

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

SENATE BILL 21-224

BY SENATOR(S) Hansen, Moreno, Rankin, Simpson;  
also REPRESENTATIVE(S) Ransom, Herod, McCluskie, Burnett, Bird,  
Esgar, Hooton, Ricks, Snyder, Garnett.

CONCERNING CAPITAL-RELATED TRANSFERS OF MONEY.

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

**SECTION 1.** In Colorado Revised Statutes, 24-75-302, **amend** (2)(kk), (2)(ll), (2.3)(h), (2.3)(i), (2.5)(n), (2.5)(o), and (3.2); and **add** (2)(nn), (2.3)(j), and (2.5)(p) as follows:

**24-75-302. Capital construction fund - capital assessment fees - calculation - information technology capital account.** (2) The controller shall transfer a sum as specified in this subsection (2) from the general fund to the capital construction fund as money becomes available in the general fund during the fiscal year beginning on July 1 of the fiscal year in which the transfer is made. Transfers between funds pursuant to this subsection (2) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2) are as follows:

(kk) On July 1, 2020, two million forty-three thousand seven

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*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.*

hundred sixty-eight dollars; ~~and~~

(ll) For the 2020-21 state fiscal year, one million dollars under S.B. 20-003, enacted in 2020; AND

(nn) ON JULY 1, 2021, ONE HUNDRED NINETY-ONE MILLION TWO HUNDRED EIGHTY-NINE THOUSAND ONE HUNDRED SEVENTY-EIGHT DOLLARS.

(2.3) In addition to the sums transferred pursuant to subsections (2) and (2.5) of this section, the state treasurer and the controller shall transfer a sum as specified in this subsection (2.3) from the general fund to the information technology capital account created in subsection (3.7) of this section as money becomes available in the general fund during the fiscal year beginning on July 1 of the fiscal year in which the transfer is made or on April 1 of the fiscal year if otherwise specified. Transfers between funds pursuant to this subsection (2.3) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2.3) are as follows:

(h) On April 1, 2020, seven million four hundred sixty-six thousand six hundred forty-eight dollars; ~~and~~

(i) On July 1, 2020, four hundred forty-five thousand dollars; AND

(j) ON JULY 1, 2021, TWENTY-SEVEN MILLION FORTY THOUSAND THREE HUNDRED TWO DOLLARS.

(2.5) In addition to the sums transferred pursuant to subsections (2) and (2.3) of this section, the state treasurer and the controller shall transfer a sum as specified in this subsection (2.5) from the general fund exempt account of the general fund created pursuant to section 24-77-103.6 to the capital construction fund as money becomes available in the general fund exempt account during the fiscal year beginning on July 1 of the fiscal year in which the transfer is made. Transfers between funds pursuant to this subsection (2.5) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2.5) are as follows:

(n) On July 1, 2019, five hundred thousand dollars; ~~and~~

(o) On July 1, 2020, five hundred thousand dollars; AND

(p) ON JULY 1, 2021, FIVE HUNDRED THOUSAND DOLLARS.

(3.2) (a) There is hereby created a special account within the capital construction fund established pursuant to subsection (1) of this section to be known as the emergency controlled maintenance account. The account consists of any ~~moneys~~ MONEY appropriated to the account by the general assembly OR TRANSFERRED OR CREDITED TO THE ACCOUNT. The ~~moneys~~ MONEY in the account ~~are~~ IS subject to annual appropriation and may be used only to fund any unplanned and immediate controlled maintenance needs pursuant to section 24-30-1303.9 (5). All ~~moneys~~ MONEY unexpended or unencumbered in any fiscal year must remain in the account.

(b) ON JULY 1, 2021, THE STATE TREASURER SHALL TRANSFER TO THE CAPITAL CONSTRUCTION FUND CREATED IN SUBSECTION (1)(a) OF THIS SECTION EIGHT MILLION DOLLARS OF THE MONEY APPROPRIATED TO THE EMERGENCY CONTROLLED MAINTENANCE ACCOUNT IN SECTION 1 (1)(d) OF HOUSE BILL 20-1408, ENACTED IN 2020.

**SECTION 2.** In Colorado Revised Statutes, 24-75-302.5, **add** (10) as follows:

**24-75-302.5. Controlled maintenance - trust fund - legislative declaration.** (10) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON JULY 1, 2021, THE STATE TREASURER AND THE CONTROLLER SHALL TRANSFER ONE HUNDRED TEN MILLION DOLLARS FROM THE GENERAL FUND TO THE CONTROLLED MAINTENANCE TRUST FUND TO BE APPROPRIATED IN THE 2022-23 STATE FISCAL YEAR FOR CONTROLLED MAINTENANCE BUDGET REQUESTS PRIORITIZED BY THE OFFICE OF THE STATE ARCHITECT AS LEVEL ONE AND LEVEL TWO PRIORITY PROJECTS UNDER SECTION 24-30-1303 (1)(t)(II).

**SECTION 3. 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.

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Leroy M. Garcia  
PRESIDENT OF  
THE SENATE

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Alec Garnett  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

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Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO