

CHAPTER 83

GENERAL ASSEMBLY

HOUSE BILL 09-1168

BY REPRESENTATIVE(S) Riesberg, McFadyen, Sonnenberg, Liston;
also SENATOR(S) Schwartz, Bacon, Penry.

AN ACT

CONCERNING THE TIMING OF REPORTS TO THE CAPITAL DEVELOPMENT COMMITTEE.

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

SECTION 1. 33-1-105 (3) (a), Colorado Revised Statutes, is amended to read:

33-1-105. Powers of commission. (3) (a) In the event that the commission plans to acquire the fee title to any real property or to acquire an easement for a period to exceed twenty-five years or at a cost to exceed one hundred thousand dollars or to enter into any lease agreement for the use of real property for a period to exceed twenty-five years or at a cost to exceed one hundred thousand dollars, or to sell or otherwise dispose of the fee title to any real property ~~which~~ THAT has a market value in excess of one hundred thousand dollars, AFTER THE COMMISSION HAS APPROVED THE TRANSACTION BUT BEFORE IT HAS COMPLETED THE TRANSACTION, the commission shall ~~first~~ submit a report to the capital development committee ~~which~~ THAT outlines the anticipated use of the real property, the maintenance costs related to the property, the current value of the property, any conditions or limitations ~~which~~ THAT may restrict the use of the property, and, in the event real property is acquired, the potential liability to the state ~~which~~ THAT will result from ~~such~~ THE acquisition. The capital development committee shall review the reports submitted by the commission and make recommendations to the commission concerning the proposed land transaction within thirty days from the day on which the report is received. The commission shall not complete ~~such~~ THE transaction without considering the recommendations of the capital development committee, if ~~such~~ THE recommendations are ~~timely~~ made IN A TIMELY MANNER.

SECTION 2. 33-10-107 (2), Colorado Revised Statutes, is amended to read:

33-10-107. Powers of board. (2) In the event that the board plans to acquire the

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

fee title to any real property at a cost to exceed one hundred thousand dollars or to acquire an easement for a period to exceed twenty-five years or at a cost to exceed one hundred thousand dollars or to enter into any lease agreement for the use of real property for a period to exceed twenty-five years or at a cost to exceed one hundred thousand dollars, or to sell or otherwise dispose of such property, AFTER THE BOARD HAS APPROVED OF THE TRANSACTION BUT BEFORE IT HAS COMPLETED THE TRANSACTION, the board shall ~~first~~ submit a report to the capital development committee ~~which~~ THAT outlines the anticipated use of the real property, the maintenance costs related to the property, the current value of the property, any conditions or limitations ~~which~~ THAT may restrict the use of the property, and, in the event real property is acquired, the potential liability to the state ~~which~~ THAT will result from ~~such~~ THE acquisition. The capital development committee shall review the reports submitted by the board and make recommendations to the board concerning the proposed land transaction within thirty days from the day on which the report is received. The board shall not complete ~~such~~ THE transaction without considering the recommendations of the capital development committee, if ~~such~~ THE recommendations are ~~timely~~ made IN A TIMELY MANNER.

SECTION 3. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 5, 2009, if adjournment sine die is on May 6, 2009); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: April 2, 2009