

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

PREAMENDED

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

LLS NO. 15-0496.01 Gregg Fraser x4325

HOUSE BILL 15-1002

HOUSE SPONSORSHIP

Lee,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs and Labor
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ECONOMIC GARDENING PILOT PROJECT IN THE**
102 **OFFICE OF ECONOMIC DEVELOPMENT, AND, IN CONNECTION**
103 **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/bills summaries>.)

House Bill 13-1003 established the economic gardening pilot project (project) in the office of economic development (office). The bill modifies the project by:

- ! Increasing, from \$750 to \$1500, the fee that companies must pay to participate;

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.*

- ! Eliminating the statutory deadline by which the office must select the minimum number of participating companies;
- ! Replacing the cap of 12 months of services that participating companies may use with a range of between 40 and 100 hours of services, and allowing the terms of engagement to be reevaluated upon expiration of the hours used and at other times;
- ! Extending the reporting requirements and future repeal date of the program 2 years from 2016 to 2018; and
- ! Requiring \$200,000 to be appropriated from the general fund for the economic gardening pilot project for each of the additional 2 years that the program is extended.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-48.5-102.7,
 3 **amend** (4) (a) (III), (4) (b) (II), (4) (c), (4) (d) (II), (4) (d) (III), (5), (6)
 4 introductory portion, and (7) as follows:

5 **24-48.5-102.7. Economic gardening pilot project - small**
 6 **business development centers - economic gardening pilot project fund**
 7 **- created - annual report - definitions - repeal.** (4) (a) (III) After the
 8 small business development center staff members are certified pursuant
 9 to subparagraph (II) of this paragraph (a), the state director shall use the
 10 existing infrastructure of small business development centers to promote
 11 the pilot project to second-stage companies and to those small business
 12 development center clients and referrals that, in the state director's
 13 opinion, show growth potential in jobs, sales, or export potential. THE
 14 OFFICE SHALL BROADEN ITS PROMOTION OF THE PILOT PROJECT TO ENSURE
 15 ITS MARKETING OF THE PROJECT REACHES MORE COMPANIES THAT ARE
 16 ELIGIBLE TO PARTICIPATE IN THE ECONOMIC GARDENING PILOT PROJECT.

17 (b) (II) In order to participate in the pilot project, a company
 18 selected for participation must pay a one-time fee of ~~seven hundred fifty~~
 19 ONE THOUSAND FIVE HUNDRED dollars, which moneys shall be deposited

1 into the economic gardening pilot project fund, created in subsection (5)
2 of this section, for reinvestment in the pilot project.

3 (c) ~~On or before March 1, 2014,~~ The state director shall select a
4 minimum of twenty companies to participate in the pilot project.

5 (d) (II) ~~A participating company has twelve months~~ From the date
6 that the state director selects ~~the~~ A company to participate in the pilot
7 project, ~~to use~~ the PARTICIPATING COMPANY MAY, IN ACCORDANCE WITH
8 THE TERMS OF ENGAGEMENT AGREED UPON BY THE COMPANY AND THE
9 OFFICE, USE BETWEEN FORTY TO ONE HUNDRED HOURS OF strategic
10 assistance and other economic gardening services offered pursuant to the
11 pilot project. UPON EXHAUSTING THE AGREED-UPON NUMBER OF HOURS,
12 AND AT OTHER TIMES AS CIRCUMSTANCES MAY WARRANT, THE COMPANY
13 AND THE OFFICE MAY REASSESS THE SCOPE OF THE PROJECT AND DECIDE
14 TO RENEW OR RENEGOTIATE THE TERMS OF ENGAGEMENT.

15 (III) The pilot project terminates on ~~June 30, 2016~~ JUNE 30, 2017.

16 (5) There is hereby created in the state treasury the economic
17 gardening pilot project fund, to be administered by the state director. The
18 fund consists of all fees received pursuant to subparagraph (II) of
19 paragraph (b) of subsection (4) of this section and any moneys
20 appropriated by the general assembly for the purposes of this section. The
21 general assembly shall make annual appropriations of the moneys in the
22 fund to the office for administering the pilot project. Any moneys in the
23 fund not appropriated shall remain in the fund and shall not be transferred
24 or revert to the general fund of the state at the end of any fiscal year;
25 EXCEPT THAT ANY UNENCUMBERED MONEYS REMAINING IN THE FUND
26 UPON THE REPEAL OF THIS SECTION SHALL BE TRANSFERRED TO THE
27 GENERAL FUND. THE GENERAL ASSEMBLY SHALL APPROPRIATE ONE

1 HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO THE OFFICE
2 FOR THE PURPOSES OF THIS SECTION IN ~~THE 2016-17~~ FISCAL YEAR.

3 (6) On or before November 1, 2014, and on or before November
4 1 each year thereafter through ~~November 1, 2016~~ NOVEMBER 1, 2018, the
5 director shall submit a report to the finance and the ~~business, labor, and~~
6 ~~economic and workforce development~~ BUSINESS AFFAIRS AND LABOR
7 committees of the house of representatives and the finance and business,
8 labor, and technology committees of the senate, or any successor
9 committees, summarizing the pilot project activities during the preceding
10 fiscal year. The report must include, at a minimum:

11 (7) This section is repealed, effective ~~July 1, 2017~~ JULY 1, 2019.

12 **SECTION 2. Appropriation.** For the 2015-16 state fiscal year,
13 \$15,000 is appropriated to the office of the governor. This appropriation
14 is from the economic gardening pilot project fund created in section
15 24-48.5-102.7 (5), C.R.S. To implement this act, the office may use this
16 appropriation to support global business development.

17 **SECTION 3. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part will not take effect
24 unless approved by the people at the general election to be held in
25 November 2016 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.