

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-1088.01 Nicole Myers x4326

HOUSE BILL 20-1353

HOUSE SPONSORSHIP

Coleman,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 CONCERNING ALLOWING A STATE AGENCY TO USE ANY APPROPRIATE
102 METHOD OF COMPETITIVE SOLICITATION PURSUANT TO THE
103 STATE "PROCUREMENT CODE" WHEN A LAW DIRECTS THE
104 STATE AGENCY TO ISSUE A REQUEST FOR PROPOSALS.

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>.)

A request for proposals (RFP) is one of many types of competitive solicitation methods that a state agency is authorized to use pursuant to the state "Procurement Code" (Code). Legislation enacted by the general

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.

assembly often directs a state agency to issue an RFP for a project rather than generally requiring the state agency to use a method of competitive solicitation authorized by the Code.

The bill specifies that when a law requires a state agency to issue an RFP pursuant to the Code, the law will be construed to require a competitive solicitation pursuant to the Code, as deemed most appropriate and efficient for the project by the state agency, rather than only an RFP.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-101-102, **add** (3)
3 as follows:

4 **24-101-102. Purposes - rules of construction.** (3) BEGINNING
5 ON THE EFFECTIVE DATE OF THIS SUBSECTION (3), WHEN ANY STATE LAW
6 REQUIRES AN AGENCY OF GOVERNMENT TO ISSUE A REQUEST FOR
7 PROPOSALS PURSUANT TO THIS CODE, THE LAW SHALL BE CONSTRUED TO
8 REQUIRE THE AGENCY OF GOVERNMENT TO ISSUE A COMPETITIVE
9 SOLICITATION PURSUANT TO THIS CODE THAT IS DEEMED MOST
10 APPROPRIATE AND EFFICIENT FOR THE PROJECT BY THE AGENCY OF
11 GOVERNMENT.

12 **SECTION 2. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2020 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.