

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-0438.01 Jane Ritter x4342

**HOUSE BILL 18-1048**

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**HOUSE SPONSORSHIP**

**McLachlan,**

**SENATE SPONSORSHIP**

**Coram,**

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**House Committees**  
Finance

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE EXPENDITURE OF MONEY FROM THE HESPERUS**  
102              **ACCOUNT BY THE BOARD OF TRUSTEES OF FORT LEWIS**  
103              **COLLEGE.**

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**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>.)*

Current law requires the general assembly to make an appropriation from the "Hesperus account" (account), which comprises the proceeds of or income from the property formerly known as the "Fort Lewis school", to the board of trustees for Fort Lewis college prior to spending. The bill eliminates the requirement that spending from the

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

account is subject to an appropriation by the general assembly.

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

2           **SECTION 1.** In Colorado Revised Statutes, **amend** 23-52-114 as  
3 follows:

4           **23-52-114. Hesperus account created.** The proceeds of or  
5 income from the property formerly known as the "Fort Lewis school",  
6 granted by the United States to the state of Colorado, pursuant to an act  
7 of congress approved April 4, 1910 (36 Stat. 274), as modified by an act  
8 of congress approved May 18, 1916 (39 Stat. 128), ~~shall constitute~~  
9 CONSTITUTES a special account ~~which shall be~~ known as the "Hesperus  
10 account". The income from said property and from the Hesperus account  
11 ~~shall~~ MAY be appropriated by the general assembly and used by the board  
12 of trustees ~~first~~ for tuition waivers at Fort Lewis college for qualified  
13 Indian pupils, TOGETHER WITH MONEY APPROPRIATED FOR SUCH TUITION  
14 WAIVERS GRANTED FOR INDIAN PUPILS PURSUANT TO SECTION 23-52-105.  
15 ~~Any moneys remaining after such use shall be applied~~ THE BOARD OF  
16 TRUSTEES SHALL APPLY ANY REMAINING MONEY IN THE ACCOUNT to such  
17 public purpose as ~~may be determined by~~ the board of trustees ~~subject to~~  
18 ~~appropriation by the general assembly~~ DETERMINES NECESSARY.

19           **SECTION 2. Act subject to petition - effective date.** This act  
20 takes effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly (August  
22 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
23 referendum petition is filed pursuant to section 1 (3) of article V of the  
24 state constitution against this act or an item, section, or part of this act  
25 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in  
2 November 2018 and, in such case, will take effect on the date of the  
3 official declaration of the vote thereon by the governor.