

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 17-1201.01 Esther van Mourik x4215

HOUSE BILL 17-1346

HOUSE SPONSORSHIP

Lontine,

SENATE SPONSORSHIP

Hill,

House Committees

Finance
Appropriations

Senate Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE SALE OF MORE THAN FIFTEEN ACRES OF LAND AT**
102 **THE COLORADO MENTAL HEALTH INSTITUTE AT FORT LOGAN**
103 **TO THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS**
104 **FOR THE EXPANSION OF FORT LOGAN NATIONAL CEMETERY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

House Bill 16-1456, enacted in 2016, granted the department of human services the authority to sell up to 15 acres around the Colorado mental health institute at Fort Logan to the United States department of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
May 10, 2017

SENATE
2nd Reading Unamended
May 9, 2017

HOUSE
3rd Reading Unamended
May 1, 2017

HOUSE
Amended 2nd Reading
April 28, 2017

veterans affairs for the purpose of expanding the Fort Logan national cemetery. The bill grants the department of human services authority to execute a land sale, at fair market value, to sell 51 additional acres, or up to 66 acres. The bill specifies that the proceeds of the sale of the additional 51 acres to the United States department of veterans affairs must be credited to the Fort Logan land sale account in the capital construction fund. The bill then creates the account in the capital construction fund and specifies that the money in the fund may be used for future capital construction, capital renewal, or controlled maintenance expenses of the department of human services, contingent upon approval by both the office of state planning and budgeting and the capital development committee. The bill further specifies that the department of human services, the office of state planning and budgeting, and the capital development committee shall consider using all or a portion of the money for veterans-related projects.

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

2 **SECTION 1.** In Session Laws of Colorado 2016, **amend** section
3 2 of chapter 197 as follows:

4 **SECTION 2. Authority for sale.** The state of Colorado, acting
5 by and through the department of human services, is authorized to
6 execute a land sale, at fair market value, for up to ~~fifteen~~ SIXTY-SIX acres
7 of vacant land around the Colorado Mental Health Institute at Fort Logan
8 to the United States Department of Veterans Affairs for the purpose of
9 expanding the Fort Logan National Cemetery. In the event a reversion is
10 triggered by operation of the 1962 deed of real property from the state
11 board of land commissioners to what is now known as the department of
12 human services, the state board of land commissioners is authorized and
13 encouraged to transfer all its interests in such land around the Colorado
14 Mental Health Institute at Fort Logan to the department of human
15 services prior to the sale of such property. If the state board of land
16 commissioners does not transfer all its interests in such land to the
17 department of human services, then the department of human services

1 shall continue to use the land and shall not sell it. The proceeds of the sale
2 OF THE FIRST FIFTEEN ACRES to the United States Department of Veterans
3 Affairs must be credited as specified in section 26-12-108 (4), Colorado
4 Revised Statutes. THE PROCEEDS OF THE SALE OF THE REMAINING
5 FIFTY-ONE ACRES TO THE UNITED STATES DEPARTMENT OF VETERANS
6 AFFAIRS MUST BE CREDITED TO THE FORT LOGAN LAND SALE ACCOUNT IN
7 THE CAPITAL CONSTRUCTION FUND, CREATED IN SECTION 24-75-302 (3.3),
8 COLORADO REVISED STATUTES.

9 **SECTION 2.** In Colorado Revised Statutes, 24-75-302, **add** (3.3)
10 as follows:

11 **24-75-302. Capital construction fund - capital assessment fees**
12 **- calculation - information technology capital account.** (3.3) THERE IS
13 HEREBY CREATED A SPECIAL ACCOUNT WITHIN THE CAPITAL
14 CONSTRUCTION FUND ESTABLISHED PURSUANT TO SUBSECTION (1) OF THIS
15 SECTION TO BE KNOWN AS THE FORT LOGAN LAND SALE ACCOUNT. THE
16 ACCOUNT CONSISTS OF ANY MONEY CREDITED TO THE ACCOUNT BY THE
17 STATE TREASURER FROM THE PROCEEDS OF THE SALE OF FIFTY-ONE ACRES
18 OF VACANT LAND AROUND THE COLORADO MENTAL HEALTH INSTITUTE AT
19 FORT LOGAN TO THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS
20 FOR THE PURPOSE OF EXPANDING THE FORT LOGAN NATIONAL CEMETERY,
21 AUTHORIZED IN HOUSE BILL 17-1346, ENACTED IN 2017. THE MONEY IN
22 THE ACCOUNT MAY BE USED FOR FUTURE CAPITAL CONSTRUCTION,
23 CAPITAL RENEWAL, OR CONTROLLED MAINTENANCE EXPENSES OF THE
24 DEPARTMENT OF HUMAN SERVICES, CONTINGENT UPON APPROVAL BY
25 BOTH THE OFFICE OF STATE PLANNING AND BUDGETING AND THE CAPITAL
26 DEVELOPMENT COMMITTEE; EXCEPT THAT ALL OR A PORTION OF THE
27 MONEY MUST BE EXPENDED FOR VETERANS-RELATED AND BEHAVIORAL

1 HEALTH-RELATED PROJECTS. THE MONEY IN THE ACCOUNT IS SUBJECT TO
2 ANNUAL APPROPRIATION AND ALL MONEY THAT IS UNEXPENDED OR
3 UNENCUMBERED IN ANY FISCAL YEAR MUST REMAIN IN THE ACCOUNT.

4 **SECTION 3. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, and safety.