

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 26-1403

BY REPRESENTATIVE(S) Brown and Sirota, Taggart, Weinberg;
also SENATOR(S) Bridges and Kirkmeyer, Amabile.

CONCERNING THE PREVENTION OF THE TRANSFER OF UNEXPENDED
INFORMATION TECHNOLOGY ANNUAL DEPRECIATION-LEASE
EQUIVALENT PAYMENTS TO THE GENERAL FUND.

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

SECTION 1. In Colorado Revised Statutes, 24-75-302, **amend** (3.7)(a); and **add** (3.7)(c) as follows:

24-75-302. Capital construction fund - capital assessment fees - calculation - information technology capital account - repeal.

(3.7) (a) There is created a special account within the capital construction fund established pursuant to subsection (1) of this section to be known as the information technology capital account. The account consists of any money appropriated or transferred to the account by the general assembly. The general assembly may appropriate money in the account for information technology projects. The appropriation for information technology projects must be set forth in a single line item as a

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.

total sum. For state fiscal years commencing on or before July 1, 2024, all unappropriated balances in the account at the close of any fiscal year remain in the account and do not revert to the general fund. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3.7)(c) OF THIS SECTION, for state fiscal years commencing on or after July 1, 2025, the state treasurer shall transfer any unappropriated balances in the account or any otherwise unexpended and unencumbered money remaining in the account at the end of a fiscal year to the general fund. All unexpended or unencumbered money from an information technology capital account appropriation to a state agency or state institution of higher education reverts, for state fiscal years commencing on or before July 1, 2024, to the account, and, EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3.7)(c) OF THIS SECTION, for state fiscal years commencing on or after July 1, 2025, to the general fund at the end of the period for which the money is appropriated. No portion of the unexpended balance of a state agency's or state institution of higher education's information technology capital account appropriation may be used by the state agency or the state institution of higher education for any additional projects that are beyond the scope or design of the original project without further approval by the joint technology committee of the additional project. Anticipation warrants or checks may be issued against the revenues of the account as provided by law.

(c) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL NOT TRANSFER ANY MONEY THAT WAS TRANSFERRED, CREDITED, OR PAID INTO THE INFORMATION TECHNOLOGY CAPITAL ACCOUNT AS AN INFORMATION TECHNOLOGY ANNUAL DEPRECIATION-LEASE EQUIVALENT PAYMENT IN ACCORDANCE WITH SECTION 24-37.5-127 (2) TO THE GENERAL FUND. MONEY TRANSFERRED, CREDITED, OR PAID INTO THE INFORMATION TECHNOLOGY CAPITAL ACCOUNT AS AN INFORMATION TECHNOLOGY ANNUAL DEPRECIATION-LEASE EQUIVALENT PAYMENT IN ACCORDANCE WITH SECTION 24-37.5-127 (2), OR ANY OTHER AMOUNT TRANSFERRED, CREDITED, OR PAID INTO THE INFORMATION TECHNOLOGY CAPITAL ACCOUNT PURSUANT TO SECTION 24-37.5-127 (2), MUST BE USED IN ACCORDANCE WITH SECTION 24-37.5-127.

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

the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO