

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

ENGROSSED

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

LLS NO. 21-0994.01 Esther van Mourik x4215

HOUSE BILL 21-1318

HOUSE SPONSORSHIP

Herod and Ortiz,

SENATE SPONSORSHIP

Garcia,

House Committees

Energy & Environment
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE OUTDOOR EQUITY GRANT**
102 **PROGRAM, AND, IN CONNECTION THEREWITH, FUNDING THE**
103 **GRANT PROGRAM FROM LOTTERY MONEY, AND MAKING AN**
104 **APPROPRIATION.**

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>.)

The bill establishes an outdoor equity board (board) in the division of parks and wildlife. The board is responsible for the governance of the outdoor equity grant program (grant program), which is created in the bill.

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.*

HOUSE
Amended 2nd Reading
May 24, 2021

The purpose of the outdoor equity grant program is to increase access and opportunity for underserved youth and their families to experience Colorado's open spaces, state parks, public lands, and other outdoor areas.

The bill specifies that the board may award grants to applicants that will directly utilize the grant to engage eligible youth and their families by reducing barriers to the Colorado outdoors, creating pathways for formal or informal conservation of the Colorado outdoors, or offering environmental and Colorado outdoor-based educational opportunities.

The bill funds the grant program through a redistribution of lottery money that is earmarked for the general fund.

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

SECTION 1. In Colorado Revised Statutes, **add** part 2 to article 9 of title 33 as follows:

PART 2

OUTDOOR EQUITY GRANT PROGRAM

33-9-201. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) THE PURPOSE OF THE OUTDOOR EQUITY GRANT PROGRAM IS TO INCREASE ACCESS AND OPPORTUNITY FOR UNDERSERVED YOUTH AND THEIR FAMILIES TO EXPERIENCE COLORADO'S OPEN SPACES, STATE PARKS, PUBLIC LANDS, AND OTHER OUTDOOR AREAS THROUGH PROGRAMS WITH A FOCUS ON CONSERVATION, THE ENVIRONMENT, OUTDOOR EDUCATION, OR OUTDOOR RECREATION;

(b) COLORADO IS A STATE OF DYNAMIC GROWTH, CHANGE, AND PROGRESS. IT IS INTERNATIONALLY RENOWNED FOR ITS BEAUTY AND VAST SCOPE OF YEAR-ROUND OUTDOOR ACTIVITIES, NATURAL LANDSCAPES, AND MOUNTAIN ADVENTURES.

(c) PARADOXICALLY, DESPITE THE PLETHORA OF OUTDOOR OPPORTUNITIES, CERTAIN DEMOGRAPHICS OF COLORADO YOUTH AND THEIR FAMILIES FACE REAL CHALLENGES AND OBSTACLES TO ACCESSING

1 NATURE;

2 (d) A CLEAR LACK OF EQUITY EXISTS FOR LOW-INCOME,
3 INNER-CITY, RURAL, RACIALLY, AND ETHNICALLY DIVERSE YOUTH, FOR
4 YOUTH WHO ARE LESBIAN, GAY, BISEXUAL, TRANSGENDER, OR QUEER OR
5 QUESTIONING, FOR NATIVE AMERICAN OR INDIGENOUS YOUTH, AND FOR
6 YOUTH WITH DISABILITIES TO ENGAGE IN MEANINGFUL OUTDOOR
7 EXPERIENCES AND NATURE-BASED EDUCATION;

8 (e) HISTORIC AND CHRONIC SYSTEMIC INEQUITIES HAVE MADE
9 ACCESS TO NATURE MORE CHALLENGING FOR THESE YOUTH;

10 (f) RESEARCH CONFIRMS THAT TIME SPENT OUTSIDE IS ESSENTIAL
11 TO HEALTH AND WELL-BEING; IT IMPROVES PHYSICAL AND MENTAL
12 HEALTH, REDUCES STRESS, AND ENHANCES SOCIAL SKILLS; AND

13 (g) MORE TIME SPENT IN NATURE FOR DISPOSSESSED YOUTH CAN
14 TRANSLATE TO BETTER ACADEMIC PERFORMANCE, INCREASED
15 ENTHUSIASM FOR SCHOOL AND SCHOOL ACTIVITIES, AND A LESSENER
16 LIKELIHOOD FOR ATTENDANCE PROBLEMS.

17 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
18 IT IS NECESSARY TO ESTABLISH AN OUTDOOR EQUITY GRANT PROGRAM TO
19 FUND PROGRAMS AND MEANINGFUL EXPERIENCES LED BY COMMUNITY
20 MEMBERS AND LEADERS WHO UNDERSTAND THE UNIQUE NEEDS AND
21 PERSPECTIVES OF UNDERSERVED YOUTH AND THEIR COMMUNITIES IN
22 ORDER TO ENSURE LONG-TERM AND SUSTAINABLE INVESTMENTS FOR NEW
23 GENERATIONS OF OUTDOOR ENTHUSIASTS AND CONSERVATIONISTS.

24 **33-9-202. Definitions.** AS USED IN THIS PART 2, UNLESS THE
25 CONTEXT OTHERWISE REQUIRES:

26 (1) "APPLICANT" MEANS A GOVERNMENTAL ENTITY, A NONPROFIT
27 ORGANIZATION, A FOR-PROFIT ORGANIZATION, OR A FEDERALLY

1 RECOGNIZED TRIBE THAT IS LOCATED IN THE STATE.

2 (2) "COLORADO OUTDOORS" MEANS COLORADO'S OPEN SPACES,
3 STATE PARKS, PUBLIC LANDS, AND OTHER OUTDOOR RECREATION AREAS.

4 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF NATURAL
5 RESOURCES.

6 (4) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OF PARKS
7 AND WILDLIFE.

8 (5) "DIVISION" MEANS THE DIVISION OF PARKS AND WILDLIFE,
9 CREATED IN SECTION 33-9-104.

10 (6) "ELIGIBLE YOUTH" MEANS A PERSON WHO RESIDES IN
11 COLORADO AND WHO IS ELIGIBLE FOR ADMISSION TO PUBLIC SCHOOL IN
12 THE STATE OR WHO IS NO LONGER ELIGIBLE FOR ADMISSION TO PUBLIC
13 SCHOOL IN THE STATE BUT IS NOT YET TWENTY-SIX YEARS OLD, AND
14 INCLUDES THE PERSON'S FAMILY.

15 (7) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
16 THE DEPARTMENT OF NATURAL RESOURCES.

17 (8) "LOW INCOME" MEANS MEDIAN HOUSEHOLD INCOME THAT IS
18 LESS THAN OR EQUAL TO TWO HUNDRED PERCENT OF THE FEDERAL
19 POVERTY LINE.

20 (9) "OUTDOOR EQUITY BOARD" OR "BOARD" MEANS THE OUTDOOR
21 EQUITY BOARD CREATED IN SECTION 33-9-203.

22 (10) "OUTDOOR EQUITY FUND" OR "FUND" MEANS THE OUTDOOR
23 EQUITY FUND CREATED IN SECTION 33-9-206.

24 (11) "OUTDOOR EQUITY GRANT PROGRAM" OR "GRANT PROGRAM"
25 MEANS THE OUTDOOR EQUITY GRANT PROGRAM CREATED IN SECTION
26 33-9-205.

27 **33-9-203. Outdoor equity board - creation - terms - per diem**

1 **and expense reimbursement.** (1) THERE IS HEREBY CREATED THE
2 OUTDOOR EQUITY BOARD IN THE DIVISION OF PARKS AND WILDLIFE. THE
3 BOARD IS RESPONSIBLE FOR THE GOVERNANCE OF THE OUTDOOR EQUITY
4 GRANT PROGRAM.

5 (2) THE BOARD CONSISTS OF THE FOLLOWING NINE VOTING
6 MEMBERS AS FOLLOWS:

7 (a) ONE MEMBER PERSONALLY IMPACTED BY AND WITH
8 EXPERIENCE IN RACIAL JUSTICE ISSUES;

9 (b) ONE MEMBER PERSONALLY IMPACTED BY AND WITH
10 EXPERIENCE IN ENVIRONMENTAL JUSTICE ISSUES;

11 (c) ONE MEMBER WITH EXPERIENCE WORKING ON CONSERVATION
12 ISSUES;

13 (d) ONE MEMBER WITH EXPERIENCE IN PROVIDING OUTDOOR
14 EDUCATION PROGRAMS;

15 (e) ONE MEMBER PERSONALLY IMPACTED BY AND WITH
16 EXPERIENCE IN DISABILITY-ACCESSIBLE OUTDOOR PROGRAMMING;

17 (f) ONE MEMBER PERSONALLY IMPACTED BY AND WITH
18 EXPERIENCE IN EQUITY FOR INDIVIDUALS WHO ARE LESBIAN, GAY,
19 BISEXUAL, TRANSGENDER, OR QUEER OR QUESTIONING; AND

20 (g) THREE YOUTH MEMBERS FROM COMMUNITIES ELIGIBLE TO BE
21 SERVED BY THE GRANT PROGRAM AT THE TIME OF THEIR APPOINTMENT.

22 (3) THE BOARD CONSISTS OF THE FOLLOWING THREE NONVOTING
23 MEMBERS AS FOLLOWS:

24 (a) THE DIRECTOR OF THE COLORADO OUTDOOR RECREATION
25 INDUSTRY OFFICE, CREATED IN SECTION 24-48.5-129, OR THEIR APPOINTEE;

26 (b) THE DIRECTOR OF THE DIVISION OF PARKS AND WILDLIFE, OR
27 THEIR APPOINTEE; AND

1 (c) THE EXECUTIVE DIRECTOR OF THE GREAT OUTDOORS
2 COLORADO PROGRAM, OR THEIR APPOINTEE.

3 (4) (a) THE DIRECTOR SHALL APPOINT THE VOTING MEMBERS OF
4 THE BOARD IN CONSULTATION WITH THE EXECUTIVE DIRECTOR.

5 (b) THE DIRECTOR SHALL ACCEPT NOMINATIONS FOR BOARD
6 MEMBERS THROUGH AN OPEN AND PUBLIC PROCESS ESTABLISHED BY THE
7 DIVISION THAT ENGAGES NONPROFIT AND PUBLIC ORGANIZATIONS THAT
8 HAVE A FOCUS ON RACIAL EQUITY, ENVIRONMENTAL JUSTICE,
9 CONSERVATION AND STEWARDSHIP, YOUTH ACTIVITY AND ENGAGEMENT,
10 EDUCATION, DISABILITY ADVOCACY AND ACCESSIBILITY, ADVOCACY AND
11 ACCESSIBILITY FOR INDIVIDUALS WHO ARE LESBIAN, GAY, BISEXUAL,
12 TRANSGENDER, OR QUEER OR QUESTIONING, ADVOCACY FOR NATIVE
13 AMERICAN OR INDIGENOUS PEOPLE, AND OTHER RELEVANT AREAS OF
14 FOCUS, AND THAT:

15 (I) WORK TO ENSURE THAT YOUTH AND THEIR FAMILIES HAVE
16 ACCESS, REPRESENTATION, MEANINGFUL PARTICIPATION, AND QUALITY
17 EXPERIENCES IN THE OUTDOORS;

18 (II) PROMOTE CULTURALLY RESPONSIVE PROGRAMS, POLICIES,
19 PROTOCOLS, AND STAFFING IN THE OUTDOORS; AND

20 (III) RAISE AWARENESS OF AND SEEK TO ADDRESS THE ROOT
21 CAUSES OF THE ENVIRONMENTAL DISPARITIES FACING UNDERSERVED
22 COMMUNITIES.

23 (5) TO THE EXTENT POSSIBLE, THE DIRECTOR SHALL ATTEMPT TO
24 APPOINT VOTING MEMBERS OF THE BOARD:

25 (a) WHO HAVE EXPERIENCE PROVIDING EDUCATIONAL
26 EXPERIENCES TO UNDERSERVED YOUTH; AND

27 (b) WHO REFLECT THE DIVERSITY OF THE STATE WITH REGARD TO

1 RACE, ETHNICITY, GENDER, IMMIGRATION STATUS, INCOME, WEALTH,
2 ABILITY, AND GEOGRAPHY.

3 (6) THE DIRECTOR SHALL MAKE INITIAL APPOINTMENTS TO THE
4 BOARD BY OCTOBER 15, 2021.

5 (7) (a) EXCEPT AS PROVIDED IN SUBSECTIONS (7)(b) AND (7)(c) OF
6 THIS SECTION, THE TERM OF OFFICE OF THE MEMBERS OF THE BOARD
7 APPOINTED BY THE DIRECTOR IS FOUR YEARS.

8 (b) IN ORDER TO ENSURE STAGGERED TERMS OF OFFICE, THE
9 INITIAL TERM OF OFFICE OF THE MEMBERS OF THE BOARD IS:

10 (I) TWO YEARS FOR THE MEMBERS APPOINTED PURSUANT TO
11 SUBSECTIONS (2)(a), (2)(b), AND (2)(c) OF THIS SECTION; AND

12 (II) FOUR YEARS FOR THE MEMBERS APPOINTED PURSUANT TO
13 SUBSECTIONS (2)(d), (2)(e), AND (2)(f) OF THIS SECTION.

14 (c) THE TERM OF OFFICE FOR TWO OF THE YOUTH MEMBERS OF THE
15 BOARD IS TWO YEARS AND THE TERM OF OFFICE FOR ONE OF THE YOUTH
16 MEMBERS OF THE BOARD IS ONE YEAR, AS ESTABLISHED BY THE DIRECTOR.

17 (d) BOARD MEMBERS MAY SERVE NO MORE THAN TWO TERMS.

18 (e) A MEMBER WHO IS APPOINTED TO FILL A VACANCY SHALL
19 SERVE THE REMAINDER OF THE UNEXPIRED TERM OF THE MEMBER WHOSE
20 VACANCY IS BEING FILLED; THE REMAINDER COUNTS AS ONE TERM FOR
21 THAT APPOINTEE.

22 (8) (a) VOTING MEMBERS OF THE BOARD RECEIVE A PER DIEM OF
23 TWO HUNDRED DOLLARS FOR ATTENDANCE AT REGULARLY SCHEDULED
24 MEETINGS OF THE BOARD DURING THE 2021-22 STATE FISCAL YEAR, AND
25 TWO HUNDRED DOLLARS AS ANNUALLY ADJUSTED FOR INFLATION BASED
26 ON THE PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF
27 LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR

1 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY ALL URBAN
2 CONSUMERS, OR ITS APPLICABLE PREDECESSOR OR SUCCESSOR INDEX,
3 DURING THE 2022-23 STATE FISCAL YEAR AND EACH STATE FISCAL YEAR
4 THEREAFTER. VOTING MEMBERS OF THE BOARD ARE ALSO REIMBURSED
5 FOR ACTUAL AND NECESSARY EXPENSES INCURRED WHILE PERFORMING
6 OFFICIAL DUTIES, TOGETHER WITH MILEAGE AT THE RATE AT WHICH
7 MEMBERS OF THE GENERAL ASSEMBLY ARE REIMBURSED PURSUANT TO
8 SECTION 2-2-317.

9 (b) NONVOTING MEMBERS MAY NOT RECEIVE PER DIEM, BUT MAY
10 BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES INCURRED WHILE
11 PERFORMING OFFICIAL DUTIES, TOGETHER WITH MILEAGE AT THE RATE AT
12 WHICH MEMBERS OF THE GENERAL ASSEMBLY ARE REIMBURSED PURSUANT
13 TO SECTION 2-2-317.

14 **33-9-204. Outdoor equity board - duties.** (1) THE BOARD SHALL
15 MEET AS OFTEN AS NECESSARY TO CARRY OUT THE FOLLOWING DUTIES
16 AND RESPONSIBILITIES:

17 (a) TO CREATE AN OUTDOOR EQUITY WEBSITE;

18 (b) TO ADMINISTER THE GRANT PROGRAM AND, SUBJECT TO
19 AVAILABLE APPROPRIATIONS, AWARD GRANTS AS PROVIDED IN SECTION
20 33-9-205;

21 (c) TO ESTABLISH ANY POLICIES AS ARE NECESSARY OR EXPEDIENT
22 FOR THE CONDUCT OF ITS AFFAIRS AND ITS MEETINGS AND TO POST THOSE
23 POLICIES ON ITS WEBSITE, INCLUDING:

24 (I) A CONFLICT OF INTEREST POLICY FOR ITS MEMBERS IN ORDER
25 TO PREVENT THOSE WHO SERVE ON THE BOARD FROM BENEFITTING FROM
26 THE GRANT PROGRAM;

27 (II) POLICIES RELATED TO TIME FRAMES FOR APPLYING FOR

1 GRANTS AND FOR THE DISTRIBUTION OF GRANT MONEY UNDER SECTION
2 33-9-205; AND

3 (III) POLICIES RELATED TO THE FORM OF THE GRANT PROGRAM
4 APPLICATION, SO AS TO ENSURE THAT THE APPLICATIONS ARE CONCISE,
5 STRAIGHTFORWARD, OBJECTIVE, INCLUSIVE, AND ACCESSIBLE TO ALL
6 INTERESTED PARTIES;

7 (d) TO ESTABLISH MEANINGFUL QUANTITATIVE AND QUALITATIVE
8 GRANT REPORTING REQUIREMENTS THAT ALLOW THE GRANTEEES TO
9 HIGHLIGHT WHO THEY ARE SERVING AND HOW THEY ARE SERVING THEM,
10 INCLUDING REPORTS ON THE ETHNIC AND RACIAL MAKEUP OF THE
11 PARTICIPANTS OF PROGRAMS FUNDED, THE AGES AND LOCALITIES OF
12 PROGRAM PARTICIPANTS, THE TYPES OF PROGRAMMING FUNDED, AND
13 OTHER RELEVANT CRITERIA THAT THE BOARD SEES FIT;

14 (e) TO COMPILE AN ANNUAL REPORT THAT DETAILS INFORMATION
15 ABOUT THE PROGRAMS THAT ARE AWARDED GRANTS, INCLUDING: THE
16 ETHNIC AND RACIAL MAKEUP OF THE PARTICIPANTS, THE AGES AND
17 LOCALITIES OF PARTICIPANTS, THE TYPES OF PROGRAMS, AND OTHER
18 RELEVANT INFORMATION THAT THE BOARD SEES FIT; AND

19 (f) (I) TO PRESENT THE REPORT DESCRIBED IN SUBSECTION (1)(e)
20 OF THIS SECTION TO THE DEPARTMENT AND THE PARKS AND WILDLIFE
21 COMMISSION, AND TO MAKE THE REPORT PUBLICLY ACCESSIBLE,
22 INCLUDING POSTING THE REPORT ON THE BOARD'S WEBSITE.

23 (II) IN JANUARY 2023, AND EACH JANUARY THEREAFTER, THE
24 DEPARTMENT SHALL REPORT ON THE GRANT PROGRAM, INCLUDING A
25 SUMMARY OF THE REPORT DESCRIBED IN SUBSECTION (1)(e) OF THIS
26 SECTION, AS PART OF THE DEPARTMENT'S PRESENTATION TO ITS
27 COMMITTEE OF REFERENCE AT A HEARING HELD PURSUANT TO SECTION

1 2-7-203 (2)(a) OF THE "STATE MEASUREMENT FOR ACCOUNTABLE,
2 RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT".

3 (2) THE BOARD IS SUBJECT TO ALL THE APPLICABLE REQUIREMENTS
4 OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE
5 24, AND THE OPEN MEETINGS LAW CONTAINED IN PART 4 OF ARTICLE 6 OF
6 TITLE 24.

7 **33-9-205. Outdoor equity grant program - creation.** (1) THE
8 BOARD SHALL IMPLEMENT THE GRANT PROGRAM IN ACCORDANCE WITH
9 THIS SECTION AND THE POLICIES IT ESTABLISHES UNDER SECTION 33-9-204
10 (1)(c).

11 (2) TO RECEIVE A GRANT, AN APPLICANT MUST SUBMIT AN
12 APPLICATION TO THE BOARD.

13 (3) THE BOARD SHALL REVIEW EACH APPLICATION IT RECEIVES
14 AND MAY AWARD GRANTS TO APPLICANTS THAT WILL DIRECTLY UTILIZE
15 THE GRANT TO ENGAGE RACIALLY OR ETHNICALLY DIVERSE ELIGIBLE
16 YOUTH WHO ARE FROM LOW-INCOME FAMILIES, ENGAGE ELIGIBLE YOUTH
17 WHO ARE LESBIAN, GAY, BISEXUAL, TRANSGENDER, OR QUEER OR
18 QUESTIONING, ENGAGE NATIVE AMERICAN OR INDIGENOUS YOUTH, OR
19 ENGAGE ELIGIBLE YOUTH WITH DISABILITIES IN SUCH A WAY SO AS TO
20 BUILD SUSTAINABILITY AND CAPACITY FOR SUCH HISTORICALLY
21 UNDERSERVED COMMUNITIES, AND SO AS TO:

22 (a) REDUCE BARRIERS TO THE COLORADO OUTDOORS;

23 (b) CREATE PATHWAYS FOR FORMAL OR INFORMAL CONSERVATION
24 OF THE COLORADO OUTDOORS; OR

25 (c) OFFER ENVIRONMENTAL AND COLORADO OUTDOOR-BASED
26 EDUCATIONAL OPPORTUNITIES.

27 (4) SUBJECT TO AVAILABLE APPROPRIATIONS, GRANTS SHALL BE

1 PAID OUT OF THE OUTDOOR EQUITY FUND CREATED IN SECTION 33-9-206.

2 **33-9-206. Outdoor equity fund.** (1) (a) THE OUTDOOR EQUITY
3 FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS
4 OF MONEY CREDITED TO THE FUND PURSUANT TO SECTION 44-40-111 (12).
5 ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT
6 OF MONEY IN THE OUTDOOR EQUITY FUND MUST BE CREDITED TO THE FUND
7 AND MAY NOT BE TRANSFERRED TO THE GENERAL FUND OR ANY OTHER
8 FUND AT THE END OF ANY FISCAL YEAR. ANY UNEXPENDED AND
9 UNENCUMBERED MONEY REMAINING IN THE OUTDOOR EQUITY FUND AT
10 THE END OF A FISCAL YEAR STAYS IN THE FUND.

11 (b) THE MONEY CREDITED TO THE OUTDOOR EQUITY FUND
12 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION AND ANY INCOME AND
13 INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF SUCH MONEY
14 IS EXEMPT FROM ANY RESTRICTION ON SPENDING, REVENUE, OR
15 APPROPRIATIONS, INCLUDING, WITHOUT LIMITATION, THE RESTRICTIONS OF
16 SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

17 (2) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
18 ASSEMBLY, THE DIVISION MAY EXPEND MONEY FROM THE OUTDOOR
19 EQUITY FUND TO IMPLEMENT THE OUTDOOR EQUITY GRANT PROGRAM. THE
20 DEPARTMENT MAY USE MONEY IN THE OUTDOOR EQUITY FUND TO PAY THE
21 DIRECT AND INDIRECT COSTS THAT THE DEPARTMENT INCURS TO
22 ADMINISTER THIS PART 2, ASSIST THE OUTDOOR EQUITY BOARD, AND PAY
23 THE PER DIEM AND EXPENSES OF THE OUTDOOR EQUITY BOARD MEMBERS.

24 (3) THE OUTDOOR EQUITY BOARD MAY SEEK, ACCEPT, AND EXPEND
25 GIFTS, GRANTS, DONATIONS, LOANS OF MONEY, OR AID IN ANY FORM FROM
26 THE FEDERAL GOVERNMENT, ANY STATE AGENCY, ANY LOCAL
27 GOVERNMENT, OR FROM PRIVATE SOURCES, OR ANY COMBINATION

1 THEREOF, FOR THE PURPOSES OF THIS PART 2, AND ANY SUCH MONEY MUST
2 BE CREDITED TO THE GIFTS, GRANTS, AND DONATIONS ACCOUNT CREATED
3 IN THE FUND. THE MONEY IN THE GIFTS, GRANTS, AND DONATIONS
4 ACCOUNT IS CONTINUOUSLY APPROPRIATED TO THE DIVISION TO
5 IMPLEMENT THE OUTDOOR EQUITY GRANT PROGRAM.

6 **SECTION 2.** In Colorado Revised Statutes, 44-40-111, **add** (12)
7 as follows:

8 **44-40-111. Lottery fund - creation - definitions.** (12) (a) As
9 USED IN THIS SUBSECTION (12), UNLESS THE CONTEXT OTHERWISE
10 REQUIRES:

11 (I) "OUTDOOR EQUITY FUND" MEANS THE OUTDOOR EQUITY FUND
12 CREATED IN SECTION 33-9-206.

13 (II) "PARKS AND OUTDOOR RECREATION CASH FUND" MEANS THE
14 PARKS AND OUTDOOR RECREATION CASH FUND CREATED IN SECTION
15 33-10-111 (1).

16 (III) "PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND"
17 MEANS THE PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND
18 CREATED IN SECTION 22-43.7-104.

19 (IV) "WILDLIFE CASH FUND" MEANS THE WILDLIFE CASH FUND
20 CREATED IN SECTION 33-1-112 (1)(a).

21 (b) PURSUANT TO SUBSECTION (10)(b) OF THIS SECTION, THE STATE
22 TREASURER SHALL TRANSFER MONEY THAT WOULD OTHERWISE BE
23 ALLOCATED TO THE GENERAL FUND PURSUANT TO SECTION 3 (1)(b)(III) OF
24 ARTICLE XXVII OF THE STATE CONSTITUTION, AND AS DESCRIBED IN
25 SECTION 33-60-104 (1)(c), AS FOLLOWS:

26 (I) FOR THE 2020-21 STATE FISCAL YEAR, TO THE EXTENT
27 AVAILABLE, THE FIRST SEVEN HUNDRED FIFTY THOUSAND DOLLARS TO THE

1 OUTDOOR EQUITY FUND; THE NEXT THREE MILLION DOLLARS TO THE
2 PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND; AND ANY
3 REMAINING MONEY AS FOLLOWS: TWENTY-FIVE PERCENT TO THE WILDLIFE
4 CASH FUND, TWENTY-FIVE PERCENT TO THE PARKS AND OUTDOOR
5 RECREATION CASH FUND, AND FIFTY PERCENT TO THE PUBLIC SCHOOL
6 CAPITAL CONSTRUCTION ASSISTANCE FUND;

7 (II) FOR THE 2021-22 STATE FISCAL YEAR, TO THE EXTENT
8 AVAILABLE, THE FIRST ONE MILLION FIVE HUNDRED THOUSAND DOLLARS
9 TO THE OUTDOOR EQUITY FUND; THE NEXT THREE MILLION DOLLARS TO
10 THE PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND; AND ANY
11 REMAINING MONEY AS FOLLOWS: TWENTY-FIVE PERCENT TO THE WILDLIFE
12 CASH FUND, TWENTY-FIVE PERCENT TO THE PARKS AND OUTDOOR
13 RECREATION CASH FUND, AND FIFTY PERCENT TO THE PUBLIC SCHOOL
14 CAPITAL CONSTRUCTION ASSISTANCE FUND;

15 (III) FOR THE 2022-23 STATE FISCAL YEAR, TO THE EXTENT
16 AVAILABLE, THE FIRST TWO MILLION TWO HUNDRED FIFTY THOUSAND
17 DOLLARS TO THE OUTDOOR EQUITY FUND; THE NEXT THREE MILLION
18 DOLLARS TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE
19 FUND; AND ANY REMAINING MONEY AS FOLLOWS: TWENTY-FIVE PERCENT
20 TO THE WILDLIFE CASH FUND, TWENTY-FIVE PERCENT TO THE PARKS AND
21 OUTDOOR RECREATION CASH FUND, AND FIFTY PERCENT TO THE PUBLIC
22 SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND; AND

23 (IV) FOR THE 2023-24 STATE FISCAL YEAR AND EACH STATE
24 FISCAL YEAR THEREAFTER, TO THE EXTENT AVAILABLE, THE FIRST THREE
25 MILLION DOLLARS TO THE OUTDOOR EQUITY FUND; THE NEXT THREE
26 MILLION DOLLARS TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION
27 ASSISTANCE FUND; AND ANY REMAINING MONEY AS FOLLOWS:

1 TWENTY-FIVE PERCENT TO THE WILDLIFE CASH FUND, TWENTY-FIVE
2 PERCENT TO THE PARKS AND OUTDOOR RECREATION CASH FUND, AND
3 FIFTY PERCENT TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION
4 ASSISTANCE FUND.

5 (c) THE MONEY TRANSFERRED UNDER THIS SUBSECTION (12) AND
6 ANY INCOME AND INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT
7 OF SUCH MONEY IS EXEMPT FROM ANY RESTRICTION ON SPENDING,
8 REVENUE, OR APPROPRIATIONS, INCLUDING, WITHOUT LIMITATION, THE
9 RESTRICTIONS OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

10 **SECTION 3.** In Colorado Revised Statutes, 22-43.7-104, **amend**
11 (2)(b)(III) as follows:

12 **22-43.7-104. Public school capital construction assistance fund**
13 **- creation - crediting of money to fund - use of fund - emergency**
14 **reserve - creation - reserve account - creation and use.** (2) (b) For
15 each fiscal year commencing on or after July 1, 2008, the following
16 moneys shall be credited to the assistance fund:

17 (III) ~~All moneys that would otherwise be transferred to the general~~
18 ~~fund pursuant to section 3 (1)(b)(III) of article XXVII of the state~~
19 ~~constitution.~~ ANY MONEY TRANSFERRED TO THE ASSISTANCE FUND UNDER
20 SECTION 44-40-111 (12). ~~The moneys credited~~ MONEY TRANSFERRED to
21 the assistance fund pursuant to this ~~subparagraph (III)~~ SUBSECTION
22 (2)(b)(III) and any income and interest derived from the deposit and
23 investment of such ~~moneys shall be~~ MONEY IS exempt from any restriction
24 on spending, revenue, or appropriations, including, without limitation, the
25 restrictions of section 20 of article X of the state constitution.

26 **SECTION 4.** In Colorado Revised Statutes, 33-60-104, **amend**
27 (1)(c) as follows:

1 **33-60-104. Distribution of net lottery proceeds beginning first**
2 **quarter of fiscal year 1998-99.** (1) For the first quarter of fiscal year
3 1998-99 and for each quarter thereafter, the state treasurer shall distribute
4 net lottery proceeds as follows:

5 (c) All remaining net lottery proceeds in trust to the trust fund
6 board; except that, in any state fiscal year in which the portion of net
7 lottery proceeds which would otherwise be given in trust to the trust fund
8 board exceeds the adjusted amount of thirty-five million dollars as
9 determined by the state treasurer in accordance with subsection (2) of this
10 section, the net lottery proceeds in excess of such adjusted amount shall
11 be allocated to the general fund AND TRANSFERRED AS SPECIFIED IN
12 SECTION 44-40-111 (12).

13 **SECTION 5. Appropriation.** For the 2021-22 state fiscal year,
14 \$730,674 is appropriated to the department of natural resources for use
15 by the division of parks and wildlife. This appropriation is from the
16 outdoor equity fund created in section 33-9-206 (1)(a), C.R.S., and is
17 based on an assumption that the division will require an additional 1.0
18 FTE. To implement this act, the division may use this appropriation for
19 the outdoor equity grant program.

20 **SECTION 6. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety.