

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

ENGROSSED

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

LLS NO. 20-1042.01 Esther van Mourik x4215

SENATE BILL 20-174

SENATE SPONSORSHIP

Donovan,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING A CHANGE IN MANAGEMENT RESPONSIBILITY OF CERTAIN**
102 **EXISTING DISPLAY SPACE IN THE COLORADO CONVENTION**
103 **CENTER AVAILABLE FOR THE PROMOTION OF THE STATE.**

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 grants the department of personnel the authority to manage existing display space in the Colorado convention center that is available for the promotion of the state. The bill instead grants the management responsibility to the office of economic development.

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.

SENATE
Amended 2nd Reading
March 12, 2020

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-83-101, **add** (2)
3 as follows:

4 **24-83-101. Legislative declaration.** (2) THE GENERAL ASSEMBLY
5 FURTHER FINDS, DETERMINES, AND DECLARES THAT:

6 (a) SECTIONS 24-83-105 (1)(b) AND 24-83-106, AS THOSE
7 SECTIONS EXISTED BEFORE THE EFFECTIVE DATE OF THIS SUBSECTION (2),
8 GRANTED THE DEPARTMENT OF PERSONNEL THE AUTHORITY TO MANAGE
9 THE DISPLAY SPACE IN THE CONVENTION CENTER AND TO ESTABLISH A FEE
10 SCHEDULE FOR THE USE OF THE DISPLAY SPACE;

11
12 (b) THE DEPARTMENT OF PERSONNEL WISHES TO TRANSFER THE
13 MANAGEMENT OF THE DISPLAY SPACE AT THE COLORADO CONVENTION
14 CENTER TO THE OFFICE OF ECONOMIC DEVELOPMENT.

15 **SECTION 2.** In Colorado Revised Statutes, 24-83-105, **amend**
16 (1)(b); and **add** (2) as follows:

17 **24-83-105. Other contractual provisions.** (1) The contract shall
18 include the following provisions:

19 (b) (I) PRIOR TO THE EFFECTIVE DATE OF SUBSECTION (2) OF THIS
20 SECTION, provisions by which the city and county of Denver agrees to
21 make suitable display space, as defined by rules and regulations
22 promulgated by the executive director of the department of personnel
23 available in the convention center on a time-share basis to counties,
24 municipalities, and state agencies and private nonprofit or commercial
25 organizations whose purpose is the promotion of tourism and of Colorado
26 businesses and products, in order that the entire state may share in the

1 advertising opportunities provided by the convention center. The contract
2 shall also include provisions which assure that appropriate space will be
3 made available for the promotion of tourism, ___ education, business, and
4 agricultural efforts and activities outside the metropolitan area. Entities
5 using the display space shall make their own determination as to whether
6 union or nonunion labor or volunteers shall setup, service, or dismantle
7 any displays; except that entities using the display space shall conform to
8 any contracts executed before June 1, 1991.

9 (II) NO LATER THAN ONE HUNDRED TWENTY DAYS AFTER THE
10 EFFECTIVE DATE OF THIS SUBSECTION (1)(b)(II), THE DEPARTMENT OF
11 PERSONNEL SHALL:

12 (A) REPEAL ANY RULES PROMULGATED AS REQUIRED PURSUANT
13 TO SUBSECTION (1)(b)(I) OF THIS SECTION;

14 (B) EXECUTE AN ASSIGNMENT OF ANY RIGHTS AND POTENTIAL
15 OBLIGATIONS UNDER THE CONTRACT FROM THE DEPARTMENT OF
16 PERSONNEL TO THE OFFICE OF ECONOMIC DEVELOPMENT; AND

17 (C) ASSIGN ANY RIGHTS AND RESPONSIBILITIES OF THE STATE SET
18 FORTH IN THE MEMORANDUM OF UNDERSTANDING DATED JULY 27, 2015,
19 BETWEEN THE DEPARTMENT OF PERSONNEL AND THE COLORADO
20 CONVENTION CENTER, TO THE OFFICE OF ECONOMIC DEVELOPMENT.

21 (2) (a) ON AND AFTER THE DATE THE ASSIGNMENT OF RIGHTS AND
22 RESPONSIBILITIES DESCRIBED IN SUBSECTION (1)(b)(II)(C) OF THIS
23 SECTION IS EXECUTED, THE OFFICE OF ECONOMIC DEVELOPMENT SHALL
24 MANAGE THE DISPLAY SPACE. THE OFFICE SHALL ENSURE THAT THE
25 DISPLAY SPACE IS OFFERED ON A TIME-SHARE BASIS TO COUNTIES,
26 MUNICIPALITIES, AND STATE AGENCIES AND PRIVATE NONPROFIT OR
27 COMMERCIAL ORGANIZATIONS WHOSE PURPOSE IS THE PROMOTION OF

1 TOURISM, OUTDOOR RECREATION, AND OF COLORADO BUSINESSES AND
2 PRODUCTS, SO THAT THE ENTIRE STATE MAY SHARE IN THE ADVERTISING
3 OPPORTUNITIES PROVIDED BY THE COLORADO CONVENTION CENTER AND
4 SO THAT THE DISPLAY SPACE IS USED FOR THE PROMOTION OF TOURISM,
5 OUTDOOR RECREATION, EDUCATION, BUSINESS, AND AGRICULTURAL
6 EFFORTS AND ACTIVITIES IN THE STATE, INCLUDING IN RURAL AREAS.

7 (b) THE OFFICE OF ECONOMIC DEVELOPMENT MAY DEVELOP ANY
8 GUIDELINES REGARDING THE USE OF THE DISPLAY SPACE.

9 (c) THE OFFICE OF ECONOMIC DEVELOPMENT MAY CONVENE AN
10 ADVISORY GROUP OF INTERESTED STAKEHOLDERS TO HELP MANAGE THE
11 DISPLAY SPACE.

12 **SECTION 3.** In Colorado Revised Statutes, **amend** 24-83-106 as
13 follows:

14 **24-83-106. Office of economic development - authority to**
15 **manage space - fund created.** (1) AT THE SOLE DISCRETION OF THE
16 OFFICE OF ECONOMIC DEVELOPMENT AND IF IT IS WARRANTED BY MARKET
17 DEMAND, the ~~department~~ OFFICE OF ECONOMIC DEVELOPMENT shall
18 establish a graduated fee schedule for the use of the display space in the
19 convention center in a manner ~~which will enable~~ THAT ENABLES a wide
20 variety of organizations to use the display space and ~~which~~ THAT takes
21 into account the different types, sizes, and financial ability of such
22 organizations; except that no fees ~~shall~~ MAY be assessed against any
23 counties, municipalities, or state agencies for the use of ~~such~~ THE display
24 space. ~~The department shall collect only such fees as are necessary to pay~~
25 ~~for the expenses of the department which are not covered by other~~
26 ~~moneys available to the department.~~ The FEE revenue from such fees shall
27 MUST be credited to the convention center fund, which fund is hereby

1 created. In addition to fees, the ~~department~~ OFFICE OF ECONOMIC
2 DEVELOPMENT is authorized to accept any other ~~moneys~~ MONEY OR
3 IN-KIND BENEFITS available to the ~~department~~ OFFICE OF ECONOMIC
4 DEVELOPMENT for the purpose of utilizing the display space. ~~which~~ Other
5 ~~moneys shall include, but shall not be limited to,~~ MONEY INCLUDES
6 donations by public or private entities, loans from the state treasury, or
7 other gifts, grants, or loans, ~~Such moneys shall~~ OR OTHER IN-KIND
8 BENEFITS INCLUDING JOB CREATION OR CAPITAL INVESTMENT. ANY
9 MONEY MUST be credited to the convention center fund. All interest
10 derived from the deposit and investment of ~~moneys~~ MONEY in the fund
11 ~~shall be~~ IS credited to the fund.

12 (2) All ~~moneys~~ MONEY in the convention center fund ~~shall be~~ IS
13 subject to annual appropriation by the general assembly to the ~~department~~
14 OFFICE OF ECONOMIC DEVELOPMENT and ~~shall~~ MAY only be used for the
15 purchase of equipment, the production of programs, the costs of
16 managing, scheduling, and promoting the display space, and any other
17 reasonable and necessary expenses related to the utilization of such
18 display space or any other duties of the ~~department~~ OFFICE OF ECONOMIC
19 DEVELOPMENT pursuant to this section OR OTHER USES APPROVED BY THE
20 GENERAL ASSEMBLY IN THE APPROPRIATION.

21 (3) The ~~executive director of the department~~ OFFICE OF ECONOMIC
22 DEVELOPMENT may contract with any public or private entity to manage,
23 schedule, or promote the display space.

24 **SECTION 4. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2020 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.