

CHAPTER 298

GENERAL ASSEMBLY

SENATE BILL 13-268

BY SENATOR(S) Steadman, Ulibarri;
also REPRESENTATIVE(S) May, Buckner, Hullinghorst, Levy, Ryden, Schafer, Singer.

AN ACT

CONCERNING THE REPEAL OF CERTAIN REQUIREMENTS IN CONNECTION WITH ANY BILL ENACTED
BY THE GENERAL ASSEMBLY THAT RELIES ON GIFTS, GRANTS, OR DONATIONS AS ITS FUNDING
SOURCE.

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

SECTION 1. In Colorado Revised Statutes, 24-75-1301, **amend** (1) as follows:

24-75-1301. Definitions. As used in this part 13, unless the context otherwise requires:

(1) "Grant" means ~~any direct cash subsidy or other direct contribution of moneys from the federal government that is not required to be repaid, regardless of whether such federal moneys pass through the state prior to receipt by a state agency.~~ "Grant" shall also include any gift, grant, or donation from a nongovernmental entity to a state agency that is not required to be repaid and that is fifty dollars or more.

SECTION 2. In Colorado Revised Statutes, **amend** 24-75-1302 as follows:

24-75-1302. State agencies - information obtained with grants. Each state agency that receives a grant ~~from a nongovernmental entity~~ to provide funding for a bill enacted by the general assembly that relies entirely ~~or in any part~~ on grant moneys for the funding source of the program, service, study, interim committee, or other government function required by the bill shall request that the entity submit a letter to the state agency at the time of making the grant specifying the amount of the grant, the duration of the grant, and the specific purposes for which the grant money is to be used. The state agency shall request that the ~~nongovernmental~~ entity **AWARDING THE GRANT** include the bill number of the bill that created the program, service, study, interim committee, or other governmental function for which 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.

grant is intended to provide funding.

SECTION 3. In Colorado Revised Statutes, 24-75-1303, **amend** (1), (2), (3) introductory portion, (3) (a), and (4) as follows:

24-75-1303. Report to general assembly. (1) On or before November 1, 2011, and on or before November 1 of each year thereafter, each state agency shall submit to the joint budget committee of the general assembly a report, in accordance with generally accepted accounting principles, of all grants made to the state agency during the immediately preceding state fiscal year, which grants provided funding for a bill enacted by the general assembly that relies entirely ~~or in any part~~ on grant moneys for the funding source of the program, service, study, interim committee, or other governmental function required by the bill. The state agency shall be prepared to review the report at the state agency's briefing with the joint budget committee in connection with its annual budget request.

(2) In compiling the report required pursuant to subsection (1) of this section, the state agency may use the documentation provided by ~~nongovernmental entities~~ THE ENTITY AWARDING THE GRANT pursuant to section 24-75-1302. ~~for a grant made by a nongovernmental entity and may use the same method of tracking federal grants as is used for tracking such grants for the purpose of the report to the controller required pursuant to section 24-75-212.~~

(3) The report required pursuant to subsection (1) of this section ~~shall~~ MUST include the following information for every grant received:

(a) The source of the grant; ~~regardless of whether the grant is from the federal government or from a nongovernmental entity;~~

(4) In addition to the information specified in subsection (3) of this section, a state agency shall include in the report a statement of the state agency's intent regarding the sustainability of each program or service that is funded entirely ~~or in any part~~ by grant moneys in the event that grant moneys are no longer available to support the program or service in the future. If the state agency intends to continue the program or service after grant moneys are no longer available, the state agency shall include a statement regarding how the program or service will be funded.

SECTION 4. In Colorado Revised Statutes, **repeal** 24-75-1304.

SECTION 5. 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: May 28, 2013