

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

February 19, 2020

Committee on Transportation & Local Government.

After consideration on the merits, the Committee recommends the following:

HB20-1138 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, line 5, strike "such as child care," and
2 substitute "including but not limited to child care, arts and cultural
3 organizations,".
- 4 Page 3, line 15, strike "20-____" and substitute "20-1138".
- 5 Page 3, line 20, after "24-30-1303.5," insert "**amend** (3.5)(a) introductory
6 portion; and".
- 7 Page 3, after line 23 insert:
8 "(3.5) (a) With respect to all real property owned by or held in
9 trust for the state or any state agency or state institution of higher
10 education, each state agency or state institution of higher education shall
11 identify any vacant facility under its control. As used in this ~~section~~;
12 SUBSECTION (3.5), "vacant" means:".
- 13 Page 3, line 27, strike "BY OR UNDER THE CONTROL OF" and substitute
14 "AND MANAGED BY".
- 15 Page 4, line 6, after "INCLUDE" insert "THE COLORADO HOUSING AND
16 FINANCE AUTHORITY, AS DEFINED IN SECTION 29-4-703 (1);".
- 17 Page 4, line 10, strike the first "AND".

- 1 Page 4, line 11, strike "32-1-103 (24)." and substitute "32-1-103 (24);
2 METROPOLITAN DISTRICTS; WATER CONSERVANCY DISTRICTS CREATED
3 UNDER ARTICLE 45 OF TITLE 37; WATER ACTIVITY ENTERPRISES, AS
4 DEFINED IN SECTION 37-45.1-102 (4); AND WATER CONSERVATION
5 DISTRICTS CREATED UNDER ARTICLE 46, 47, 48, OR 50 OF TITLE 37."
- 6 Page 4, line 15, strike "FIVE HUNDRED SQUARE FEET" and substitute
7 "THREE THOUSAND CONTINUOUS SQUARE FEET".
- 8 Page 4, line 16, strike "STRUCTURE" and substitute "STRUCTURE, NOT
9 CURRENTLY BEING CONSTRUCTED OR UNDERGOING RENOVATION,".
- 10 Page 4, strike lines 18 through 21.
- 11 Renumber succeeding subparagraph accordingly.
- 12 Page 4, line 23, strike "UNUSED LAND AND".
- 13 Page 4, line 26, after "OR" insert "ANY" and strike "UPON WHICH" and
14 substitute "OR INTERESTS OWNED BY A MUNICIPAL UTILITY OR A
15 MUNICIPALITY FOR THE BENEFIT OR USE OF A MUNICIPALLY OWNED
16 UTILITY; PUBLIC".
- 17 Page 4, strike line 27.
- 18 Page 5, strike lines 1 and 2 and substitute "EASEMENTS; DOMESTIC
19 WASTEWATER TREATMENT WORKS, AS DEFINED IN SECTION 25-8-103(5);
20 CONSERVATION EASEMENTS;".
- 21 Page 5, line 5, after "TRANSPORTATION" insert "OR THE REGIONAL
22 TRANSPORTATION DISTRICT ESTABLISHED BY ARTICLE 9 OF TITLE 32".
- 23 Page 5, line 19, strike "APPLICABLE:" and substitute "APPLICABLE AND
24 NOT ALREADY PROVIDED UNDER SUBSECTION (3.5) OF THIS SECTION:".
- 25 Page 5, line 20, after "ADDRESS" insert "OR, IF THERE IS NO ADDRESS, THE
26 LOCATION".
- 27 Page 5, strike lines 21 and 22.
- 28 Page 5, line 23, strike "(IV)" and substitute "(II)".

1 Page 5, line 25, after "PROPERTY;" add "AND".

2 Page 5, strike lines 26 and 27.

3 Page 6, lines 1 and 2, strike "(III) A DESCRIPTION THAT INCLUDES THE
4 CONDITION OF THE REAL PROPERTY AND A MEASUREMENT OF" and
5 substitute "(III) A MEASUREMENT, IN SQUARE FEET, OF THE".

6 Page 6, line 3, strike "VACANT, UNUSED, OR UNDERDEVELOPED." and
7 substitute "VACANT AND UNUSED."

8 Page 6, after line 3 insert:

9 "(d) EACH STATE AGENCY, STATE INSTITUTION OF HIGHER
10 EDUCATION, AND POLITICAL SUBDIVISION OF THE STATE SHALL SUBMIT TO
11 THE OFFICE AN E-MAIL ADDRESS OR PHONE NUMBER FOR INQUIRIES ABOUT
12 ANY LAND OWNED OR CONTROLLED BY THE STATE AGENCY, STATE
13 INSTITUTION OF HIGHER EDUCATION, OR POLITICAL SUBDIVISION OF THE
14 STATE AND, IF APPLICABLE, THE WEBSITE FOR ANY PUBLIC DATA
15 AVAILABLE FOR SUCH LAND FROM A GEOGRAPHIC INFORMATION SYSTEM
16 LAND POSITION, AS DEFINED IN SECTION 38-51-102 (7.5)."

17 Reletter succeeding paragraphs accordingly.

18 Page 6, strike lines 12 through 17.

19 Page 6, line 20, strike "(7)." and substitute "(7) AND ALL DATA REPORTED
20 ANNUALLY BY EACH STATE AGENCY AND STATE INSTITUTION OF HIGHER
21 EDUCATION PURSUANT TO SUBSECTION (3.5) OF THIS SECTION."

22 Page 6, strike lines 22 through 24 and substitute "ABILITIES. THIS".

23 Page 6, line 26, after "NAVIGATE." add "THE OFFICE'S WEBSITE MUST
24 HAVE A DISCLAIMER STATING THAT THE DATABASE WILL BE UPDATED
25 ANNUALLY AND PROVIDE CONTACT INFORMATION FOR A CONTACT WHO
26 CAN POSSIBLY PROVIDE MORE FREQUENT UPDATES."

27 Page 7, after line 3 insert:

28 "SECTION 3. In Colorado Revised Statutes, 22-30.5-104, add
29 (7.5)(c) as follows:

1 **22-30.5-104. Charter school - requirements - authority - rules.**
2 (7.5) (c) NOTWITHSTANDING SUBSECTION (7.5)(a) OF THIS SECTION, IF
3 ANY VACANT OR UNUSED BUILDING OWNED OR CONTROLLED BY A SCHOOL
4 DISTRICT QUALIFIES AS "USABLE REAL PROPERTY", AS DEFINED IN SECTION
5 24-30-1303.5 (7)(b)(IV), THEN THE SCHOOL DISTRICT OWNING OR
6 CONTROLLING THAT BUILDING DOES NOT NEED TO LIST THAT BUILDING IN
7 ANY LIST REQUIRED BY SUBSECTION (7.5)(a) OF THIS SECTION, BUT A
8 CHARTER SCHOOL OF THE SCHOOL DISTRICT OR CHARTER APPLICANT MAY
9 APPLY, IN ACCORDANCE WITH SUBSECTION (7.5)(a) OF THIS SECTION, TO
10 THE SCHOOL DISTRICT TO USE ANY SUCH BUILDING OR THE SCHOOL
11 DISTRICT LAND AS THE LOCATION FOR A CHARTER SCHOOL."

12 Renumber succeeding section accordingly.

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