A BILL FOR AN ACT

CONCERNING THE JOINT TECHNOLOGY COMMITTEE'S AUTHORITY TO APPROVE THE REQUEST FOR A WAIVER OF CERTAIN DEADLINES AFTER MONEYS FOR A PROJECT HAVE BEEN APPROPRIATED.

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.)

Capital Development Committee. Pursuant to current law, when a state agency or institution of higher education (agency) enters into a professional services contract, the contract must be executed and encumbered within 6 months after the appropriation for the project becomes law. For a project where a professional services contract is not
required, the agency must enter into the contract within 6 months after the
appropriation for the project becomes law. If an agency determines that
it cannot meet the 6-month deadline for a project, the agency may request
that the capital development committee recommend to the controller that
the deadline be waived for the project.

The bill allows agencies to request that the joint technology
committee, when applicable, recommend to the controller that the
6-month deadline be waived when the agency cannot meet the 6-month
deadline.

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

SECTION 1. In Colorado Revised Statutes, 24-30-1404, amend
(7) (a); and add (7) (h) as follows:

24-30-1404. Contracts. (7) (a) Except as provided in paragraphs
(b), (c), (e), (f), and (g), and (h) of this subsection (7), any professional
services contract entered into pursuant to the provisions of this part 14
shall be executed and encumbered within six months after the date on
which the appropriation that includes the project for which the
professional services are required becomes law. If no professional
services contract is required for a particular project, the contract with the
contractor for the project shall be entered into within six months after the
appropriation. If a state agency or state institution of higher education
determines that the nature of a particular project is such that the deadlines
imposed by this section cannot be met, the state agency or state institution
of higher education may request the capital development committee to
recommend to the controller that the deadline be waived for that
project. The controller, in consultation with the capital development
committee may grant a waiver from such deadlines. This subsection
(7) shall not apply to projects under the supervision of the department of
transportation. This subsection (7) shall not affect any priority established
pursuant to section 24-35-210 (11) in the general appropriation act for
expenditures for projects to be financed from net lottery proceeds
appropriated for capital construction.

(h) The six month deadline imposed by paragraph (a) of
this subsection (7) does not apply to information technology
projects that are overseen by the joint technology committee
pursuant to part 17 of article 3 of title 2, C.R.S. For the purposes
of this paragraph (h), "information technology" has the same
meaning as provided in section 2-3-1701 (2), C.R.S.

SECTION 2. 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
10, 2016, if adjournment sine die is on May 11, 2016); 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 2016 and, in such case, will take effect on the date of the
official declaration of the vote thereon by the governor.