

CHAPTER 306

GOVERNMENT - STATE

SENATE BILL 24-204

BY SENATOR(S) Ginal and Rich, Hinrichsen, Priola;
also REPRESENTATIVE(S) Bradley and McLachlan, Epps, Snyder, Wilson.

AN ACT

CONCERNING TECHNICAL REVISIONS TO THE PROCUREMENT CODE.

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

SECTION 1. In Colorado Revised Statutes, 24-101-301, **amend** the introductory portion, (28), and (43) as follows:

24-101-301. Definitions. The terms defined in this section ~~shall~~ have the following meanings whenever they appear in this code, unless the context in which they are used clearly requires a different meaning or a different definition is prescribed for a particular article or portion thereof:

(28) "Procurement" means buying, purchasing, renting, leasing, or otherwise acquiring any supplies, services, or construction. "Procurement" includes all functions that pertain to the obtaining of any supply, service, or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration. "Procurement" also includes the procurement of information technology as defined in ~~section 24-37.5-102 (11)~~ SECTION 24-37.5-102 (12).

(43) "Solicitation" means all documents and related information, whether attached or incorporated by reference, published on an electronic ~~bidding~~ PROCUREMENT system in connection with a procurement prior to the response deadline.

SECTION 2. In Colorado Revised Statutes, 24-102-202, **amend** (3) as follows:

24-102-202. Authority of the executive director and chief procurement

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

officer - delegation of authority - rules. (3) Subject to rules, the executive director may delegate ~~his or her~~ THE EXECUTIVE DIRECTOR'S purchasing authority to designees or to any ~~department, agency,~~ GOVERNMENTAL BODY OF ELECTED official.

SECTION 3. In Colorado Revised Statutes, **amend** 24-103-402 as follows:

24-103-402. Prequalification of suppliers. Prospective suppliers may be prequalified for particular types of supplies, services, and construction, and the method of compiling and soliciting from lists of potential contractors may be USED pursuant to rules.

SECTION 4. In Colorado Revised Statutes, 24-103-905, **amend** (1)(a)(II) and (3) as follows:

24-103-905. Service-disabled veteran-owned small businesses - state procurement preference - definitions. (1) As used in this section, unless the context otherwise requires:

(a) "Service-disabled veteran-owned small business" means a business that is:

(II) Officially registered and verified as a service-disabled veteran-owned small business by the center for verification and evaluation within the APPROPRIATE United States ~~department of veterans affairs~~ AGENCY.

(3) When a state agency intends to award a contract to a business in furtherance of the three percent goal specified in subsection (2) of this section, the state agency shall, prior to awarding the contract, require the business to submit to the agency documentation from the APPROPRIATE United States ~~department of veterans affairs~~ AGENCY that verifies that the business is a service-disabled veteran-owned small business.

SECTION 5. In Colorado Revised Statutes, 24-110-201, **amend** (4)(c) as follows:

24-110-201. Cooperative purchasing authorized. (4) Unless otherwise approved by the chief procurement officer, the procurement official shall comply with the following order of priority for the use of cooperative purchasing agreements:

(c) Third, LOCAL public procurement unit or external public procurement unit cooperative purchasing agreements.

SECTION 6. 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; 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 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 31, 2024