

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1260.01 Esther van Mourik x4215

SENATE BILL 18-267

SENATE SPONSORSHIP

Kefalas and Baumgardner, Sonnenberg

HOUSE SPONSORSHIP

Becker J. and Hansen, Esgar

Senate Committees
Finance

House Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF THE JUSTICE CENTER MAINTENANCE
102 FUND.

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://leg.colorado.gov/>.)

Capital Development Committee. The bill creates the justice center maintenance fund that consists of money appropriated by the general assembly to the maintenance fund from the justice center cash fund to be used for controlled maintenance needs of the Ralph L. Carr Colorado judicial center.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-32-101, **add**
3 (7)(b)(III) and (7)(d) as follows:

4 **13-32-101. Docket fees in civil actions - judicial stabilization**
5 **cash fund - support registry fund created - definition - legislative**
6 **declaration.** (7) (b) (III) THE GENERAL ASSEMBLY FURTHER FINDS AND
7 DECLARES THAT IT IS NOT THE GENERAL ASSEMBLY'S INTENT THAT THE
8 JUDICIAL DEPARTMENT ARTIFICIALLY RAISE THE FEES THAT ARE REQUIRED
9 BY LAW TO BE DEPOSITED IN THE FUND IN ORDER TO INCREASE THE
10 AMOUNT OF MONEY APPROPRIATED FROM THE FUND TO THE MAINTENANCE
11 FUND CREATED IN SUBSECTION (7)(d) OF THIS SECTION.

12 (d) (I) THE JUSTICE CENTER MAINTENANCE FUND IS HEREBY
13 CREATED IN THE STATE TREASURY AND REFERRED TO IN THIS SUBSECTION
14 (7) AS THE "MAINTENANCE FUND". THE MAINTENANCE FUND CONSISTS OF
15 MONEY ANNUALLY APPROPRIATED BY THE GENERAL ASSEMBLY TO THE
16 MAINTENANCE FUND FROM THE JUSTICE CENTER CASH FUND AND ANY
17 OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR
18 TRANSFER TO THE FUND. THE AMOUNT APPROPRIATED TO THE
19 MAINTENANCE FUND FROM THE JUSTICE CENTER CASH FUND MUST BE
20 EQUAL TO THE AMOUNT DESCRIBED IN SUBSECTION (7)(d)(II) OF THIS
21 SECTION. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
22 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
23 MAINTENANCE FUND TO THE MAINTENANCE FUND. SUBJECT TO ANNUAL
24 APPROPRIATION BY THE GENERAL ASSEMBLY AND SUBJECT TO CAPITAL
25 DEVELOPMENT REVIEW OF ANY CONTROLLED MAINTENANCE NEEDS THAT
26 THE COMMITTEE WOULD TYPICALLY REVIEW FOR STATE-FUNDED

1 PROJECTS, MONEY FROM THE MAINTENANCE FUND MAY BE EXPENDED FOR
2 CONTROLLED MAINTENANCE NEEDS OF THE RALPH L. CARR COLORADO
3 JUDICIAL CENTER.

4 (II) CURRENT AND PROJECTED APPROPRIATIONS TO THE
5 MAINTENANCE FUND FROM THE JUSTICE CENTER CASH FUND SHOULD BE
6 SUFFICIENT TO PAY FOR CURRENT AND PROJECTED CONTROLLED
7 MAINTENANCE NEEDS FOR THE RALPH L. CARR COLORADO JUDICIAL
8 CENTER AS OUTLINED IN THE REPORT REQUIRED IN SUBSECTION (7)(d)(IV)
9 OF THIS SECTION, TAKING INTO ACCOUNT ANY PROJECTED INTEREST
10 EARNINGS ON THE MAINTENANCE FUND.

11 (III) FOR PURPOSES OF THIS SUBSECTION (7)(d), "CONTROLLED
12 MAINTENANCE" HAS THE SAME MEANING AS SET FORTH IN SECTION
13 24-30-1301 (4); EXCEPT THAT IT MAY INCLUDE ANY MAINTENANCE NEEDS
14 THAT WOULD ORDINARILY BE FUNDED IN THE JUDICIAL DEPARTMENT'S
15 OPERATING BUDGET AND IT MAY INCLUDE INFORMATION TECHNOLOGY
16 EQUIPMENT TO SUPPORT NETWORK OPERATIONS, SUCH AS SERVERS OR
17 UNINTERRUPTIBLE POWER SUPPLY UNITS, OR TO REGULATE OR CONTROL
18 BUILDING SYSTEMS, SUCH AS LIGHTING OR HVAC.

19 (IV) THE JUDICIAL DEPARTMENT SHALL PROVIDE A WRITTEN
20 REPORT TO THE JOINT BUDGET COMMITTEE AND THE CAPITAL
21 DEVELOPMENT COMMITTEE ON NOVEMBER 1, 2018, AND EACH NOVEMBER
22 1 THEREAFTER, THAT DOCUMENTS EXPENDITURES THAT HAVE BEEN MADE
23 FROM THE MAINTENANCE FUND AND THAT DOCUMENTS PROJECTED
24 FUTURE EXPENDITURES FROM THE MAINTENANCE FUND OVER A
25 TWENTY-YEAR TERM, OR SUCH OTHER TERM AS REQUESTED BY THE
26 CAPITAL DEVELOPMENT COMMITTEE AND THE JOINT BUDGET COMMITTEE.
27 NOTWITHSTANDING SECTION 24-1-136 (11)(a), THE REPORTING

1 REQUIREMENT SPECIFIED IN THIS SUBSECTION (7)(d)(IV) CONTINUES
2 INDEFINITELY.

3 **SECTION 2.** In Colorado Revised Statutes, 24-75-402, **amend**
4 (5)(ll); and **add** (5)(nn) and (5)(oo) as follows:

5 **24-75-402. Cash funds - limit on uncommitted reserves -**
6 **reduction in the amount of fees - exclusions - repeal.**

7 (5) Notwithstanding any provision of this section to the contrary, the
8 following cash funds are excluded from the limitations specified in this
9 section:

10 (ll) The technology advancement and emergency fund created in
11 section 24-37.5-115; ~~and~~

12 (nn) THE JUSTICE CENTER CASH FUND CREATED IN SECTION
13 13-32-101 (7)(a); AND

14 (oo) THE JUSTICE CENTER MAINTENANCE FUND CREATED IN
15 SECTION 13-32-101 (7)(d).

16 **SECTION 3. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the
21 state constitution against this act or an item, section, or part of this act
22 within such period, then the act, item, section, or part will not take effect
23 unless approved by the people at the general election to be held in
24 November 2018 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.