

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 24-1057.01 Caroline Martin x5902

HOUSE BILL 24-1412

HOUSE SPONSORSHIP

Bird and Taggart, Sirota, Clifford, McCluskie

SENATE SPONSORSHIP

Bridges and Kirkmeyer, Zenzinger, Priola

House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING CLARIFICATION OF THE SCOPE OF THE AUTHORITY OF**
102 **THE ADJUTANT GENERAL TO DISBURSE STATE MONEY FOR**
103 **CAPITAL ASSET-RELATED PURPOSES.**

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/>.)

Joint Budget Committee. The bill clarifies that the adjutant general's authority to disburse state money in connection with keeping in repair all state buildings and other improvements on campgrounds and military reservations of the state and renting, hiring, purchasing, taking the conveyance of, and holding in trust such buildings, lands, tenements,

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
3rd Reading Unamended
April 5, 2024

SENATE
2nd Reading Unamended
April 4, 2024

HOUSE
3rd Reading Unamended
April 1, 2024

HOUSE
2nd Reading Unamended
March 28, 2024

and appurtenances thereof, is subject to appropriation by the general assembly. The bill also clarifies that the purchase of buildings or other real property or any capital construction performed on real property purchased or held by the state for the use of the National Guard is subject to current law concerning legislative oversight of capital development.

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

2 **SECTION 1.** In Colorado Revised Statutes, 28-3-106, **amend**
3 (1)(q) and (1)(r) as follows:

4 **28-3-106. Powers and duties of adjutant general.** (1) The
5 adjutant general has the following powers and duties:

6 (q) The adjutant general shall have charge of the campgrounds
7 and military reservations of the state and shall be responsible for the
8 protection and safety thereof, and ~~he or she~~ THE ADJUTANT GENERAL shall
9 promulgate regulations for the maintenance of order thereon, for the
10 enforcement of traffic rules, and for all other lawful regulations as may
11 be ordered for the operation, care, and preservation of existing facilities
12 and installations on all state military reservations. ~~He or she~~ THE
13 ADJUTANT GENERAL shall keep in repair all state buildings and other
14 improvements thereon ~~He or she~~ AND may make such sound
15 improvements thereon as the good of the service requires. SUBJECT TO
16 APPROPRIATION BY THE GENERAL ASSEMBLY, THE ADJUTANT GENERAL
17 MAY DISBURSE STATE MONEY, INCLUDING BUT NOT LIMITED TO MONEY IN
18 THE REAL ESTATE CASH FUND AND THE CAPITAL CONSTRUCTION FUND, IN
19 ACCORDANCE WITH THIS SECTION.

20 (r) The adjutant general, by and with the advice and approval of
21 the governor, is authorized to rent, hire, purchase, take the conveyance of,
22 and hold in trust for the use of the state of Colorado such buildings, lands,
23 tenements, and appurtenances thereof as may be from time to time

1 deemed necessary for use by the National Guard. All ~~such expenditures~~
2 ~~shall be paid out of the military fund, but all~~ titles shall be taken in the
3 name of the governor of the state of Colorado for the use of the National
4 Guard. ANY PURCHASE OF SUCH BUILDINGS OR OTHER REAL PROPERTY OR
5 ANY CAPITAL CONSTRUCTION PERFORMED ON REAL PROPERTY PURCHASED
6 OR HELD BY THE STATE OF COLORADO FOR THE USE OF THE NATIONAL
7 GUARD IS SUBJECT TO THE PROVISIONS OF PART 13 OF ARTICLE 3 OF TITLE
8 2 CONCERNING CAPITAL DEVELOPMENT. Prior to acquiring any real
9 property pursuant to the provisions of this ~~paragraph (r)~~ SUBSECTION
10 (1)(r), the adjutant general shall submit a report to the capital
11 development committee which describes the anticipated use of such real
12 property, the maintenance costs related to such real property, the current
13 value of such real property, any conditions or limitations which may
14 restrict the use of such real property, and any potential liability to the state
15 which could result from acquiring such real property. The capital
16 development committee shall review any such report which is submitted
17 to the capital development committee and shall provide recommendations
18 to the adjutant general concerning the proposed real property acquisition
19 within thirty days after the date of receipt of such report. The adjutant
20 general shall not complete any such real property acquisition without
21 considering any recommendations of the capital development committee
22 which are provided within such thirty-day period. SUBJECT TO
23 APPROPRIATION BY THE GENERAL ASSEMBLY, THE ADJUTANT GENERAL
24 MAY DISBURSE STATE MONEY, INCLUDING BUT NOT LIMITED TO MONEY IN
25 THE REAL ESTATE CASH FUND AND THE CAPITAL CONSTRUCTION FUND, IN
26 ACCORDANCE WITH THIS SECTION.

27 **SECTION 2. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly; except
3 that, if a referendum petition is filed pursuant to section 1 (3) of article V
4 of the state constitution against this act or an item, section, or part of this
5 act within such period, then the act, item, section, or part will not take
6 effect unless approved by the people at the general election to be held in
7 November 2024 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.