

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-0296.01 Kristen Forrestal x4217

**SENATE BILL 19-070**

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**SENATE SPONSORSHIP**

**Tate**, Moreno, Zenzinger

**HOUSE SPONSORSHIP**

**Arndt**, Hooton, McKean

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**Senate Committees**

Agriculture & Natural Resources

**House Committees**

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**A BILL FOR AN ACT**

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

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**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>.)*

**Statutory Revision Committee.** Current law authorizes the department of natural resources to "receive or reject gifts and devises of money or property" to be credited to the Colorado natural resources

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.

foundation fund. The bill repeals this authorizing language and updates it with authorizing language that is current and consistent with language used throughout the statutes.

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

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

7           **SECTION 2.** In Colorado Revised Statutes, 24-33-108, **amend**  
8 (1), (2), and (3) as follows:

9           **24-33-108. Gifts, grants, and donations to the department -**  
10 **Colorado natural resources foundation fund.** (1) The department of  
11 natural resources is authorized to receive ~~or reject gifts and devises~~ GIFTS,  
12 GRANTS, AND DONATIONS of money or property and, subject to the terms  
13 of any gift, ~~or devise~~ GRANT, OR DONATION and to the provisions of any  
14 applicable law, to hold ~~such funds~~ THE MONEY or property in trust or  
15 invest, sell, or exchange the ~~same~~ MONEY OR PROPERTY and use either  
16 principal or interest or the proceeds of sale or the exchanged property  
17 received for the benefit of the department and the public as specified in  
18 this section.

19           (2) The department of natural resources may cooperate with and  
20 assist any donor or foundation or similar organization intending to make  
21 gifts, ~~and devises of money and property for donation~~ GRANTS, OR  
22 DONATIONS to or FOR use by the department in the provision and  
23 maintenance of parks, recreational areas, or scenic or natural areas and for  
24 related uses. The acceptance of any gift, ~~or devise shall~~ GRANT, OR

1 DONATION MUST not commit the state to any expenditure of state funds.

2 (3) Any money OR PROPERTY received ~~as gifts~~ under this section  
3 and any money received from the investment of ~~such~~ THE money or  
4 property ~~received under this section and any interest therefrom~~ must be  
5 credited to a special fund known as the Colorado natural resources  
6 foundation fund. The fund and any gifts, ~~or devises~~ GRANTS, OR  
7 DONATIONS received by the department of natural resources pursuant to  
8 this section ~~shall~~ MUST not diminish any appropriations made to the  
9 department. Money in the fund shall not be expended in such a manner  
10 as to commit expenditures from the general fund or any cash fund that is  
11 designated for regulatory purposes within the division of water resources.  
12 The use of gifts, ~~and devises are~~ GRANTS, AND DONATIONS IS subject to  
13 audit by the state auditor or the state auditor's designee, the cost of which  
14 AUDIT shall be borne by the department.

15 **SECTION 3. Act subject to petition - effective date.** This act  
16 takes effect at 12:01 a.m. on the day following the expiration of the  
17 ninety-day period after final adjournment of the general assembly (August  
18 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
19 referendum petition is filed pursuant to section 1 (3) of article V of the  
20 state constitution against this act or an item, section, or part of this act  
21 within such period, then the act, item, section, or part will not take effect  
22 unless approved by the people at the general election to be held in  
23 November 2020 and, in such case, will take effect on the date of the  
24 official declaration of the vote thereon by the governor.