

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

ENGROSSED

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

LLS NO. 23-1013.01 Megan McCall x4215

SENATE BILL 23-283

SENATE SPONSORSHIP

Zenzinger,

HOUSE SPONSORSHIP

(None),

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MECHANISMS TO UTILIZE FEDERAL FUNDING UNDER**
102 **FEDERAL INFRASTRUCTURE-RELATED ACTS, AND, IN**
103 **CONNECTION THEREWITH, MAKING AN 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>.)

Existing law allows money expended from the "Infrastructure Investment and Jobs Act" (act) cash fund to be used as matching nonfederal money for infrastructure projects pursuant to requirements of the act as well as for grant writing support, project planning support, and administrative needs. The bill clarifies that, with respect to the project

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

SENATE
Amended 2nd Reading
April 24, 2023

planning support for which money from the fund is already authorized to be expended, the Governor's office may specifically expend money from the fund for project planning support for federal funding opportunities in connection with the act and related federal funding opportunities including funding opportunities from the "Inflation Reduction Act". The bill requires that on July 1, 2023, the state treasurer is to transfer \$86 million from the general fund to the "Infrastructure Investment and Jobs Act" cash fund.

The bill also requires that on July 1, 2023, the state treasurer is to transfer \$5 million from the general fund to the state highway fund for use by the department of transportation to develop comprehensive operational capacity to maximize utilization and implementation of federal infrastructure funding.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-75-232, **amend**
3 (3), (4)(a), (5)(b)(II), and (7)(a) introductory portion; and **add** (2)(b.5) as
4 follows:

5 **24-75-232. "Infrastructure Investment and Jobs Act" cash**
6 **fund - creation - allowable uses - report - legislative declaration -**
7 **definitions - repeal.** (2) As used in this section, unless the context
8 otherwise requires:

9 (b.5) "INFLATION REDUCTION ACT" MEANS THE FEDERAL
10 "INFLATION REDUCTION ACT OF 2022", PUB.L. 117-169, AS THE ACT MAY
11 BE SUBSEQUENTLY AMENDED.

12 (3) The "Infrastructure Investment and Jobs Act" cash fund is
13 hereby created in the state treasury. The fund consists of money credited
14 OR TRANSFERRED to the fund pursuant to subsection (4) of this section
15 and any other money that the general assembly may appropriate or
16 transfer to the fund.

17 (4) (a) (I) No later than three days after June 7, 2022, the state
18 treasurer shall transfer eighty million two hundred fifty thousand dollars

1 from the general fund to the fund.

2 (II) ON JULY 1, 2023, THE STATE TREASURER SHALL TRANSFER
3 EIGHTY-FOUR MILLION DOLLARS FROM THE GENERAL FUND TO THE FUND.

4 (5) (b) In addition to the uses set forth in subsection (5)(a) of this
5 section:

6 (II) The office may expend money from the fund to provide grant
7 writing support, project planning support FOR FEDERAL FUNDING
8 OPPORTUNITIES IN CONNECTION WITH THE "INFRASTRUCTURE INVESTMENT
9 AND JOBS ACT" AND RELATED FEDERAL FUNDING OPPORTUNITIES
10 INCLUDING FUNDING OPPORTUNITIES FROM THE "INFLATION REDUCTION
11 ACT", and for administrative needs in processing applications for money
12 from the fund and disbursing money awarded from the fund in
13 accordance with this section.

14 **24-75-232. "Infrastructure Investment and Jobs Act" cash**
15 **fund - creation - allowable uses - report - legislative declaration -**
16 **definitions - repeal.**

17 **24-75-232. "Infrastructure Investment and Jobs Act"**
18 **cash fund - creation - allowable uses - report - legislative declaration**
19 **- definitions - repeal. (7) (a) On or before October 1, 2022, and on or**
20 **before October 1** **A QUARTERLY BASIS BEGINNING ON JULY 1, 2023 of**
21 **every year thereafter, the office shall submit a report to the joint budget**
22 **committee of the general assembly, the senate committee on**
23 **transportation and energy or any successor committee, and the house of**
24 **representatives committees on transportation and local government and**
25 **energy and environment or any successor committees. The report must**
26 **include:**

27 **SECTION 2.** In Colorado Revised Statutes, 24-75-219, **add** (7)(i)

1 as follows:

2 **24-75-219. Transfers - transportation - capital construction -**
3 **definitions - repeal.** (7) In addition to any other transfers required by
4 this section:

5 (i) (I) ON JULY 1, 2023, THE STATE TREASURER SHALL TRANSFER
6 FIVE MILLION DOLLARS FROM THE GENERAL FUND TO THE STATE HIGHWAY
7 FUND. THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (7)(i)(I)
8 MUST BE USED BY THE DEPARTMENT OF TRANSPORTATION FOR THE
9 PURPOSE OF DEVELOPING COMPREHENSIVE OPERATIONAL CAPACITY TO
10 MAXIMIZE UTILIZATION AND IMPLEMENTATION OF FEDERAL
11 INFRASTRUCTURE FUNDING.

12 (II) THIS SUBSECTION (7)(i) IS REPEALED, EFFECTIVE JULY 1, 2025.

13 **SECTION 3. In Colorado Revised Statutes, 23-41-104, amend**
14 **(2) as follows:**

15 **23-41-104. Control - management.** (2) The board of trustees
16 may lease, for terms not exceeding ~~eighty~~ NINETY-NINE years, real or
17 personal property, or both, to state or federal governmental agencies,
18 persons, or entities, public or private, for the construction, use, operation,
19 maintenance, and improvement of research and development facilities,
20 health and recreation facilities, dormitories, and living, dining, and group
21 housing buildings and facilities or for any of such purposes and to buy
22 land and construct buildings and facilities therefor. Neither the grounds
23 so leased nor any of the improvements constructed on the grounds shall
24 be used in any manner that discriminates against anyone because of race,
25 creed, color, religion, national origin, ancestry, sex, sexual orientation,
26 gender identity, or gender expression. The board of trustees may borrow
27 money in conjunction with the construction and leases and assist in

1 effecting any of those purposes. Any actions taken prior to May 27, 1965,
2 by the board of trustees consistent with any power granted in this
3 subsection (2) are ratified and validated.

4 **SECTION 4. Appropriation.** For the 2023-24 state fiscal year,
5 \$84,000,000 is appropriated to a department as defined by section
6 24-75-232 (2)(a), C.R.S., and to the office of the governor for use by a
7 department or the office of the governor. This appropriation is from the
8 "Infrastructure Investment and Jobs Act" cash fund created in section
9 24-75-232 (3), C.R.S. To implement this act, a department or the office
10 of the governor may use this appropriation for the purposes specified in
11 section 24-75-232 (5), C.R.S. and is based on the assumption the office
12 will require an additional 4.8 FTE. Any money appropriated in this
13 section not expended prior to July 1, 2024, is further appropriated to a
14 department and the office of the governor through the 2026-27 state fiscal
15 year for the same purpose.

16 **SECTION 5. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety.