SENATE BILL 19-070

BY SENATOR(S) Tate, Moreno, Zenzinger, Bridges, Coram, Crowder, Donovan, Fenberg, Ginal, Pettersen, Priola, Story; also REPRESENTATIVE(S) Arndt, Hooton, McKean, Buentello, Snyder.

CONCERNING AN UPDATE TO STATUTORY LANGUAGE AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO RECEIVE DONATIONS TO BE CREDITED TO THE COLORADO NATURAL RESOURCES FOUNDATION FUND.

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

SECTION 1. Legislative declaration. The general assembly declares that the purpose of this act is to clarify statutory provisions relating to the Colorado department of natural resources. The general assembly further declares that clarifying these statutory provisions does not alter the scope or applicability of the remaining statutes.

SECTION 2. In Colorado Revised Statutes, 24-33-108, amend (1), (2), and (3) as follows:

24-33-108. Gifts, grants, and donations to the department - Colorado natural resources gifts, grants, and donations fund. (1) The
department of natural resources is authorized to receive or reject gifts, and
devises grants, and donations of money or property and, subject to the
terms of any gift, or devise grant, or donation and to the provisions of
any applicable law, to hold such funds the money or property in trust or
invest, sell, expend, or exchange the same money or property and use
either principal or interest or the proceeds of sale or the exchanged property
received for the benefit of the department and the public, as specified in this
section:

(2) The department of natural resources may cooperate with and
assist any donor or foundation or similar organization intending to make
gifts, and devises of money and property for donation grants, or
donations to or for use by the department, in the provision and
maintenance of parks, recreational areas, or scenic or natural areas and for
related uses. The acceptance of any gift, or devise shall grant, or
donation must not commit the state to any expenditure of state funds.

(3) Any money or property received as gifts under this section and
any money received from the investment of such the money or property
received under this section and any interest therefrom must be credited to
a special fund known as the Colorado natural resources foundation gifts,
grants, and donations fund. The fund and any gifts, or devises grants,
or donations received by the department of natural resources pursuant to
this section shall must not diminish any appropriations made to the
department. Money in the fund shall not be expended in such a manner as
to commit expenditures from the general fund or any cash fund that is
designated for regulatory purposes within the division of water resources.
The use of gifts, and devises are grants, and donations is subject to
audit by the state auditor or the state auditor's designee, the cost of which
audit shall be borne by the department.

SECTION 3. Act subject to petition - effective date. This act
takes effect at 12:01 a.m. on the day following the expiration of the
ninety-day period after final adjournment of the general assembly (August
2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
referendum petition is filed pursuant to section 1 (3) of article V of the state
constitution against this act or an item, section, or part of this act within
such period, then the act, item, section, or part will not take effect unless
approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Leroy M. Garcia  
PRESIDENT OF THE SENATE

KC Becker  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

Cindi L. Markwell  
SECRETARY OF THE SENATE

Marilyn Eddins  
CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES

APPROVED March 7th, 2019 at 2:39 p.m.  
(Date and Time)

Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO

PAGE 3-SENATE BILL 19-070