

CHAPTER 183

GOVERNMENT - STATE

HOUSE BILL 20-1116

BY REPRESENTATIVE(S) Esgar and Sullivan, Bird, Bockenfeld, Buckner, Cutter, Duran, Exum, Froelich, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Kipp, Lontine, McCluskie, Michaelson Jenet, Singer, Snyder, Titone, Valdez D., Weissman, Woodrow, Becker, Jaquez Lewis, Kennedy, Melton, Young;
also SENATOR(S) Todd and Gardner, Bridges, Crowder, Fields, Ginal, Hisey, Lee, Moreno, Rankin, Winter, Zenzinger.

AN ACT**CONCERNING AN EXTENSION OF THE PROCUREMENT TECHNICAL ASSISTANCE CENTER PROGRAM.**

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

SECTION 1. In Colorado Revised Statutes, 24-48.5-121, **amend** (2)(a), (3), (4)(b), (4)(c)(II)(C), (4)(d)(II), and (8)(a)(I) as follows:

24-48.5-121. Procurement technical assistance program - fund - legislative declaration - definitions. (2) **Definitions.** As used in this section, unless the context otherwise requires:

(a) "Contract year" means one year of the term of the contract entered into OR RENEWED pursuant to this section.

(3) **Contract.** (a) On or before September 15, 2014, the office shall enter into a contract with the qualified entity or entities that were selected by the federal defense logistics agency to provide procurement technical assistance statewide. The contract term and requirements shall be in effect for up to six years and shall align with the federal defense logistics agency requirements for such contract.

(b) ON OR BEFORE SEPTEMBER 15, 2020, THE OFFICE MAY RENEW AN EXISTING CONTRACT WITH A QUALIFIED ENTITY OR ENTITIES. THE RENEWED CONTRACT MUST BE IN EFFECT FOR UP TO FIVE YEARS AND MUST ALIGN WITH THE FEDERAL DEFENSE LOGISTICS AGENCY REQUIREMENTS FOR THE CONTRACT.

(4) **State's investment.** (b) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4)(b)(II) OF THIS SECTION, in each contract year, the state, through the office, shall

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

contribute the lesser of the qualified entity's contribution to the previous contract year's state's investment or two hundred thousand dollars to the total amount of the state's investment in the procurement technical assistance program for the then-current contract year. Therefore, the general assembly shall provide not more than two hundred thousand dollars from the state general fund or from any other source of state moneys MONEY in each contract year; EXCEPT THAT THE GENERAL ASSEMBLY MAY PROVIDE MORE THAN TWO HUNDRED THOUSAND DOLLARS FROM THE STATE GENERAL FUND OR FROM ANY OTHER SOURCE IN ANY CONTRACT YEAR SO LONG AS THE QUALIFIED ENTITY PROVIDES A ONE HUNDRED PERCENT MATCH, IN THE MANNER SPECIFIED IN SUBSECTION (4)(c)(II)(C) OF THIS SECTION, TO THE ADDITIONAL AMOUNT PROVIDED BY THE GENERAL ASSEMBLY IN THE APPLICABLE CONTRACT YEAR.

(II) (A) FOR THE 2020-21 STATE FISCAL YEAR, THE STATE, THROUGH THE OFFICE, SHALL CONTRIBUTE THE LESSER OF THE QUALIFIED ENTITY'S CONTRIBUTION TO THE PREVIOUS CONTRACT YEAR'S STATE'S INVESTMENT OR TWO HUNDRED THOUSAND DOLLARS TO THE TOTAL AMOUNT OF THE STATE'S INVESTMENT IN THE PROCUREMENT TECHNICAL ASSISTANCE PROGRAM FOR THE APPLICABLE CONTRACT YEAR; EXCEPT THAT, FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL NOT PROVIDE MORE THAN ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS FROM THE GENERAL FUND. THE OFFICE SHALL PROVIDE, WITHIN EXISTING RESOURCES, THE REMAINING TWENTY-FIVE THOUSAND DOLLARS TOWARD THE STATE'S INVESTMENT FOR THE 2020-21 STATE FISCAL YEAR.

(B) FOR THE 2021-22 STATE FISCAL YEAR, THE STATE, THROUGH THE OFFICE, SHALL CONTRIBUTE THE LESSER OF THE QUALIFIED ENTITY'S CONTRIBUTION TO THE PREVIOUS CONTRACT YEAR'S STATE'S INVESTMENT OR ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS TO THE TOTAL AMOUNT OF THE STATE'S INVESTMENT IN THE PROCUREMENT TECHNICAL ASSISTANCE PROGRAM FOR THE THEN-CURRENT CONTRACT YEAR. THEREFORE, THE GENERAL ASSEMBLY SHALL NOT PROVIDE MORE THAN ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS FROM THE STATE GENERAL FUND OR FROM ANY OTHER SOURCE OF STATE MONEYS IN THE 2021-22 STATE FISCAL YEAR.

(C) FOR THE 2022-23 STATE FISCAL YEAR AND EACH STATE FISCAL YEAR THEREAFTER FOR THE REMAINDER OF THE TERM OF THE CONTRACT, THE AMOUNT OF THE CONTRIBUTION MADE TO THE STATE'S INVESTMENT AND THE AMOUNT PROVIDED BY THE GENERAL ASSEMBLY FOR SUCH CONTRIBUTION SHALL BE DETERMINED PURSUANT TO SUBSECTION (4)(b)(I) OF THIS SECTION.

(c) (II) The gifts, grants, or donations that the qualified entity obtains may be comprised of both cash and in-kind contributions; except that, of the two hundred thousand dollars that the qualified entity is required to obtain in each contract year, at least the following percentages shall be in the form of cash:

(C) For the third through sixth contract years, AND FOR EACH CONTRACT YEAR OF A CONTRACT THAT IS RENEWED PURSUANT TO SUBSECTION (3)(b) OF THIS SECTION, at least twenty-five percent.

(d) (II) The office shall ensure that by December 1 of the third contract year, the qualified entity is projected to provide at least a cumulative amount of six hundred

thousand dollars of the state's investment for the first through third contract years, of which amount at least one hundred twenty thousand dollars is in the form of cash. If, based on the office's review, the qualified entity is not projected to satisfy such requirements, the office shall notify the members of the house of representatives and senate committees with jurisdiction over business issues, and the general assembly may determine whether to continue the annual appropriation to the office for the purposes of the procurement technical assistance program. THIS SUBSECTION (4)(d)(II) DOES NOT APPLY TO ANY CONTRACT YEAR OF A CONTRACT THAT IS RENEWED PURSUANT TO SUBSECTION (3)(b) OF THIS SECTION.

(8) **Fund.** (a) The procurement technical assistance cash fund is created in the state treasury. The fund consists of:

(I) (A) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (8)(a)(I)(B) OF THIS SECTION, two hundred twenty thousand dollars that the state treasurer is required to transfer from the general fund to the fund on July 1, 2015, and July 1 of the next ~~four~~ NINE years thereafter, PLUS ANY ADDITIONAL AMOUNT THE GENERAL ASSEMBLY PROVIDES PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION. ~~and~~

(B) FOR THE 2020-21 AND 2021-22 STATE FISCAL YEARS, ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS THAT THE STATE TREASURER IS REQUIRED TO TRANSFER FROM THE GENERAL FUND TO THE FUND ON JULY 1, 2020, AND ON JULY 1, 2021.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 29, 2020