SENATE BILL 19-070

A BILL FOR AN ACT

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.

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
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.

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 of money or property and, subject to the terms of any gift, or devise, to hold the money or property in trust or invest, expend, or exchange the same 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 of 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
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.