

## CHAPTER 132

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**GOVERNMENT - STATE**

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**HOUSE BILL 13-1208**

BY REPRESENTATIVE(S) Duran, Buckner, Fields, Fischer, Foote, Ginal, Hullinghorst, Lebsock, Lee, Levy, May, McCann, Melton, Mitsch Bush, Pabon, Rosenthal, Ryden, Salazar, Schafer, Vigil;  
also SENATOR(S) Newell, Aguilar, Giron, Guzman, Heath, Hodge, Jahn, Kefalas, Nicholson, Schwartz, Steadman, Todd, Ulibarri, Morse.

**AN ACT**

**CONCERNING CREATIVE DISTRICTS, AND, IN CONNECTION THEREWITH, AUTHORIZING THE CREATIVE INDUSTRIES DIVISION OF THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT TO OFFER INCENTIVES IN THE FORM OF NEED-BASED FUNDING FOR INFRASTRUCTURE DEVELOPMENT IN STATE-CERTIFIED CREATIVE DISTRICTS AND TO PROVIDE SUCH FUNDING FROM ANY MONEYS APPROPRIATED TO THE CREATIVE INDUSTRIES CASH FUND FOR THAT PURPOSE.**

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

**SECTION 1.** In Colorado Revised Statutes, 24-48.5-301, **amend** (2) (a) introductory portion, (2) (a) (IV), and (2) (b) (III); and **add** (2) (b) (IV) and (3) as follows:

**24-48.5-301. Creative industries division - creative industries cash fund - creation - definition - repeal.** (2) (a) There is hereby created in the state treasury the creative industries cash fund, referred to in this section as the "fund". The fund ~~shall consist~~ CONSISTS of:

(IV) Moneys appropriated to the fund by the general assembly, INCLUDING, BUT NOT LIMITED TO, MONEYS APPROPRIATED FOR THE PURPOSE OF PROVIDING NEED-BASED FUNDING FOR INFRASTRUCTURE DEVELOPMENT WITHIN CREATIVE DISTRICTS AS AUTHORIZED BY SECTION 24-48.5-314 (5) (b); and

(b) The moneys in the fund shall be annually appropriated to the division for the operation of the division, and for the following:

(III) For the purchase of works of art pursuant to the art in public places program, taking into consideration the artist's preliminary site visit, the design fee, the total

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

costs of construction and installation of the work of art, jury expenses, and program administration in compliance with the provisions of section 24-48.5-312 (6); AND

(IV) FOR NEED-BASED FUNDING FOR INFRASTRUCTURE DEVELOPMENT IN CREATIVE DISTRICTS AS AUTHORIZED BY SECTION 24-48.5-314 (5) (b), TO THE EXTENT THAT THE GENERAL ASSEMBLY APPROPRIATES MONEYS TO THE FUND FOR THAT PURPOSE.

(3) AS USED IN THIS PART 3, "INFRASTRUCTURE DEVELOPMENT" INCLUDES, BUT IS NOT LIMITED TO:

(a) INSTALLATION AND MAINTENANCE OF TEMPORARY AND PERMANENT ART IN PUBLIC SPACES;

(b) PROFESSIONAL SERVICES RELATED TO THE DEVELOPMENT OF A CREATIVE DISTRICT, INCLUDING STRATEGIC PLAN DEVELOPMENT AND ARCHITECTURAL, ENGINEERING, AND DESIGN SERVICES;

(c) SUPPORT OF NETWORKING, RESOURCE, AND PROFESSIONAL DEVELOPMENT AND BRANDING AND MARKETING SKILL DEVELOPMENT TRAINING; AND

(d) COMMUNITY ENGAGEMENT AND COALITION-BUILDING STRATEGIES.

**SECTION 2.** In Colorado Revised Statutes, 24-48.5-314, **amend** (5) (b) as follows:

**24-48.5-314. Creative districts - creation - certification - powers of coordinator and division - legislative declaration - definitions.** (5) (b) In addition to any powers explicitly granted to the division under this section, the division shall have such additional powers as are necessary to carry out the purposes of this section. Where authorized by law, such powers may include offering incentives to state-certified creative districts to encourage business development, INCLUDING, BUT NOT LIMITED TO, INCENTIVES IN THE FORM OF NEED-BASED FUNDING FOR INFRASTRUCTURE DEVELOPMENT IN STATE-CERTIFIED CREATIVE DISTRICTS, exploring new incentives that are directly related to creative enterprises, facilitating local access to state economic development assistance, enhancing the visibility of state-certified creative districts, providing state-certified creative districts with technical assistance and planning aid, ensuring broad and equitable program benefits, and fostering a supportive climate for the arts and culture within the state; except that, notwithstanding any other provision of this section, a creative district created pursuant to this section shall not be eligible to receive any form of financial incentive that is derived from moneys allocated to the local government limited gaming impact fund created in section 12-47.1-1601 (1) (a), C.R.S., without the consent of the applicable eligible local governmental entity or entities, as defined in section 12-47.1-1601 (4) (b), C.R.S., inside the territorial boundaries of which the creative district is located.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 19, 2013