY THE
24 DEPARTMENT OF HIGHER EDUCATION AS REQUIRED IN SECTION
25 24-30-1310, AND SUBMIT RECOMMENDATIONS FOR THE SAME TO the office
26 of state planning and budgeting ~~or the capital development committee;~~ IN
27 A TIMELY MANNER SO THAT THE OFFICE OF STATE PLANNING AND

1 BUDGETING CAN MEET THE DEADLINES SET FORTH IN SECTION 24-37-304
2 (1) (c.3). THE STATE ARCHITECT MAY NOT RECOMMEND CAPITAL
3 CONSTRUCTION PROJECT REQUESTS IF SUCH PROJECTS ARE NOT INCLUDED
4 IN THE STATE AGENCY'S FACILITY PROGRAM PLAN THAT IS APPROVED
5 AS REQUIRED IN SECTION 24-30-1310, UNLESS THE STATE ARCHITECT
6 DETERMINES THAT THERE EXISTS A SOUND REASON WHY THE REQUESTED
7 PROJECT IS NOT INCLUDED IN THE FACILITY PROGRAM PLAN. IT IS
8 UNDERSTOOD THAT THE COLORADO COMMISSION ON HIGHER EDUCATION
9 WILL HAVE PREVIOUSLY MADE A DETERMINATION THAT A STATE
10 INSTITUTION OF HIGHER EDUCATION'S CAPITAL CONSTRUCTION OR CAPITAL
11 RENEWAL PROJECT IS INCLUDED IN THE INSTITUTION'S FACILITY PROGRAM
12 PLAN AS SET FORTH IN SECTION 23-1-106, C.R.S.

13 (w) Develop and maintain, or cause to be developed and
14 maintained, life-cycle cost analysis methods for real property and, prior
15 to beginning construction, assure that such methods are reviewed by an
16 independent third party to ensure compliance with sections 24-30-1304
17 and 24-30-1305. The ~~department~~ OFFICE shall review and approve
18 specific exceptions to systems selected for construction, which systems
19 are not found to be the best choice on a life-cycle basis.

20 (z) Establish minimum building codes, with the approval of the
21 governor and the general assembly after the recommendations and review
22 of the capital development committee, for all construction by state
23 agencies and state institutions of higher education on real property or
24 state lease-purchased buildings. At the discretion of the ~~department~~
25 OFFICE, said codes may apply to state-leased buildings where local
26 building codes may not exist.

27 (3) (a) All real property, except public roads and highways,

1 projects under the supervision of the division of parks and wildlife, and
2 real property under the supervision of the judicial department, erected for
3 state purposes shall be constructed in conformity with a construction
4 procedures manual for real property prepared by the ~~department~~ OFFICE
5 and approved by the governor. Such construction shall be made only upon
6 plans, designs, and construction documents that comply with approved
7 state standards and rules promulgated pursuant to this section.

8 (4) When the principal representative is a legislative agency, the
9 principal representative may request, and the ~~department~~ OFFICE shall
10 provide to the principal representative within five working days of such
11 request, a progress report of the ~~department's~~ OFFICE'S actions undertaken
12 as of the date of the request towards completion of any of the
13 ~~department's~~ OFFICE'S duties set forth in subsection (1) of this section.

14 (5) (a) The ~~department~~ OFFICE may delegate to state agencies or
15 state institutions of higher education any or all of the responsibilities and
16 functions outlined in this part 13 and the ~~department's~~ OFFICE'S
17 responsibilities and functions under part 14 of this article, pursuant to
18 rules and regulations promulgated by the department, when the state
19 agency or state institution of higher education has the professional or
20 technical capability on staff to perform such functions competently.

21 (b) The ~~department~~ OFFICE may authorize state agencies or state
22 institutions of higher education to hire private construction managers to
23 supervise the capital construction, controlled maintenance, or capital
24 renewal projects. The cost of such construction manager shall be paid
25 from moneys appropriated for the specific capital construction, controlled
26 maintenance, or capital renewal projects. This paragraph (b) does not
27 apply to projects under the supervision of the department of

1 transportation.

2 (c) If the ~~executive director~~ STATE ARCHITECT determines that the
3 governing board of a state institution of higher education has adopted
4 procedures that adequately meet the safeguards set forth in the
5 requirements of part 14 of this article and article 92 of this title, the
6 ~~executive director~~ STATE ARCHITECT may exempt the institution from any
7 of the procedural requirements of part 14 of this article and article 92 of
8 this title in regard to a capital construction project to be constructed
9 pursuant to the provisions of section 23-1-106 (9) or (10), C.R.S.; except
10 that the selection of any contractor to perform professional services as
11 defined in section 24-30-1402 (6) must be made in accordance with the
12 criteria set forth in section 24-30-1403 (2).

13 (d) Upon application by any state agency or state institution of
14 higher education that demonstrates internal expertise related to the leasing
15 and acquisition of commercial real property, the ~~department~~ OFFICE may
16 delegate an individual employed by the state agency or state institution of
17 higher education to act on behalf of the ~~department~~ OFFICE in the
18 performance of the responsibilities and functions described in paragraph
19 (a) of subsection (1) of this section. The delegation authorized pursuant
20 to this paragraph (d) may include, with the consent of the ~~department~~
21 OFFICE, the authority to waive the use of the ~~department-approved~~
22 OFFICE-APPROVED real estate lease form or real estate lease amendment
23 form.

24 **SECTION 4.** In Colorado Revised Statutes, 24-30-1303.5,
25 **amend** (1), (2), (3), (3.5), (4), (5.5), and (6) as follows:

26 **24-30-1303.5. Office of the state architect to prepare and**
27 **maintain inventory of state property - vacant facilities.** (1) The

1 ~~department~~ OFFICE shall obtain and maintain a correct and current
2 inventory of all real property owned by or held in trust for the state or any
3 state agency or state institution of higher education, and, in cooperation
4 with the attorney general, correct any defects in title to said real property
5 necessary to vest marketable title in the state.

6 (2) Such inventory must include sufficient information to identify
7 such real property with respect to which unit of the state has control
8 thereof, where such real property is located, and when and from what
9 source the real property was acquired, including subsequent
10 improvements. The ~~department~~ OFFICE shall establish and maintain an
11 accurate index system which will assure that inquiries as to the location
12 and control of all such real property will be promptly answered.

13 (3) The ~~department~~ OFFICE shall establish procedures whereby
14 each state agency and state institution of higher education is required to
15 report all acquisitions of real property, including improvements, and all
16 dispositions thereof to the ~~department~~ OFFICE to enable the inventory to
17 be promptly and accurately maintained with respect to such changes. The
18 report must include a copy of each purchase or sale agreement pertaining
19 to the acquisition or disposition of real property, including improvements,
20 or, if such agreements are not available, such other documents describing
21 the terms and conditions of the transaction as the ~~department~~ OFFICE finds
22 to be appropriate in order to maintain the information required by
23 subsection (2) of this section. For each transaction involving the
24 acquisition or disposition of real property, the state agency or the state
25 institution of higher education shall also provide to the department a copy
26 of the deed pertaining to the real property after the deed has been
27 recorded.

1 (3.5) (a) With respect to all real property owned by or held in trust
2 for the state or any state agency or state institution of higher education,
3 each state agency or state institution of higher education shall identify any
4 vacant facility under its control. As used in this section, "vacant" means:

- 5 (I) Unoccupied;
- 6 (II) Unused in whole or in part for the purposes for which the
7 improvement was designed, intended, or remodeled; or
- 8 (III) Without current defined plans by the state agency or state
9 institution of higher education for the next fiscal year.

10 (b) A state agency or state institution of higher education must
11 submit for the approval of the ~~department~~ OFFICE a facility management
12 plan for any vacant facility consistent with the procedures established by
13 the ~~department~~ OFFICE. The state agency or state institution of higher
14 education must submit the facility management plan to the ~~department~~
15 OFFICE within thirty days after the facility becomes vacant. In addition to
16 any other information required by the ~~department~~ OFFICE, the facility
17 management plan must include the following:

- 18 (I) A financial analysis of the possible uses of the facility;
- 19 (II) Any plans for the disposal of the facility through sale, lease,
20 demolition, or otherwise;
- 21 (III) If the state agency or state institution of higher education
22 does not intend to dispose of the facility during the next fiscal year, a plan
23 for the proposed controlled maintenance, if any, necessary to avoid the
24 deterioration of the vacant facility; and
- 25 (IV) Whether the facility has or is eligible to receive a national,
26 state, or local historic designation or listing.

27 (c) (I) For each year after the ~~department~~ OFFICE approves a

1 facility management plan, the state agency or state institution of higher
2 education shall submit an annual facility management plan update
3 consistent with the procedures established by the ~~department~~ OFFICE. The
4 update must be submitted on or before November 1 of the year following
5 the approval of a facility management plan and each November 1
6 thereafter until such time that the facility is no longer vacant. In addition
7 to any other information required by the ~~department~~ OFFICE, the update
8 must identify all actions taken by the state agency or state institution of
9 higher education within the last year consistent with the facility
10 management plan. If based on the update or on any other information
11 known by the ~~department~~ OFFICE, the ~~department~~ OFFICE determines that
12 the state agency or state institution of higher education has failed to
13 comply with the provisions of an approved facility management plan, the
14 ~~department~~ OFFICE may revoke the approval of the facility management
15 plan. If the ~~department~~ OFFICE revokes approval of the facility
16 management plan, a state agency or state institution of higher education
17 is required to submit a new facility management plan for the vacant
18 facility subject to the provisions of this subsection (3.5).

19 (II) In addition to any other requirements of subparagraph (I) of
20 this paragraph (c), the facility management plan update must describe any
21 changes proposed by the state agency or state institution of higher
22 education to the facility management plan. Any proposed changes to the
23 facility management plan are subject to the approval of the ~~department~~
24 OFFICE, and any approved changes become part of the facility
25 management plan for purposes of future updates.

26 (d) Any facility management plan or update required to be
27 submitted by a state institution of higher education pursuant to this

1 subsection (3.5) must be submitted to the Colorado commission on higher
2 education instead of the ~~department~~ OFFICE. The commission shall submit
3 a copy of the facility management plan or update and the commission's
4 recommendations regarding it to the ~~department~~ OFFICE.

5 (e) Repealed.

6 (f) No state agency or state institution of higher education is
7 eligible for any capital construction appropriations until the ~~department~~
8 OFFICE approves a facility management plan for all vacant facilities
9 controlled by the state agency or state institution of higher education;
10 except that the capital development committee may exempt a state agency
11 or state institution of higher education from the provisions of this
12 paragraph (f).

13 (4) For purposes of maintaining a current inventory, no acquisition
14 or disposition of real property may be made and no funds or other
15 valuable consideration may be given by a state agency or state institution
16 of higher education for such acquisition, nor may any final document of
17 conveyance of real property be transmitted to a purchaser, until a
18 complete report on such transaction as required pursuant to subsection (3)
19 of this section has been filed with the ~~department~~ OFFICE and the
20 ~~department~~ OFFICE has issued a written acknowledgment of the receipt of
21 such report to the state agency or state institution of higher education.
22 Such written acknowledgment must be issued without delay, and nothing
23 in this section should be construed to give the ~~department~~ OFFICE any
24 power to approve or disapprove any acquisition or disposition of real
25 property, improvements thereon, or other capital assets.

26 (5.5) The ~~department~~ OFFICE shall cause to be developed
27 performance criteria for real property. An analysis must be made upon

1 selected real property against the performance criteria to assess whether
2 the selected real property should be considered for sale or other
3 disposition if such real property is not performing and is determined not
4 to be of sound investment value, or should be held for an identified future
5 state need. The ~~department~~ OFFICE may contract to maintain such
6 inventories, develop such performance criteria, and perform such analysis
7 and may enter exclusive brokerage agreements on behalf of state agencies
8 and state institutions of higher education to the extent necessary to
9 accomplish the maintenance of such inventory and such analysis. The
10 ~~department~~ OFFICE shall make recommendations to the capital
11 development committee regarding various real property management
12 strategies resulting from such analysis. This subsection (5.5) does not
13 apply to property that is subject to the provisions of section 43-1-106 (8)
14 (n), C.R.S.

15 (6) The ~~department~~ OFFICE shall prepare an annual report of the
16 acquisitions and dispositions of real property subject to this section and
17 make the report available to the members of the capital development
18 committee. Such report must include a description of the real property
19 and its present use and value.

20 **SECTION 5.** In Colorado Revised Statutes, 24-30-1305, **amend**
21 (3) (b) and (6) as follows:

22 **24-30-1305. Life-cycle cost - application - definitions.** (3) The
23 life-cycle cost analysis performed for real property with a facility of
24 twenty thousand or more gross square feet with significant energy
25 demands must provide but not be limited to the following information:

26 (b) The estimated annual operating cost of all utility requirements,
27 including consideration of possible escalating costs of energy. The

1 ~~department~~ OFFICE may rely on any national or locally appropriate fuel
2 escalating methodology approved by the ~~department~~ OFFICE OF THE STATE
3 ARCHITECT in performing life-cycle cost analyses.

4 (6) Selection of the optimum system or combination of systems to
5 be incorporated into the design of real property must be based on the
6 life-cycle cost analysis over the economic life of the real property, unless
7 a request for an alternative system is made and approved by the
8 ~~department~~ OFFICE prior to beginning construction.

9 **SECTION 6.** In Colorado Revised Statutes, 24-30-1305.5,
10 **amend** (1), (3) (a), (3) (b), (7), and (8) (d) as follows:

11 **24-30-1305.5. High performance standards - report -**
12 **legislative declaration - definition.** (1) The office ~~of the state architect,~~
13 ~~or an analogous successor office in the department,~~ shall, in consultation
14 with the Colorado commission on higher education, adopt and update
15 from time to time a high performance standard certification program.

16 (3) (a) For all buildings that started the design process on or after
17 January 1, 2010, each state agency or state institution of higher education
18 shall monitor, track, and verify utility vendor bill data pertaining to the
19 building and must annually report to the office. ~~of the state architect, or~~
20 ~~an analogous successor office in the department.~~ The annual report must
21 also include information related to building performance based on the
22 building's utility consumption.

23 (b) The general assembly hereby finds, determines, and declares
24 that buildings that have achieved the highest performance certification
25 attainable and started the design process prior to January 1, 2010, are
26 strongly encouraged to monitor, track, and verify utility vendor bill data
27 pertaining to such building in order to ensure that the increased initial

1 costs to achieve the highest performance certification attainable are in
2 fact recouped. If such data is monitored, tracked, and verified, then the
3 state agency or state institution of higher education must annually report
4 to the office. ~~of the state architect, or an analogous successor office in the~~
5 ~~department.~~ If such data is not monitored, tracked, and verified, then the
6 state agency or state institution of higher education must provide the ~~state~~
7 ~~architect~~ OFFICE, in writing, a reasonable explanation and also must work
8 with the ~~state architect~~ OFFICE to find a way to start monitoring, tracking,
9 verifying, and reporting such data.

10 (7) The ~~department~~ OFFICE shall report annually to the capital
11 development committee regarding contracting documents, project
12 guidelines, and reporting and tracking procedures related to the
13 implementation of this section.

14 (8) As used in this section, unless the context otherwise requires:

15 (d) "Utility vendor bill data" means information or data limited to
16 the usage data measured by the state agency OR state institution of higher
17 education, ~~or department~~ or the information or data required to meet
18 minimum program standards by an independent third party pursuant to the
19 high performance standard certification program.

20 **SECTION 7.** In Colorado Revised Statutes, **amend** 24-30-1306
21 as follows:

22 **24-30-1306. Acceptance of gifts and grants.** The department
23 AND THE OFFICE, with the approval of the governor, ~~is~~ ARE specifically
24 empowered to receive and expend all grants, gifts, and bequests, where
25 such grants, gifts, or bequests involve no state funds for acquisition,
26 construction, or operation, including federal funds available for the
27 purposes for which the department exists, and to contract with the United

1 States and all other legal entities with respect thereto. The department
2 AND THE OFFICE may provide, where such funds are specifically
3 appropriated, matching funds wherever funds, grants, gifts, bequests, and
4 contractual assistance are available on such basis. The department AND
5 THE OFFICE shall provide such information, reports, and services as may
6 be necessary to secure such financial aid.

7 **SECTION 8.** In Colorado Revised Statutes, **amend** 24-30-1307
8 as follows:

9 **24-30-1307. Legislative declaration.** The purpose of this part 13
10 is to allow the ~~department of personnel~~ OFFICE OF THE STATE ARCHITECT
11 to develop the policies and standards for state agencies and state
12 institutions of higher education to follow for the major renovation or new
13 construction of real property and to allow the ~~department of personnel~~
14 OFFICE to delegate the authority to implement such policies and standards
15 to the individual state agencies or state institutions of higher education.
16 It is not the purpose of this part 13 to require state agencies or state
17 institutions of higher education to add FTEs or incur additional
18 expenditures to implement the provisions of this part 13.

19 **SECTION 9.** In Colorado Revised Statutes, **add** 24-30-1310 as
20 follows:

21 **24-30-1310. Statewide planning function - responsibilities.**

22 (1) (a) (I) COMMENCING WITH THE 2017-18 FISCAL YEAR, AND EACH
23 FISCAL YEAR THEREAFTER, AND IN ACCORDANCE WITH THE OFFICE OF
24 STATE PLANNING AND BUDGETING'S BUDGET INSTRUCTIONS, A STATE
25 AGENCY SHALL ANNUALLY SUBMIT ALL CAPITAL CONSTRUCTION BUDGET
26 REQUESTS, INCLUDING ANY AMENDED REQUESTS, TO THE OFFICE FOR
27 REVIEW.

1 (II) COMMENCING WITH THE 2017-18 FISCAL YEAR, AND EACH
2 FISCAL YEAR THEREAFTER, AFTER THE COLORADO COMMISSION ON HIGHER
3 EDUCATION'S REVIEW AND APPROVAL AS SPECIFIED IN SECTION 23-1-106,
4 C.R.S., AND IN ACCORDANCE WITH THE OFFICE OF STATE PLANNING AND
5 BUDGETING'S BUDGET INSTRUCTIONS, THE DEPARTMENT OF HIGHER
6 EDUCATION SHALL ANNUALLY SUBMIT ALL CAPITAL CONSTRUCTION
7 BUDGET REQUESTS, NOT INCLUDING THOSE PROJECTS DESCRIBED IN
8 SECTION 23-1-106 (9) AND (10), C.R.S., TO THE OFFICE.

9 (b) COMMENCING WITH THE 2016-17 FISCAL YEAR, AND EACH
10 FISCAL YEAR THEREAFTER, AND PRIOR TO THE SUBMISSION OF A
11 SUPPLEMENTAL APPROPRIATIONS REQUEST TO THE OFFICE OF STATE
12 PLANNING AND BUDGETING, EVERY STATE AGENCY AND THE DEPARTMENT
13 OF HIGHER EDUCATION SHALL SUBMIT SUPPLEMENTAL APPROPRIATIONS
14 REQUESTS FOR CAPITAL CONSTRUCTION TO THE OFFICE FOR REVIEW.

15 (2) THE OFFICE SHALL REVIEW ALL THE SUBMISSIONS IT RECEIVES
16 PURSUANT TO SUBSECTION (1) OF THIS SECTION AND MAKE THE
17 RECOMMENDATIONS REQUIRED IN SECTION 24-30-1303 (1) (t) (I) IN A
18 TIMELY MANNER TO ALLOW THE OFFICE OF STATE PLANNING AND
19 BUDGETING TO MEET THE DEADLINES SPECIFIED IN SECTION 24-37-304 (1)
20 (c.3).

21 (3) (a) EACH STATE AGENCY SHALL FORWARD OPERATIONAL
22 MASTER PLANS, FACILITIES MASTER PLANS, FACILITIES PROGRAM PLANS,
23 AND FIVE-YEAR PLANS TO THE OFFICE. THE OFFICE SHALL REVIEW
24 OPERATIONAL MASTER PLANS AND APPROVE THE FACILITIES MASTER
25 PLANS, FACILITIES PROGRAM PLANS, AND FIVE-YEAR PLANS DESCRIBED IN
26 SECTION 24-1-136.5.

27 ==

1 **(b)** THE OFFICE SHALL ANNUALLY PROVIDE THE CAPITAL
2 DEVELOPMENT COMMITTEE WITH A REPORT ON APPROVED FACILITY
3 MANAGEMENT PLANS AND FACILITY PROGRAM PLANS, AND SHALL ALSO
4 PROVIDE THE COMMITTEE WITH COPIES OF APPROVED FIVE-YEAR PLANS
5 FOR EACH STATE AGENCY.

6 (4) THE OFFICE SHALL DEVELOP, OR CAUSE TO BE DEVELOPED,
7 AFTER CONSULTATION WITH THE OFFICE OF STATE PLANNING AND
8 BUDGETING PURSUANT TO SECTION 24-37-201, STANDARDS FOR THE
9 PREPARATION OF CURRENT FACILITIES MASTER PLANS COORDINATED WITH
10 OPERATIONAL MASTER PLANS, AND FACILITY PROGRAM PLANS
11 COORDINATED WITH OPERATIONAL PROGRAM PLANS FOR EACH STATE
12 AGENCY, EXCEPT STATE INSTITUTIONS OF HIGHER EDUCATION AS
13 PROVIDED IN SECTION 23-1-106, C.R.S.

14 (5) THE OFFICE SHALL COORDINATE THE PREPARATION AND
15 MAINTENANCE OF LONG-RANGE MASTER PLANS PURSUANT TO SECTION
16 24-1-136.5 THAT RECOMMEND EXECUTIVE AND LEGISLATIVE ACTIONS FOR
17 ACHIEVING DESIRED STATE OBJECTIVES AND THAT INCLUDE
18 RECOMMENDED METHODS FOR EVALUATION.

19 (6) THE OFFICE IS AUTHORIZED TO ACCEPT AND RECEIVE GRANTS
20 AND SERVICES RELEVANT TO STATE PLANNING FROM THE FEDERAL
21 GOVERNMENT, OTHER STATE AGENCIES, LOCAL GOVERNMENTS, AND
22 PRIVATE AND CIVIC SOURCES.

23 **(7) IT IS THE GENERAL ASSEMBLY'S INTENT THAT THE OFFICE**
24 **CONSULT WITH ALL STAKEHOLDERS IN ESTABLISHING NEW PROCEDURES**
25 **RELATED TO ITS STATEWIDE PLANNING FUNCTIONS AND THAT THE**
26 **CURRENT PROCESS FOR REVIEW OF ANY CAPITAL CONSTRUCTION OR**
27 **CAPITAL RENEWAL REQUEST FOR STATE INSTITUTIONS OF HIGHER**

1 EDUCATION, ASIDE FROM THE CHANGES SET FORTH IN SENATE BILL
2 15-270, REMAIN THE SAME.

3 **SECTION 10.** In Colorado Revised Statutes, 2-3-1304, **amend**
4 (1) (a.3) (I) and (2); and **repeal** (1) (e) as follows:

5 **2-3-1304. Powers and duties of capital development**
6 **committee.** (1) The capital development committee has the following
7 powers and duties:

8 (a.3) To review and make required recommendations on reports
9 from state agencies and state institutions of higher education, including
10 reports from:

11 (I) ~~The department of personnel~~ OFFICE OF THE STATE ARCHITECT
12 on the approved and unapproved facility management plans and facility
13 management plan updates pursuant to section 24-30-1303.5 (3.5), C.R.S.,
14 and acquisitions and dispositions pursuant to sections 24-30-1303.5 (6)
15 and 24-82-102, C.R.S.;

16 (e) ~~To review facilities program plans of the department of~~
17 ~~corrections for correctional facilities pursuant to section 17-1-104.8,~~
18 ~~C.R.S., and facilities program plans of the department of human services~~
19 ~~for juvenile facilities pursuant to section 27-90-106, C.R.S., and make~~
20 ~~recommendations regarding those plans to the joint budget committee;~~

21 (2) Nothing in this section shall in any way limit or reduce the
22 powers of the governor, through the office of state planning and
23 budgeting AND THE OFFICE OF THE STATE ARCHITECT, to establish
24 executive branch priorities and procedures.

25 **SECTION 11.** In Colorado Revised Statutes, **amend** 2-3-1304.6
26 as follows:

27 **2-3-1304.6. Capital construction and long-range planning by**

1 **state agencies and state institutions of higher education - policy.** It is
2 declared to be the policy of the general assembly not to acquire a capital
3 asset or authorize or initiate any program or activity requiring capital
4 construction, except programs or activities for controlled maintenance or
5 capital renewal, for any state agency or state institution of higher
6 education unless the program or activity is an element of the facilities
7 program plan for the agency or institution AND SUCH FACILITIES PROGRAM
8 PLAN HAS BEEN APPROVED BY THE STATE ARCHITECT AS SET FORTH IN
9 SECTION 24-30-1310, C.R.S. OR BY THE COLORADO COMMISSION ON
10 HIGHER EDUCATION AS SET FORTH IN SECTION 23-1-106, C.R.S.

11 **SECTION 12.** In Colorado Revised Statutes, **repeal** 17-1-104.8
12 as follows:

13 **17-1-104.8. Legislative review of facilities program plans for**
14 **correctional facilities.** ~~(1) Prior to any appropriation by the general~~
15 ~~assembly for the construction of a new, expanded, renovated, or improved~~
16 ~~correctional facility, and no later than November 1 prior to the beginning~~
17 ~~of the budget year for which the appropriation is made, the department~~
18 ~~shall submit a proposed facility program plan, for each proposed new,~~
19 ~~expanded, renovated, or improved correctional facility to the capital~~
20 ~~development committee. The capital development committee shall make~~
21 ~~a recommendation regarding the facility program plan to the joint budget~~
22 ~~committee. The general assembly may contract with a consultant to~~
23 ~~provide assistance to the capital development committee and the joint~~
24 ~~budget committee in the review of facilities program plans submitted by~~
25 ~~the department.~~

26 (2) For the purposes of this section, "facility program plan" means
27 a ~~pre-architectural design program, as that term is understood in the~~

1 architectural profession. A facility program plan shall include but need
2 not be limited to the number of beds proposed to be included in the new
3 correctional facility or the addition to an existing correctional facility, the
4 primary security level of the proposed facility or addition, the staffing
5 plan of the proposed facility or addition, and a description of any
6 educational or ancillary support facilities required for the proposed
7 facility or addition.

8 **SECTION 13.** In Colorado Revised Statutes, 22-54-124, **amend**
9 (1) (f.6) (I) (C) and (1) (f.6) (II) (C) as follows:

10 **22-54-124. State aid for charter schools - use of state education**
11 **fund moneys - definitions.** (1) As used in this section:

12 (f.6) (I) For the budget years commencing on or after July 1, 2003,
13 "qualified charter school" means:

14 (C) A charter school that is operating or will operate in the next
15 budget year in a facility that is listed on the state inventory of real
16 property and improvements and other capital assets maintained by the
17 ~~department of personnel~~ OFFICE OF THE STATE ARCHITECT pursuant to
18 section 24-30-1303.5, C.R.S., and that is obligated to make lease
19 payments for use of the facility.

20 (II) For budget years commencing on or after July 1, 2003,
21 "qualified charter school" does not include:

22 (C) A charter school that is operating or will operate in the next
23 budget year in a facility that is listed on the state inventory of real
24 property and improvements and other capital assets maintained by the
25 ~~department of personnel~~ OFFICE OF THE STATE ARCHITECT pursuant to
26 section 24-30-1303.5, C.R.S., and that is not obligated to make lease
27 payments for use of the facility.

1 **SECTION 14.** In Colorado Revised Statutes, 22-54.5-309,
2 **amend** (1) (e) (I) (C), (1) (e) (II) (C), and (3) (a) (II) (C) as follows:

3 **22-54.5-309. State assistance for charter schools - use of state**
4 **education fund moneys - definitions.** (1) As used in this section, unless
5 the context otherwise requires:

6 (e) (I) "Qualified charter school" means:

7 (C) A charter school that is operating or will operate in the next
8 budget year in a facility that is listed on the state inventory of real
9 property and improvements and other capital assets maintained by the
10 ~~department of personnel~~ OFFICE OF THE STATE ARCHITECT pursuant to
11 section 24-30-1303.5, C.R.S., and that is obligated to make lease
12 payments for use of the facility.

13 (II) "Qualified charter school" does not include:

14 (C) A charter school that is operating or will operate in the next
15 budget year in a facility that is listed on the state inventory of real
16 property and improvements and other capital assets maintained by the
17 ~~department of personnel~~ OFFICE OF THE STATE ARCHITECT pursuant to
18 section 24-30-1303.5, C.R.S., and that is not obligated to make lease
19 payments for use of the facility;

20 (3) (a) (II) The department shall distribute the moneys
21 appropriated for eligible districts and eligible institute charter schools as
22 follows:

23 (C) Each qualified charter school that operates during the
24 applicable budget year in a facility that is owned by a district or that is
25 listed on the state inventory of real property and improvements and other
26 capital assets maintained by the ~~department of personnel~~ OFFICE OF THE
27 STATE ARCHITECT pursuant to section 24-30-1303.5, C.R.S., and that has

1 demonstrable capital construction costs receives an amount equal to one
2 hundred dollars multiplied by the qualified charter school's average daily
3 membership for the applicable budget year.

4 **SECTION 15.** In Colorado Revised Statutes, 23-1-106, **amend**
5 (3), (7) (a), (11) (b), and (12) as follows:

6 **23-1-106. Duties and powers of the commission with respect**
7 **to capital construction and long-range planning - legislative**
8 **declaration - definitions.** (3) The commission shall review and approve
9 facility master plans for all state institutions of higher education on land
10 owned or controlled by the state or an institution and capital construction
11 or capital renewal program plans for projects other than those projects
12 described in subsection (9) or (10) of this section. THE COMMISSION
13 SHALL FORWARD THE APPROVED FACILITY MASTER PLANS TO THE OFFICE
14 OF THE STATE ARCHITECT. Except for those projects described in
15 subsection (9) or (10) of this section, no capital construction or capital
16 renewal shall commence except in accordance with an approved facility
17 master plan and program plan.

18 (7) (a) The commission annually shall prepare a unified, five-year
19 capital improvements report of projects to be constructed, but not
20 including those capital construction or capital renewal projects to be
21 undertaken pursuant to subsection (9) or (10) of this section, coordinated
22 with education plans. The commission shall transmit the report to the
23 office of state planning and budgeting, the ~~governor~~ OFFICE OF THE STATE
24 ARCHITECT, the capital development committee, and the joint budget
25 committee, consistent with the executive budget timetable, together with
26 a recommended priority of funding of capital construction or capital
27 renewal projects for the system of public higher education. The

1 commission shall annually transmit the recommended priority of funding
2 of capital construction or capital renewal projects to the capital
3 development committee no later than November 1 of each year.

4 (11) (b) The commission shall submit a compilation of the
5 projects to THE OFFICE OF THE STATE ARCHITECT AND the capital
6 development committee on or before December 1 of each year.

7 (12) Each state institution of higher education shall submit to the
8 commission a facility management plan or update required by section
9 24-30-1303.5 (3.5), C.R.S. The commission shall review the facility
10 management plan or update and make recommendations regarding it to
11 the ~~department of personnel~~ OFFICE OF THE STATE ARCHITECT.

12 **SECTION 16.** In Colorado Revised Statutes, 24-1-136.5, **amend**
13 (1), (2), (6), (7), and (8) as follows:

14 **24-1-136.5. Long-range planning for capital construction,**
15 **controlled maintenance, capital renewal - policy - heads of principal**
16 **departments.** (1) The executive director of each department, after
17 consultation with the directors of the subordinate agencies, divisions, or
18 offices within the department, has the authority to prescribe uniform
19 policies, procedures, and standards of space utilization in department
20 facilities, except for office space, for the development and approval of
21 capital construction, controlled maintenance, and capital renewal projects
22 for the department. Nothing in this subsection (1) should be construed to
23 alter the authority of the ~~department of personnel~~ OFFICE OF THE STATE
24 ARCHITECT to prescribe uniform standards for office space pursuant to
25 section 24-30-1303 (1) (h).

26 (2) The executive director shall review ~~and, with the approval of~~
27 ~~the governor, approve~~ facilities master planning and facilities program

1 planning for all capital construction, controlled maintenance, and capital
2 renewal projects on department real property, regardless of the source of
3 funds and SHALL SUBMIT FOR APPROVAL ALL SUCH FACILITIES MASTER
4 PLANS AND FACILITIES PROGRAM PLANS TO THE OFFICE OF THE STATE
5 ARCHITECT FOR APPROVAL AS SPECIFIED IN SECTION 24-30-1310. No
6 capital construction, controlled maintenance, or capital renewal shall
7 commence except in accordance with an approved facilities master plan,
8 facilities program plan, and physical plan.

9 (6) (a) The executive director shall annually establish a
10 department five-year capital construction, controlled maintenance, and
11 capital renewal plan coordinated with department operational master
12 plans and facilities master plans and FORWARD THE FIVE-YEAR PLAN TO
13 THE OFFICE OF THE STATE ARCHITECT FOR REVIEW AS REQUIRED IN
14 SECTION 24-30-1310.

15 (b) ~~THE EXECUTIVE DIRECTOR shall transmit to the office of state~~
16 ~~planning and budgeting, the governor, and the general assembly~~ THE
17 OFFICE OF THE STATE ARCHITECT, consistent with the executive budget
18 timetable, a recommended priority of funding of capital construction,
19 controlled maintenance, and capital renewal projects for the department.

20 ~~(b)~~ (c) Except as provided in subsection (4) of this section, it is the
21 policy of the general assembly to appropriate funds only for projects
22 approved by the ~~executive director~~ OFFICE OF THE STATE ARCHITECT.

23 (7) Any acquisition or utilization of real property by a department
24 ~~which~~ THAT is conditional upon or requires expenditures of state funds or
25 federal funds is subject to the approval of the executive director AND THE
26 OFFICE OF THE STATE ARCHITECT, regardless of whether the acquisition is
27 by lease, lease-purchase, purchase, gift, or otherwise.

1 (8) Prior to approving the facilities master plan and facilities
2 program plan for any capital construction, controlled maintenance, or
3 capital renewal project to be constructed, operated, and maintained solely
4 from fees, gifts and bequests, grants, revolving funds, or a combination
5 of such sources, the executive director shall request and consider
6 recommendations from the ~~capital development committee and the joint~~
7 ~~budget committee. The executive director, the capital development~~
8 ~~committee, and the joint budget committee shall by agreement adopt~~
9 ~~procedures for the review of such projects by the capital development~~
10 ~~committee and joint budget committee. The agreement must provide that,~~
11 ~~whenever possible, the capital development committee and joint budget~~
12 ~~committee will submit their recommendations to the executive director~~
13 ~~within thirty days after each committee receives the information~~
14 ~~prescribed in the agreement as necessary for its review~~ OFFICE OF THE
15 STATE ARCHITECT.

16 **SECTION 17.** In Colorado Revised Statutes, 24-30-1403, **amend**
17 (1) and (2) (a) as follows:

18 **24-30-1403. Professional services - listings - preliminary**
19 **selections.** (1) Any person desiring to provide professional services to a
20 state agency or a state institution of higher education shall annually
21 submit to the ~~department~~ OFFICE OF THE STATE ARCHITECT a statement of
22 qualifications and performance data and such other information as may
23 be required by the ~~department~~ OFFICE. The ~~department~~ OFFICE may
24 request such person to update such statement before the anniversary date
25 in order to reflect changed conditions in the status of such person.

26 (2) (a) For each proposed project for which professional services
27 are required and where the fee for such professional services is estimated

1 to equal or exceed twenty-five thousand dollars, the principal
2 representative of the state agency or state institution of higher education
3 for which the project is to be done shall evaluate current statements of
4 qualifications and performance data on file with the ~~department~~ OFFICE
5 OF THE STATE ARCHITECT and shall conduct discussions with no less than
6 three persons regarding their qualifications, approaches to the project,
7 abilities to furnish the required professional services, anticipated design
8 concepts, and use of alternative methods of approach for furnishing the
9 required professional services. The principal representative shall then
10 select, in order of preference, no less than three persons ranked in order
11 and deemed to be most highly qualified to perform the required
12 professional services after considering, and based upon, such factors as
13 the ability of professional personnel, past performance, willingness to
14 meet time and budget requirements, location, current and projected work
15 loads, the volume of work previously awarded to the person by the state
16 agency or state institution of higher education, and the extent to which
17 said persons have and will involve minority subcontractors, with the
18 object of effecting an equitable distribution of contracts among qualified
19 persons as long as such distribution does not violate the principle of
20 selection of the most highly qualified person. In selection pursuant to this
21 section, Colorado firms shall be given preference when qualifications
22 appear to be equal. All selections are subject to approval by the principal
23 representative, and all contracts between the principal representative and
24 such selected professionals shall be consistent with appropriation and
25 legislative intent.

26 **SECTION 18.** In Colorado Revised Statutes, 24-37-201, **amend**
27 (1) (b) and (1) (d); and **repeal** (1) (a) as follows:

1 **24-37-201. State planning - responsibilities.** (1) The office of
2 state planning and budgeting shall:

3 (a) ~~Coordinate the preparation and maintenance of long-range~~
4 ~~master plans which recommend executive and legislative actions for~~
5 ~~achieving desired state objectives and which include recommended~~
6 ~~methods for evaluation;~~

7 (b) ~~Stimulate, encourage, and assist~~ STIMULATE AND ENCOURAGE
8 state agencies to engage in long-range and short-range planning in their
9 respective areas of responsibility WITH THE ASSISTANCE OF THE OFFICE OF
10 THE STATE ARCHITECT;

11 (d) Furnish THE OFFICE OF THE STATE ARCHITECT AND THE state
12 agencies with data, projections, and other technical assistance needed to
13 discharge ~~their~~ THE STATE AGENCIES' planning responsibilities and
14 coordinate the exchange of relevant reports, data, and projections among
15 state agencies;

16 **SECTION 19.** In Colorado Revised Statutes, 24-37-304, **amend**
17 (1) (a) and (1) (c.3) (I) (D) as follows:

18 **24-37-304. Additional budgeting responsibilities.** (1) In
19 addition to the responsibilities enumerated in section 24-37-302, the
20 office of state planning and budgeting shall:

21 (a) Annually evaluate plans, policies, programs, and budget
22 requests of all departments, institutions, and agencies of the executive
23 branch of state government. The office of state planning and budgeting
24 shall develop a financial plan encompassing all sources of revenue and
25 expenditure. It shall propose this plan for the budget, consisting of
26 operating expenditures, capital construction expenditures, estimated
27 revenues, and special surveys, BUT THE PLAN FOR CAPITAL CONSTRUCTION

1 EXPENDITURES MUST CONSIDER RECOMMENDATIONS MADE BY THE OFFICE
2 OF THE STATE ARCHITECT. Budget requests shall include a description of
3 one or more measurable annual objectives in the areas of operational
4 efficiency and effectiveness for each department, institution, and agency.
5 Proposed expenditures in the budget shall not exceed estimated moneys
6 available.

7 (c.3) (I) Ensure submission to the capital development committee
8 of:

9 (D) All state-funded controlled maintenance budget requests by
10 each state agency or state institution of higher education as recommended
11 by the ~~department of personnel~~ OFFICE OF THE STATE ARCHITECT pursuant
12 to section 24-30-1303 (1) (k.5) and (1) (t) (II) for the upcoming fiscal
13 year no later than December 1 of each year; and

14 **SECTION 20.** In Colorado Revised Statutes, 24-82-101, **amend**
15 (3) (c), (3) (d), and (3) (e) as follows:

16 **24-82-101. Control of legislative space in the capitol, the**
17 **legislative services building, and the state office building at 1525**
18 **Sherman street - responsibility of department of personnel for**
19 **supervision of maintenance in capitol buildings group - exception -**
20 **capitol complex master plan.** (3) (c) Notwithstanding any law to the
21 contrary, all real estate-related capital requests by executive branch
22 departments or the legislative branch for the capitol complex shall be
23 evaluated by THE OFFICE OF THE STATE ARCHITECT, the office of state
24 planning and budgeting, and the capital development committee against
25 the capitol complex master plan developed pursuant to paragraph (a) of
26 this subsection (3).

27 (d) The capitol complex master plan shall be kept and maintained

1 by the office of the state architect.

2 (e) (I) The capitol complex master plan may be modified by the
3 ~~department of personnel~~ OFFICE OF THE STATE ARCHITECT on an as-needed
4 basis, subject to approval by the office of state planning and budgeting
5 and the capital development committee.

6 (II) At a minimum, an updated capitol complex master plan must
7 be completed by the ~~department of personnel~~ OFFICE OF THE STATE
8 ARCHITECT every ten years. Prior to completion of the updated master
9 plan, the ~~department of personnel~~ OFFICE OF THE STATE ARCHITECT shall
10 seek approval from the office of state planning and budgeting and the
11 capital development committee of all amendments to the master plan.

12 **SECTION 21.** In Colorado Revised Statutes, **repeal** 27-90-106
13 as follows:

14 **27-90-106. Legislative review of facilities program plans for**
15 **juvenile facilities.** ~~(1) Prior to any appropriation by the general assembly~~
16 ~~for the construction of a new, expanded, renovated, or improved juvenile~~
17 ~~facility, and no later than November 1 prior to the beginning of the budget~~
18 ~~year for which the appropriation is made, the department shall submit a~~
19 ~~proposed facility program plan for each proposed new, expanded,~~
20 ~~renovated, or improved juvenile facility to the capital development~~
21 ~~committee. The capital development committee shall make a~~
22 ~~recommendation regarding the facility program plan to the joint budget~~
23 ~~committee. The general assembly may contract with a consultant to~~
24 ~~provide assistance to the capital development committee and the joint~~
25 ~~budget committee in the review of facilities program plans submitted by~~
26 ~~the department.~~

27 (2) For the purposes of this section, "facility program plan" means

1 a pre-architectural design program, as that term is understood in the
2 architectural profession. A facility program plan shall include but need
3 not be limited to the number of beds proposed to be included in the new
4 juvenile facility or the addition to an existing juvenile facility, the primary
5 security level of the proposed facility or addition, the staffing plan of the
6 proposed facility or addition, and a description of any educational or
7 ancillary support facilities required for the proposed facility or addition.

8 **SECTION 22.** In Colorado Revised Statutes, 36-1-118.5, **amend**
9 (2) (a) (I) and (2) (a) (II) as follows:

10 **36-1-118.5. Lease-purchase agreements for commercial real**
11 **property - legislative declaration - definition - repeal.**

12 (2) (a) Notwithstanding the provisions of section 24-82-801, C.R.S., the
13 state board of land commissioners may instruct the state treasurer to enter
14 into lease-purchase agreements on behalf of the state school lands for the
15 acquisition, construction, renovation, and improvement of commercial
16 real property that the board will then offer as lease space for state
17 agencies or other tenants only if:

18 (I) The state board of land commissioners has reviewed the leased
19 space needs for state agencies with the ~~department of personnel~~ OFFICE OF
20 THE STATE ARCHITECT;

21 (II) The state board of land commissioners has evaluated the
22 project with the assistance of the ~~department of personnel~~ OFFICE OF THE
23 STATE ARCHITECT and the office of state planning and budgeting against
24 the capitol complex master plan if the project is related to capitol complex
25 leased space needs;

26 **SECTION 23. Appropriation - adjustment to 2015 long bill.**

27 **(1) To implement this act, the general fund appropriation made in the**

1 annual general appropriation act for the 2015-16 state fiscal year to the
2 department of personnel for statewide planning services in the office of
3 the state architect is decreased by \$105,531.

4 (2) For the 2015-16 state fiscal year, \$105,531 is appropriated to
5 the department of personnel for use by the office of the state architect.
6 This appropriation is from the general fund. To implement this act, the
7 office of the state architect may use this appropriation as follows:

8 (a) \$99,878 for personal services, which amount is based on an
9 assumption that the office of the state architect will require an additional
10 1.0 FTE; and

11 (b) \$5,653 for operating expenses.

12 **SECTION 24. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety.