

CHAPTER 400

GOVERNMENT - STATE

SENATE BILL 23-278

BY SENATOR(S) Simpson and Mullica, Hinrichsen, Bridges, Buckner, Gonzales, Sullivan;
 also REPRESENTATIVE(S) Lindsay and Story, Catlin, Bacon, Bird, Duran, English, Froelich, Hamrick, Herod, Jodeh, Lynch,
 Mabrey, Michaelson Jenet, Ricks, Sharbini, Sirota, Taggart, Titone, Valdez, Velasco, Willford, Young, McCluskie.

AN ACT

**CONCERNING A MODIFICATION TO THE REQUIREMENT THAT A PORTION OF EVERY CAPITAL
 CONSTRUCTION APPROPRIATION BE ALLOCATED FOR THE ACQUISITION OF WORKS OF ART.**

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

SECTION 1. In Colorado Revised Statutes, 24-48.5-312, **amend** (3)(a)(I)(A);
 and **add** (3)(a)(IV) as follows:

**24-48.5-312. Art in public places program - allocations from capital
 construction costs - guidelines - fund created - definitions.** (3) (a) (I) (A) Except
 as provided in ~~subparagraph (III) of this paragraph (a)~~ SUBSECTIONS (3)(a)(III) AND
 (3)(a)(IV) OF THIS SECTION, each appropriation for a capital construction project
 must include as a nondeductible item an allocation of not less than one percent of
 the state funded portion of the total construction costs to be used for the acquisition
 of works of art.

(IV) FOR PURPOSES OF THIS SECTION, THE STATE FUNDED PORTION OF THE TOTAL
 CONSTRUCTION COSTS FOR A CAPITAL CONSTRUCTION PROJECT INCLUDES
 APPROPRIATIONS FROM THE REVENUE LOSS RESTORATION CASH FUND CREATED IN
 SECTION 24-75-227 (2)(a) TO A STATE AGENCY OR INSTITUTION OF HIGHER
 EDUCATION FOR THE CAPITAL CONSTRUCTION PROJECT. FOR APPROPRIATIONS MADE
 FOR THE 2022-23 FISCAL YEAR ONLY, A STATE AGENCY OR INSTITUTION OF HIGHER
 EDUCATION THAT RECEIVED AN APPROPRIATION FOR A CAPITAL CONSTRUCTION
 PROJECT IS NOT REQUIRED TO ALLOCATE NOT LESS THAN ONE PERCENT OF THE STATE
 FUNDED PORTION OF THE TOTAL COSTS OF A CAPITAL CONSTRUCTION PROJECT FOR
 THE ACQUISITION OF WORKS OF ART IN ACCORDANCE WITH SUBSECTION (3)(a)(I)(A)
 OF THIS SECTION. A STATE AGENCY OR AN INSTITUTION OF HIGHER EDUCATION THAT
 OPTS NOT TO ALLOCATE A PORTION OF THE TOTAL CONSTRUCTION COSTS FOR THE

*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.*

ACQUISITION OF WORKS OF ART IN ACCORDANCE WITH SUBSECTION (3)(a)(I)(A) OF THIS SECTION MAY USE THE MONEY THAT WOULD OTHERWISE BE ALLOCATED FOR SUCH PURPOSES FOR ANY OTHER COSTS ASSOCIATED WITH THE CAPITAL CONSTRUCTION PROJECT.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 6, 2023