

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0717.01 Esther van Mourik x4215

HOUSE BILL 21-1152

HOUSE SPONSORSHIP

Valdez D. and Lynch, Arndt, Pico

SENATE SPONSORSHIP

Kirkmeyer and Zenzinger, Moreno, Woodward

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE REPEAL OF STATUTES RELATED TO THE OBSOLETE
102 CAPITOL DOME RESTORATION 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. The bill repeals section 44-30-1201 (5)(c)(III), C.R.S., because that section creates the capitol dome restoration fund, which is obsolete. The capitol dome restoration was a capital project that commenced in 2010 and has since been completed. The statutory sections regarding the capitol dome restoration were repealed in July 2015 but the statute establishing the fund and the

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.

necessary transfers of money to the fund were inadvertently left in the statutes. The bill addresses that defect.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-30-1201, **amend**
3 (5)(c)(II); and **repeal** (5)(c)(III) as follows:

4 **44-30-1201. State historical fund - administration - legislative**
5 **declaration - state museum cash fund - rules - definition.**

6 ~~(5) (c) (II) Except as otherwise specified in subsection (5)(c)(III) of this~~
7 ~~section~~ All interest and income derived from the deposit and investment
8 of money in the state historical fund, including the accounts created in
9 subsections (5)(c)(I)(A) and (5)(c)(I)(B) of this section, shall remain in
10 the fund. At the end of any fiscal year, all unexpended and unencumbered
11 money in the fund remains therein and shall not be transferred or revert
12 to the general fund or any other fund; except that, for the fiscal year
13 commencing July 1, 2008, and for each fiscal year thereafter through the
14 fiscal year commencing July 1, 2045, the society may direct the state
15 treasurer to transfer any unexpended and unencumbered money in the
16 museum and preservation operations account at the end of the fiscal year
17 to the state museum cash fund created pursuant to section 24-80-214. The
18 state treasurer shall be the custodian of the funds pursuant to section
19 24-80-209.

20 ~~(III) (A) For the fiscal year commencing July 1, 2010, the state~~
21 ~~treasurer shall transfer four million dollars from the state historical fund,~~
22 ~~from the portion reserved for the statewide grant program for preservation~~
23 ~~pursuant to subsection (5)(d)(II)(A) of this section, at the beginning of the~~
24 ~~fiscal year to the capitol dome restoration fund, also referred to in this~~
25 ~~subsection (5)(c)(III) as the "fund", hereby created in the state treasury.~~

1 Money in the fund is subject to appropriation by the general assembly for
2 repairs and safety improvements to the state capitol dome and supporting
3 structures and for no other purpose, and any unexpended and
4 unencumbered money remaining in the fund as of June 30, 2011, shall not
5 revert to the state historical fund or any other fund. The four million
6 dollar transfer specified in this subsection (5)(c)(III)(A) shall be reduced,
7 dollar for dollar, by money deposited into the capitol dome restoration
8 trust fund as specified in section 2-3-1304.3 (6)(b), if any. This
9 dollar-for-dollar reduction shall not reduce the authorized fees and
10 expenses of any fund-raising firm selected by the capital development
11 committee for cause-related marketing for capitol dome repairs.

12 (B) For the fiscal years commencing July 1, 2011, and July 1,
13 2012, the state treasurer shall transfer up to four million dollars from the
14 state historical fund, from the portion reserved for the statewide grant
15 program for preservation pursuant to subsection (5)(d)(II)(A) of this
16 section, at the beginning of the fiscal year to the capitol dome restoration
17 fund; except that the said four-million-dollar maximum amount shall be
18 reduced, dollar for dollar, by the combined total of money deposited into
19 the capitol dome restoration trust fund as specified in section 2-3-1304.3
20 (6)(b), if any, and grants for repairs and safety improvements to the state
21 capitol dome and supporting structures made by the state historical
22 society under the grants process set forth in subsection (1) of this section.
23 This dollar-for-dollar reduction shall not reduce any authorized fees and
24 expenses of any fund-raising firm selected by the capital development
25 committee for cause-related marketing for capitol dome repairs.

26 (C) In the event of an emergency contingency expenditure deemed
27 necessary by the state architect and approved by the office of state

1 ~~planning and budgeting and the capital development committee,~~
2 ~~supplemental appropriations out of the capitol dome restoration trust fund~~
3 ~~created in section 2-3-1304.3 (6)(b), and the capitol dome restoration fund~~
4 ~~created in subsection (5)(c)(III)(A) of this section may be made from any~~
5 ~~unexpended and unencumbered money remaining in the specified funds~~
6 ~~at any time.~~

7 ~~(D) Prior to the end of the 2014-15 state fiscal year and after a~~
8 ~~complete accounting is available of the total in-kind and monetary~~
9 ~~donations received through the fund-raising program established in~~
10 ~~section 2-3-1304.3, an end-of-project accounting shall occur based on the~~
11 ~~final total cost of the dome restoration construction project to ensure,~~
12 ~~through the annual general appropriations act, supplemental~~
13 ~~appropriations acts, or transfers between funds, as necessary, that all of~~
14 ~~the transfers from the state historical fund specified in subsections~~
15 ~~(5)(c)(III)(A) and (5)(c)(III)(B) of this section, and the 2013-14~~
16 ~~appropriation from the capital construction fund specified in Senate Bill~~
17 ~~13-230, are reduced, dollar for dollar, by the combined total of money~~
18 ~~deposited into the capitol dome restoration trust fund as specified in~~
19 ~~section 2-3-1304.3 (6)(b), grants for repairs and safety improvements to~~
20 ~~the state capitol dome and supporting structures made by the state~~
21 ~~historical society under the grants process set forth in subsection (1) of~~
22 ~~this section, any money received for the recycling of salvaged building~~
23 ~~materials from the state capitol dome during the construction period, and~~
24 ~~any in-kind gifts and donations, such as materials or labor, that resulted~~
25 ~~in the reduction of the total cost of the construction. The total value of~~
26 ~~any in-kind gifts and donations for purposes of the dollar-for-dollar~~
27 ~~reduction specified in this subsection (5)(c)(III)(D) shall be calculated by~~

1 the department of personnel and approved by the capital development
2 committee as specified in section 2-3-1304.3 (6)(a)(II).

3 (E) ~~Until completion of the capitol dome restoration project as~~
4 ~~reported by the state architect pursuant to section 2-3-1304.5, the~~
5 ~~Colorado historical society shall submit an annual report to the capital~~
6 ~~development committee on or before December 15 of each year~~
7 ~~concerning all grants awarded from the state historical fund.~~

8 **SECTION 2. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly; except
11 that, if a referendum petition is filed pursuant to section 1 (3) of article V
12 of the state constitution against this act or an item, section, or part of this
13 act within such period, then the act, item, section, or part will not take
14 effect unless approved by the people at the general election to be held in
15 November 2022 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.