

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 17-0860.01 Gregg Fraser x4325

SENATE BILL 17-257

SENATE SPONSORSHIP

Moreno, Lambert, Lundberg

HOUSE SPONSORSHIP

Rankin, Hamner, Young

Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF THE COMMUNITY MUSEUMS CASH
102 FUND FOR THE ADMINISTRATION OF REVENUES GENERATED BY
103 COMMUNITY MUSEUMS OPERATED BY THE STATE HISTORICAL
104 SOCIETY, AND, IN CONNECTION THEREWITH, MAKING AN
105 APPROPRIATION.

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/>.)

Joint Budget Committee. The state historical society operates a state museum and a number of separate community museums throughout

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.

HOUSE
2nd Reading Unamended
April 7, 2017

SENATE
3rd Reading Unamended
March 30, 2017

SENATE
2nd Reading Unamended
March 29, 2017

the state. Revenues generated by the community museums are currently deposited in the enterprise services cash fund, which is appropriated for the costs of carrying out the general activities of the historical society. The bill deposits revenues from the community museums in a new community museums cash fund which would be appropriated specifically for the activities of the community museums.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-80-209, **amend**
3 (2); and **add** (3) as follows:

4 **24-80-209. Title to property - disbursement of revenues -**
5 **enterprise services cash fund - community museums cash fund -**
6 **definition.** (2) All noncustodial revenues received by the society other
7 than limited gaming revenues deposited in the state historical fund
8 pursuant to section 12-47.1-1201, ~~C.R.S.~~, AND REVENUES DEPOSITED IN
9 THE COMMUNITY MUSEUMS CASH FUND PURSUANT TO SUBSECTION (3) OF
10 THIS SECTION, whether from commissions, sale of goods and services,
11 admissions, membership and user charges, service fees, operation or
12 rental of concessions or facilities, or from any other state source shall be
13 deposited in the enterprise services cash fund, which fund is hereby
14 created in the state treasury. Moneys in the fund are subject to annual
15 appropriation by the general assembly for the direct and indirect costs of
16 carrying out the activities of the society. The state treasurer shall credit all
17 interest derived from the deposit and investment of moneys in the fund to
18 the fund. Any moneys not appropriated remain in the fund and shall not
19 be transferred or revert to the general fund or any other fund at the end of
20 any fiscal year. Moneys in the enterprise services cash fund and any other
21 historical society custodial accounts shall be held by the state treasurer as
22 custodian separate and apart from other funds and may be withdrawn

1 from ~~his~~ THE TREASURER'S custody for the purposes and under the control
2 of the society, only upon the issuance of vouchers signed by the president
3 or vice-president and treasurer or secretary of the society and upon
4 warrants drawn against such funds by the controller.

5 (3) ALL NONCUSTODIAL REVENUES RECEIVED BY THE SOCIETY
6 THAT WERE EARNED BY A COMMUNITY MUSEUM, WHETHER FROM
7 COMMISSIONS, SALE OF GOODS AND SERVICES, ADMISSIONS, MEMBERSHIP
8 AND USER CHARGES, SERVICE FEES, OPERATION OR RENTAL OF
9 CONCESSIONS OR FACILITIES, OR FROM ANY OTHER STATE SOURCE SHALL
10 BE DEPOSITED IN THE COMMUNITY MUSEUMS CASH FUND, WHICH FUND IS
11 HEREBY CREATED IN THE STATE TREASURY. MONEYS IN THE FUND ARE
12 SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE
13 DIRECT AND INDIRECT COSTS OF CARRYING OUT THE ACTIVITIES OF THE
14 COMMUNITY MUSEUMS. THE STATE TREASURER SHALL CREDIT ALL
15 INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN
16 THE FUND TO THE FUND. ANY MONEYS NOT APPROPRIATED REMAIN IN THE
17 FUND AND SHALL NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND
18 OR ANY OTHER FUND AT THE END OF ANY FISCAL YEAR. MONEYS IN THE
19 COMMUNITY MUSEUMS CASH FUND SHALL BE HELD BY THE STATE
20 TREASURER AS CUSTODIAN SEPARATE AND APART FROM OTHER FUNDS AND
21 MAY BE WITHDRAWN FROM THE TREASURER'S CUSTODY FOR THE PURPOSES
22 AND UNDER THE CONTROL OF THE SOCIETY, ONLY UPON THE ISSUANCE OF
23 VOUCHERS SIGNED BY THE PRESIDENT OR VICE-PRESIDENT AND
24 TREASURER OR SECRETARY OF THE SOCIETY AND UPON WARRANTS DRAWN
25 AGAINST SUCH FUNDS BY THE CONTROLLER. FOR PURPOSES OF THIS
26 SECTION, "COMMUNITY MUSEUM" MEANS ANY REAL PROPERTY OTHER
27 THAN THE STATE MUSEUM LOCATED AT 1200 BROADWAY IN DENVER THAT

1 IS OWNED AND OPERATED BY THE HISTORICAL SOCIETY AND THAT IS OPEN
2 FOR PUBLIC ADMISSION OR EVENTS.

3 **SECTION 2. Appropriation - adjustments to 2017 long bill.**

4 (1) To implement this act, the cash funds appropriation made in the
5 annual general appropriation act for the 2017-18 state fiscal year to the
6 department of higher education for community museums from the
7 enterprise services cash fund created in section 24-80-209 (2), C.R.S., is
8 decreased by \$847,000.

9 (2) (a) For the 2017-18 state fiscal year, \$847,000 is appropriated
10 to the department of higher education. This appropriation is from the
11 community museums cash fund created in section 24-80-209 (3), C.R.S.
12 To implement this act, the department may use this appropriation for
13 community museums.

14 (b) If the available revenue in the community museums cash fund
15 is less than the amount appropriated in subsection (2)(a) of this section,
16 then an amount equal to the unused balance of the appropriation is
17 appropriated from the enterprise services cash fund created in section
18 24-80-209 (2), C.R.S., to the department of higher education for
19 community museums. The total amount expended by the department
20 under subsection (2)(a) of this section or this subsection (2)(b) shall not
21 exceed \$847,000.

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