

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 3, 2023
Date

Committee on Education.

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

SB23-076 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 2, after line 1 insert:

2 **"SECTION 1.** In Colorado Revised Statutes, 2-2-1304, amend (4)(a)
3 and (6)(b) as follows:

4 **2-2-1304. Duties - meetings - community outreach -**
5 **designation of organization to accept donations - authority to**
6 **contract.**

7 (4) (a) On or before September 1, 2013, and every third
8 September 1 thereafter THROUGH SEPTEMBER 1, 2019, the council shall,
9 in conjunction with the director of the legislative council, use a request
10 for proposal process to contract with and designate one or more nonprofit
11 organizations to provide staffing and operational assistance and to serve
12 as the custodian of ~~moneys~~ MONEY donated to the council through the
13 designated organization. THE CONTRACTOR SELECTED FOLLOWING THE
14 2019 REQUEST FOR PROPOSAL PROCESS SHALL, PURSUANT TO ONE OR
15 MORE CONTRACTS, PROVIDE SUCH STAFFING, OPERATIONAL, AND
16 CUSTODIAN SERVICES THROUGH JUNE 30, 2023. THEREAFTER, THE
17 COUNCIL SHALL, IN CONJUNCTION WITH THE DIRECTOR OF THE
18 LEGISLATIVE COUNCIL, ON OR BEFORE APRIL 30, 2023, AND, EXCEPT AS
19 OTHERWISE PROVIDED IN THIS SUBSECTION (4)(a), ON OR BEFORE EVERY
20 SECOND APRIL 15 THEREAFTER, USE A REQUEST FOR PROPOSAL PROCESS
21 TO CONTRACT WITH AND DESIGNATE ONE OR MORE NONPROFIT
22 ORGANIZATIONS TO PROVIDE SUCH STAFFING, OPERATIONAL, AND
23 CUSTODIAN SERVICES. THE TERM OF EACH CONTRACT ENTERED INTO FOR
24 A TERM COMMENCING ON OR AFTER JULY 1, 2023, IS TWO STATE FISCAL
25 YEARS; EXCEPT THAT ANY SUCH CONTRACT MAY BE EXTENDED FOR ONE
26 ADDITIONAL TWO-YEAR TERM. IF A CONTRACT IS EXTENDED, THE REQUEST
27 FOR PROPOSAL FOR THE NEXT CONTRACT MUST BE ISSUED ON OR BEFORE

1 THE APRIL 15 IMMEDIATELY PRECEDING THE EXPIRATION OF THE
2 EXTENSION TERM. The designated organization shall not be the custodian
3 of any ~~moneys~~ MONEY appropriated by the state and credited to the fund
4 created in section 2-2-1306. The designated organization is authorized to
5 expend any ~~moneys~~ MONEY it receives as is necessary for the operation
6 of the council and may solicit and accept monetary and in-kind gifts,
7 grants, and donations used to further the council's duties and
8 responsibilities. Any ~~such moneys~~ MONEY donated or awarded to the
9 designated organization for the benefit of the council ~~are~~ IS not subject to
10 appropriation by the general assembly. Any ~~such moneys~~ MONEY obtained
11 by the council or the designated organization and not in the fund that ~~are~~
12 IS unexpended and unencumbered at the time the council is dissolved
13 shall be distributed according to appropriate federal and state laws
14 governing nonprofit organizations. If a different nonprofit or private
15 organization is subsequently designated as the custodian of donated
16 ~~moneys~~ MONEY in accordance with this paragraph (a), any ~~moneys~~ MONEY
17 that ~~are~~ IS unexpended and unencumbered at the time of the change in
18 designation shall be promptly transferred by the previously designated
19 organization to the newly designated organization.

20 (6) (b) On or before ~~April 30, 2021~~, APRIL 20, 2023, and on or
21 before ~~April 30~~ APRIL 1 of each year thereafter, the council shall select
22 five members to serve as nonvoting members of the review committee
23 during the subsequent legislative interim.

24 **SECTION 2.** In Colorado Revised Statutes, 2-2-1305.5, **amend**
25 (3)(b) and (4) as follows:

26 **2-2-1305.5. Colorado youth advisory council review committee**
27 **- created.** (3) (b) On or before ~~April 30, 2021~~, APRIL 20, 2023, and on or
28 before ~~April 30~~ APRIL 1 of each year thereafter, the chair of the legislative
29 council shall appoint the member serving pursuant to subsection (2)(a)(II)
30 of this section to serve during the subsequent legislative interim.

31 (4) In odd-numbered years, the speaker of the house of
32 representatives shall appoint the chair of the review committee and the
33 president of the senate shall appoint the vice-chair. In even-numbered
34 years, the president of the senate shall appoint the chair and the speaker
35 of the house of representatives shall appoint the vice-chair. The
36 appointing authorities shall make the appointments on or before ~~April 30~~
37 APRIL 20, 2023, AND ON OR BEFORE APRIL 1 of each year THEREAFTER.

38 **SECTION 3.** In Colorado Revised Statutes, 2-3-1301.5, **amend**
39 (4) as follows:

40 **2-2-1301.5. Definitions.** As used in this part 13, unless the
41 context otherwise requires:

42 (4) "Review committee" means the REPRESENTATIVE HUGH
43 MCKEAN Colorado youth advisory council review committee created in

1 section 2-2-1305.5.

2 **SECTION 4.** In Colorado Revised Statutes, 2-2-1305.5, **amend**
3 (1) as follows:

4 **2-2-1305.5. Representative Hugh McKean Colorado youth**
5 **advisory council review committee - created.** (1) There is created in
6 the legislative branch the REPRESENTATIVE HUGH MCKEAN Colorado
7 youth advisory council review committee to review the council's work
8 and to recommend legislation regarding issues affecting Colorado youth.
9 The committee is comprised of ten members, as described in subsection
10 (2) of this section."

11 Renumber succeeding sections.

12 Page 2, strike lines 24 through 26.

13 Page 3, strike lines 1 through 6 and substitute:

14 **"SECTION 8. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, or safety."

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