

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 19-0296.01 Kristen Forrestal x4217

SENATE BILL 19-070

SENATE SPONSORSHIP

Tate, Moreno, Zenzinger

HOUSE SPONSORSHIP

Arndt, Hooton, McKean

Senate Committees

Agriculture & Natural Resources

House Committees

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.**

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.

SENATE
Amended 2nd Reading
January 28, 2019

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.

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 gifts, grants, and donations fund.** (1) The
11 department of natural resources is authorized to receive or reject gifts,
12 and devises GRANTS, AND DONATIONS of money or property and, subject
13 to the terms of any gift, ~~or devise~~ GRANT, OR DONATION and to the
14 provisions of any applicable law, to hold ~~such funds~~ THE MONEY or
15 property in trust or invest, sell, EXPEND, or exchange the ~~same~~ MONEY OR
16 PROPERTY and use either principal or interest or the proceeds of sale or
17 the exchanged property received for the benefit of the department and the
18 public. as specified in 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 GIFTS, GRANTS, AND DONATIONS fund. The fund and any gifts,
7 ~~or devises~~ GRANTS, OR DONATIONS received by the department of natural
8 resources pursuant to this section ~~shall~~ MUST not diminish any
9 appropriations made to the department. Money in the fund shall not be
10 expended in such a manner as to commit expenditures from the general
11 fund or any cash fund that is designated for regulatory purposes within
12 the division of water resources. The use of gifts, ~~and devises are~~ GRANTS,
13 AND DONATIONS IS subject to audit by the state auditor or the state
14 auditor's designee, the cost of which AUDIT shall be borne by the
15 department.

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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.