

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 22-0705.01 Nicole Myers x4326

HOUSE BILL 22-1353

HOUSE SPONSORSHIP

Bernett and Baisley, Titone

SENATE SPONSORSHIP

Bridges, Kolker

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE COORDINATION OF STATE PUBLIC SAFETY**
102 **COMMUNICATIONS, AND, IN CONNECTION THEREWITH,**
103 **TRANSFERRING THE POWERS, DUTIES, AND FUNCTIONS RELATED**
104 **TO SUCH COORDINATION FROM THE OFFICE OF INFORMATION**
105 **TECHNOLOGY TO THE DEPARTMENT OF PUBLIC SAFETY.**

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/>.)

Joint Technology Committee. Currently, the joint technology committee of the general assembly oversees any telecommunications

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.

coordination within state government. The bill moves that oversight function to the department of public safety's oversight committee pursuant to the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act".

Currently, the chief information officer in the office of information technology exercises the powers, duties, and functions related to public safety telecommunications coordination within state government (public safety telecommunications). On July 1, 2022, the bill transfers these powers, duties, and functions to the department of public safety (department). The transferred powers, duties, and functions are allocated to the division of homeland security and emergency management (division) in the department. In addition, the bill transfers employees, property, and policies of the office of information technology related to public safety telecommunications to the division.

The bill creates the office of public safety communications in the division (office) and creates the director of the office. The bill relocates the existing state public safety communications network in the office and specifies the duties and responsibilities of the director of the office that were formerly the duties and responsibilities of the chief information officer of the office of information technology. The duties and responsibilities include:

- Formulating recommendations for a current and long-range public safety communications plan and administering the plan;
- Reviewing all existing and future state-owned public safety communications applications, planning, networks, systems, programs, equipment, and facilities and establishing priorities for those applications;
- Approving the acquisition of public safety communications equipment by any state entity;
- Establishing and enforcing public safety communications policies, procedures, standards, and records for management of public safety communications networks and facilities for all state entities;
- Reviewing, assessing, and ensuring compliance with federal and state public safety communications regulations pertaining to the needs and functions of state entities;
- Advising the governor and general assembly on public safety communications matters;
- Administering the public safety communications trust fund;
- Adopting recommended standards for the replacement of analog-based radio equipment with digital-based radio equipment for purposes of dispatching and related functions within the department of public safety; and
- For purposes of serving the radio communications needs of

state departments, adopting standards and policies and setting a recommended timetable for the replacement of existing radio public safety communications equipment with a system that satisfies the requirements of the federal communications commission public safety national plan.

The director of the office may enter into contracts, formerly entered into by the chief information officer, with specified public entities and may act as a public safety communications network provider to provide public safety radio communications between or among 2 or more counties or state agencies.

The bill specifies when users of public safety radio systems, including public entities and privately owned businesses, will be charged fees for the service, including the cost of material, labor, and overhead.

The executive director of the department is required to exercise the powers, duties, and functions regarding the existing tactical and long-term interoperable communications plan to improve the ability of the public safety agencies of state government to communicate with public safety agencies of the federal government, regions, local governments, and other states. The director of the office is required to update and revise the tactical and long-term interoperable communications plan at least once every 3 years.

The bill relocates the existing public safety communications trust fund, specifies the sources of money in the fund, and specifies the purposes for which money in the fund must be used.

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

2 **SECTION 1.** In Colorado Revised Statutes, 2-3-1704, **repeal** (3)
3 as follows:

4 **2-3-1704. Powers and duties of the joint technology committee.**
5 (3) ~~The committee oversees any telecommunications coordination within~~
6 ~~state government that the chief information officer performs pursuant to~~
7 ~~part 5 of article 37.5 of title 24, C.R.S.~~

8 **SECTION 2.** In Colorado Revised Statutes, **add** part 25 to article
9 33.5 of title 24 as follows:

10

PART 25

11

PUBLIC SAFETY COMMUNICATIONS

1 **24-33.5-2501. Definitions.** AS USED IN THIS PART 25, UNLESS THE
2 CONTEXT OTHERWISE REQUIRES:

3 (1) "DIVISION" MEANS THE DIVISION OF HOMELAND SECURITY AND
4 EMERGENCY MANAGEMENT CREATED IN SECTION 24-33.5-1603.

5 (2) "INTEROPERABLE COMMUNICATIONS" MEANS THE ABILITY OF
6 PUBLIC SAFETY AGENCIES IN VARIOUS DISCIPLINES AND JURISDICTIONS TO
7 COMMUNICATE WITH EACH OTHER ON DEMAND AND IN REAL TIME BY
8 VOICE OR DATA USING COMPATIBLE RADIO COMMUNICATION SYSTEMS OR
9 OTHER TECHNOLOGY.

10 (3) "OFFICE" MEANS THE OFFICE OF PUBLIC SAFETY
11 COMMUNICATIONS CREATED IN SECTION 24-33.5-2502.

12 (4) "PUBLIC SAFETY AGENCY" MEANS AN AGENCY PROVIDING LAW
13 ENFORCEMENT, FIRE PROTECTION, EMERGENCY MEDICAL, OR EMERGENCY
14 RESPONSE SERVICES.

15 (5) "REGION" MEANS AN ALL-HAZARDS EMERGENCY MANAGEMENT
16 REGION ESTABLISHED BY EXECUTIVE ORDER OF THE GOVERNOR.

17 **24-33.5-2502. Office of public safety communications - public**
18 **safety communications revolving fund - creation.** (1) THE OFFICE OF
19 PUBLIC SAFETY COMMUNICATIONS IS CREATED IN THE DIVISION OF
20 HOMELAND SECURITY AND EMERGENCY MANAGEMENT IN THE
21 DEPARTMENT OF PUBLIC SAFETY. THE OFFICE IS A **TYPE 2** ENTITY, AS
22 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS
23 ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY.
24 THE DIRECTOR OF THE DIVISION SHALL APPOINT A DIRECTOR AS HEAD OF
25 THE OFFICE OF PUBLIC SAFETY COMMUNICATIONS.

26 (2) (a) THE PUBLIC SAFETY COMMUNICATIONS REVOLVING FUND,
27 REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE

1 STATE TREASURY. THE FUND CONSISTS OF MONEY APPROPRIATED TO THE
2 FUND PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION, MONEY
3 DEPOSITED OR CREDITED TO THE FUND PURSUANT TO SUBSECTIONS (3) AND
4 (4) OF THIS SECTION, AND ANY OTHER MONEY THAT THE GENERAL
5 ASSEMBLY MAY TRANSFER TO THE FUND.

6 (b) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO THE
7 FUND EACH FISCAL YEAR IN THE ANNUAL GENERAL APPROPRIATION ACT
8 FOR THE DIRECT AND INDIRECT COSTS OF THE OFFICE.

9 (c) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
10 INCOME DERIVED FROM THE DEPOSIT OR INVESTMENT OF MONEY IN THE
11 FUND TO THE FUND.

12 (d) THE STATE TREASURER SHALL CREDIT ANY UNEXPENDED AND
13 UNENCUMBERED MONEY REMAINING IN THE FUND AT THE END OF A FISCAL
14 YEAR TO THE FUND.

15 (e) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
16 OFFICE TO PAY THE DIRECT AND INDIRECT COSTS, INCLUDING PERSONAL
17 SERVICES AND OPERATING COSTS, ASSOCIATED WITH ADMINISTERING
18 PUBLIC SAFETY COMMUNICATIONS.

19 (3) THE OFFICE SHALL DEVELOP A METHOD FOR BILLING USERS OF
20 THE OFFICE'S SERVICES THE FULL COST OF THE SERVICES, INCLUDING
21 MATERIALS, DEPRECIATION RELATED TO CAPITAL COSTS, LABOR, AND
22 ADMINISTRATIVE OVERHEAD. THE BILLING METHOD SHALL BE FULLY
23 IMPLEMENTED FOR ALL USERS OF THE OFFICE'S SERVICES ON OR BEFORE
24 JULY 1, 2023. REVENUE GENERATED FROM SUCH BILLING SHALL BE
25 CREDITED TO THE FUND.

26 (4) (a) THE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS,
27 GRANTS, DONATIONS, AND BEQUESTS FROM PRIVATE OR PUBLIC SOURCES

1 FOR THE DIRECT AND INDIRECT COSTS, INCLUDING PERSONAL SERVICES
2 AND OPERATING COSTS, ASSOCIATED WITH ADMINISTERING PUBLIC SAFETY
3 COMMUNICATIONS. THE OFFICE SHALL TRANSMIT ALL MONEY RECEIVED
4 THROUGH GIFTS, GRANTS, DONATIONS, OR BEQUESTS FOR SUCH PURPOSES
5 TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE FUND.

6 (b) THE OFFICE MAY CONTRACT WITH THE UNITED STATES AND
7 ANY OTHER LEGAL ENTITIES WITH RESPECT TO MONEY AVAILABLE TO THE
8 OFFICE THROUGH GIFTS, GRANTS, DONATIONS, OR BEQUESTS.

9 **24-33.5-2503. Transfer of functions - continuity of existence -**
10 **- rules.** (1) ON JULY 1, 2023, THE POWERS, DUTIES, AND FUNCTIONS OF
11 THE OFFICE OF INFORMATION TECHNOLOGY IN CONNECTION WITH PUBLIC
12 SAFETY TELECOMMUNICATIONS COORDINATION WITHIN STATE
13 GOVERNMENT PURSUANT TO THE FORMER PART 5 OF ARTICLE 37.5 OF THIS
14 TITLE 24, REFERRED TO IN THIS PART 25 AS "PUBLIC SAFETY
15 COMMUNICATIONS", ARE TRANSFERRED TO THE DEPARTMENT AND
16 ALLOCATED TO THE DIVISION PURSUANT TO THIS SECTION.

17 (2) (a) ON AND AFTER JULY 1, 2023, THE OFFICERS AND
18 EMPLOYEES OF THE OFFICE OF INFORMATION TECHNOLOGY WHOSE
19 POWERS, DUTIES, AND FUNCTIONS CONCERN THE POWERS, DUTIES, AND
20 FUNCTIONS TRANSFERRED TO THE DEPARTMENT AND ALLOCATED TO THE
21 DIVISION PURSUANT TO SUBSECTION (1) OF THIS SECTION AND WHOSE
22 EMPLOYMENT IN THE DIVISION IS DEEMED NECESSARY BY THE DIRECTOR
23 OF THE DIVISION TO CARRY OUT THE PURPOSES OF THIS PART 25 SHALL BE
24 TRANSFERRED TO THE DIVISION AND BECOME EMPLOYEES THEREOF.

25 (b) ANY EMPLOYEES WHO ARE TRANSFERRED TO THE DEPARTMENT
26 PURSUANT TO THIS SUBSECTION (2) AND WHO ARE CLASSIFIED EMPLOYEES
27 IN THE STATE PERSONNEL SYSTEM SHALL RETAIN ALL RIGHTS TO THE

1 PERSONNEL SYSTEM AND RETIREMENT BENEFITS PURSUANT TO THE LAWS
2 OF THE STATE, AND THEIR SERVICES SHALL BE DEEMED TO HAVE BEEN
3 CONTINUOUS. ALL TRANSFERS AND ANY ABOLISHMENT OF POSITIONS IN
4 THE STATE PERSONNEL SYSTEM SHALL BE MADE AND PROCESSED IN
5 ACCORDANCE WITH STATE PERSONNEL SYSTEM LAWS AND REGULATIONS.

6 (3) ON OR BEFORE JULY 1, 2023, ALL ITEMS OF PROPERTY, REAL
7 AND PERSONAL, INCLUDING OFFICE FURNITURE AND FIXTURES, BOOKS,
8 DOCUMENTS, AND RECORDS OF THE OFFICE OF INFORMATION TECHNOLOGY
9 PRIOR TO SAID DATE PERTAINING TO THE POWERS, DUTIES, AND FUNCTIONS
10 TRANSFERRED TO THE DEPARTMENT AND ALLOCATED TO THE DIVISION
11 PURSUANT TO THIS SECTION, ARE TRANSFERRED TO AND BECOME THE
12 PROPERTY OF THE DIVISION.

13 (4) WHENEVER THE OFFICE OF INFORMATION TECHNOLOGY IS
14 REFERRED TO OR DESIGNATED BY A CONTRACT OR OTHER DOCUMENT IN
15 CONNECTION WITH THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED
16 TO THE DEPARTMENT AND ALLOCATED TO THE DIVISION PURSUANT TO THIS
17 SECTION, SUCH REFERENCE OR DESIGNATION SHALL BE DEEMED TO APPLY
18 TO THE DIVISION. ALL CONTRACTS ENTERED INTO BY THE OFFICE OF
19 INFORMATION TECHNOLOGY PRIOR TO JULY 1, 2023, IN CONNECTION WITH
20 THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED TO THE DEPARTMENT
21 AND ALLOCATED TO THE DIVISION PURSUANT TO THIS SECTION ARE
22 HEREBY VALIDATED, WITH THE DIVISION CREATED BY SECTION
23 24-33.5-1603 SUCCEEDING TO ALL THE RIGHTS AND OBLIGATIONS OF SUCH
24 CONTRACTS. ANY APPROPRIATIONS OF MONEY FROM PRIOR FISCAL YEARS
25 OPEN TO SATISFY OBLIGATIONS INCURRED PURSUANT TO SUCH CONTRACTS
26 ARE HEREBY TRANSFERRED AND APPROPRIATED TO THE DIVISION FOR THE
27 PAYMENT OF SUCH OBLIGATIONS.

1 (5) ALL POLICIES OF THE OFFICE OF INFORMATION TECHNOLOGY IN
2 CONNECTION WITH THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED
3 TO THE DEPARTMENT AND ALLOCATED TO THE DIVISION PURSUANT TO THIS
4 SECTION SHALL CONTINUE TO BE EFFECTIVE UNTIL REVISED, AMENDED,
5 REPEALED, OR NULLIFIED PURSUANT TO LAW. ON OR AFTER JULY 1, 2023,
6 THE DIRECTOR OF THE DIVISION SHALL ADOPT RULES NECESSARY FOR THE
7 ADMINISTRATION OF SUCH POWERS, DUTIES, AND FUNCTIONS.

8 **24-33.5-2504. Public safety communications network.** (1) TO
9 MORE EFFICIENTLY SUPPORT THE EFFORTS OF STATE DEPARTMENTS, STATE
10 INSTITUTIONS, STATE AGENCIES, LAW ENFORCEMENT AGENCIES, AND ANY
11 PUBLIC SAFETY POLITICAL SUBDIVISIONS, AND TO BETTER SERVE THE
12 PUBLIC, A STATE PUBLIC SAFETY COMMUNICATIONS NETWORK IS
13 ESTABLISHED, THE CONSTRUCTION, MAINTENANCE, SECURITY, AND
14 MANAGEMENT OF WHICH IS UNDER THE SUPERVISION OF THE DIRECTOR OF
15 THE OFFICE.

16 (2) THE DIRECTOR OF THE DIVISION SHALL APPOINT ASSISTANTS,
17 CLERICAL STAFF, AND OTHER PERSONNEL AS MAY BE NECESSARY TO
18 DISCHARGE THE DUTIES AND RESPONSIBILITIES SET FORTH BY THIS PART
19 25.

20 **24-33.5-2505. Office of public safety communications -**
21 **director - duties and responsibilities - rules.** (1) THE DIRECTOR OF THE
22 OFFICE SHALL PERFORM THE FOLLOWING FUNCTIONS CONCERNING PUBLIC
23 SAFETY COMMUNICATIONS:

24 (a) IN CONSULTATION WITH LOCAL, STATE, AND FEDERAL
25 DEPARTMENTS, INSTITUTIONS, AND AGENCIES, FORMULATE
26 RECOMMENDATIONS FOR A CURRENT AND LONG-RANGE PUBLIC SAFETY
27 COMMUNICATIONS PLAN, INVOLVING PUBLIC SAFETY RADIO

1 COMMUNICATIONS SYSTEMS AND THEIR INTEGRATION INTO APPLICABLE
2 PUBLIC SAFETY COMMUNICATIONS NETWORKS FOR APPROVAL OF THE
3 GOVERNOR;

4 (b) ADMINISTER THE APPROVED CURRENT AND LONG-RANGE PLAN
5 FOR PUBLIC SAFETY COMMUNICATIONS AND EXERCISE SUPERVISION OVER
6 ALL STATE-OWNED PUBLIC SAFETY COMMUNICATIONS NETWORKS,
7 SYSTEMS, AND PUBLIC SAFETY WIRELESS BROADBAND AND MICROWAVE
8 FACILITIES;

9 (c) REVIEW ALL EXISTING AND FUTURE STATE-OWNED PUBLIC
10 SAFETY COMMUNICATIONS APPLICATIONS, PLANNING, NETWORKS,
11 SYSTEMS, PROGRAMS, EQUIPMENT, AND FACILITIES AND ESTABLISH
12 PRIORITIES FOR THOSE THAT ARE NECESSARY AND DESIRABLE TO
13 ACCOMPLISH THE PURPOSES OF THIS PART 25;

14 (d) APPROVE OR DISAPPROVE THE ACQUISITION OF PUBLIC SAFETY
15 COMMUNICATIONS EQUIPMENT BY ANY STATE DEPARTMENT, INSTITUTION,
16 OR AGENCY;

17 (e) ESTABLISH AND ENFORCE PUBLIC SAFETY COMMUNICATIONS
18 POLICIES, PROCEDURES, STANDARDS, AND RECORDS FOR MANAGEMENT OF
19 PUBLIC SAFETY COMMUNICATIONS NETWORKS AND FACILITIES FOR ALL
20 STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES;

21 (f) CONTINUALLY REVIEW, ASSESS, AND ENSURE COMPLIANCE
22 WITH FEDERAL AND STATE PUBLIC SAFETY COMMUNICATIONS
23 REGULATIONS PERTAINING TO THE NEEDS AND FUNCTIONS OF STATE
24 DEPARTMENTS, INSTITUTIONS, AND AGENCIES;

25 (g) ADVISE THE GOVERNOR AND GENERAL ASSEMBLY ON PUBLIC
26 SAFETY COMMUNICATIONS MATTERS;

27 (h) ADMINISTER THE PUBLIC SAFETY COMMUNICATIONS TRUST

1 FUND CREATED IN SECTION 24-33.5-2510; AND

2 (i) ADOPT RULES REGARDING DISTRIBUTIONS OF PUBLIC SAFETY
3 COMMUNICATIONS TRUST FUND MONEY TO AND REPAYMENT OF SUCH
4 MONEY BY STATE AND LOCAL GOVERNMENTS.

5 (2) THE DIRECTOR OF THE OFFICE MAY ENTER INTO CONTRACTS
6 WITH ANY COUNTY, CITY AND COUNTY, STATE AGENCY, SCHOOL DISTRICT,
7 OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND MAY ACT AS A
8 PUBLIC SAFETY COMMUNICATIONS NETWORK PROVIDER BETWEEN OR
9 AMONG TWO OR MORE COUNTIES OR STATE AGENCIES FOR THE PURPOSE OF
10 PROVIDING PUBLIC SAFETY RADIO COMMUNICATIONS BETWEEN OR AMONG
11 SUCH ENTITIES, INCLUDING THE JUDICIAL SYSTEM OF ANY COUNTY, THE
12 DEPARTMENT OF CORRECTIONS, AND THE DEPARTMENT OF HUMAN
13 SERVICES AND ANY OF THEIR FACILITIES. TO ENSURE THE AVAILABILITY OF
14 SUCH NETWORK THROUGHOUT THE VARIOUS STATE AGENCIES, SCHOOL
15 DISTRICTS, BOARDS OF COOPERATIVE EDUCATIONAL SERVICES, AND
16 COUNTIES, THE DIRECTOR OF THE OFFICE SHALL DEVELOP A UNIFORM SET
17 OF STANDARDS AND POLICIES FOR FACILITIES TO BE USED BY THE
18 CONTRACTING ENTITIES.

19 (3) THE DIRECTOR OF THE OFFICE SHALL:

20 (a) IN CONSULTATION WITH RECOGNIZED PUBLIC SAFETY RADIO
21 COMMUNICATION STANDARDS GROUPS AND APPROPRIATE AFFECTED
22 PUBLIC AGENCIES, ADOPT RECOMMENDED STANDARDS FOR THE
23 REPLACEMENT OF ANALOG-BASED RADIO EQUIPMENT WITH DIGITAL-BASED
24 RADIO EQUIPMENT FOR PURPOSES OF DISPATCHING AND RELATED
25 FUNCTIONS WITHIN THE DEPARTMENT OF PUBLIC SAFETY; AND

26 (b) FOR PURPOSES OF SERVING THE RADIO COMMUNICATIONS
27 NEEDS OF STATE DEPARTMENTS, INCLUDING BUT NOT LIMITED TO THE

1 DEPARTMENTS OF PUBLIC SAFETY, TRANSPORTATION, NATURAL
2 RESOURCES, AND CORRECTIONS, ADOPT STANDARDS AND POLICIES AND
3 SET A RECOMMENDED TIMETABLE FOR THE REPLACEMENT OF EXISTING
4 RADIO PUBLIC SAFETY COMMUNICATIONS EQUIPMENT WITH A SYSTEM
5 THAT SATISFIES THE REQUIREMENTS OF THE FEDERAL COMMUNICATIONS
6 COMMISSION PUBLIC SAFETY NATIONAL PLAN.

7 (4) (a) THE DIRECTOR OF THE DIVISION IS AUTHORIZED, SUBJECT TO
8 THE BUDGET REQUEST REQUIREMENTS SET FORTH IN SECTIONS 2-3-208
9 AND 24-37-304 (1)(c.3) AND SUBJECT TO APPROPRIATION BY THE GENERAL
10 ASSEMBLY, TO PURCHASE OR LEASE ANY REAL ESTATE, BUILDINGS, AND
11 PROPERTY NECESSARY FOR THE OPERATION OR DEVELOPMENT OF THE
12 PUBLIC SAFETY COMMUNICATIONS NETWORK; TO USE ANY AVAILABLE
13 FACILITIES AND PUBLIC SAFETY COMMUNICATIONS EQUIPMENT OF ANY
14 STATE AGENCY OR INSTITUTION; AND, IF NECESSARY, TO PROVIDE FOR THE
15 CONSTRUCTION OF THE NETWORK.

16 (b) THE FACILITIES OF THE NETWORK MAY BE MADE AVAILABLE
17 WITHIN AVAILABLE RESOURCES AND WITHOUT ANY NEGATIVE IMPACT TO
18 THE EXISTING NETWORK FOR THE USE OF:

19 (I) STATE DEPARTMENTS, STATE INSTITUTIONS, STATE AGENCIES,
20 LAW ENFORCEMENT AGENCIES, AND ANY PUBLIC SAFETY POLITICAL
21 SUBDIVISIONS OF THE STATE;

22 (II) OTHER LOCAL, STATE, AND FEDERAL GOVERNMENTAL ENTITIES
23 OR PUBLIC SAFETY-RELATED NONPROFIT ORGANIZATIONS THAT DIRECTLY
24 SUPPORT ANY AGENCY DESCRIBED IN SUBSECTION (4)(b)(I) OF THIS
25 SECTION AND THAT:

26 (A) MAY BE REQUESTED TO SUPPORT THE PURPOSES EXPRESSED IN
27 SUBSECTIONS (1)(c) AND (1)(e) OF THIS SECTION AND AGGREGATE PUBLIC

1 SAFETY COMMUNICATIONS SERVICE REQUIREMENTS OF ANY PUBLIC OFFICE
2 DESCRIBED IN SECTION 24-32-3001 (1)(h); OR

3 (B) MAKE DONATIONS, GRANTS, BEQUESTS, AND OTHER
4 CONTRIBUTIONS TO THE PUBLIC SAFETY COMMUNICATIONS TRUST FUND
5 PURSUANT TO SECTION 24-33.5-2510 (2)(b); OR

6 (III) (A) PRIVATE ENTITIES THROUGH PUBLIC-PRIVATE
7 PARTNERSHIPS CONSIDERED, EVALUATED, AND ACCEPTED BY THE
8 DIRECTOR OF THE DIVISION; EXCEPT THAT ANY NEGOTIATED LEASE RATES
9 MUST BE BASED ON LOCAL MARKET-BASED LEASE RATES IN THE AREA.

10 (B) LEASE REVENUES FROM PUBLIC-PRIVATE PARTNERSHIPS
11 ENTERED INTO PURSUANT TO SUBSECTION (4)(b)(III)(A) OF THIS SECTION
12 MUST BE CREDITED AS FOLLOWS: SEVENTY-FIVE PERCENT TO THE PUBLIC
13 SAFETY COMMUNICATIONS TRUST FUND FOR IMPROVEMENTS TO THE STATE
14 PUBLIC SAFETY COMMUNICATIONS NETWORK AND TWENTY-FIVE PERCENT
15 TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND
16 CREATED IN SECTION 22-43.7-104 FOR TECHNOLOGY GRANTS ALLOWED IN
17 SECTION 22-43.7-109 (13).

18 (5) THE DEPARTMENT SHALL ANNUALLY INCLUDE AS PART OF ITS
19 PRESENTATION TO ITS COMMITTEE OF REFERENCE AT A HEARING HELD
20 PURSUANT TO SECTION 2-7-203 (2)(a) UPDATES REGARDING STATE PUBLIC
21 SAFETY COMMUNICATIONS AS DEEMED APPROPRIATE BY THE DIRECTOR OF
22 THE DIVISION.

23 **24-33.5-2506. Legislative department exemption.** THE
24 PROVISIONS OF THIS PART 25 DO NOT APPLY TO THE LEGISLATIVE
25 DEPARTMENT OF THE STATE.

26 **24-33.5-2507. Higher education exemption.** LOCAL AND
27 INTERNAL PUBLIC SAFETY COMMUNICATIONS NETWORKS OF INSTITUTIONS

1 OF HIGHER EDUCATION MAY BE EXEMPTED FROM THE PROVISIONS OF THIS
2 PART 25 UPON APPLICATION TO THE DIRECTOR OF THE OFFICE; EXCEPT
3 THAT ALL SYSTEMS MUST BE CERTIFIED BY THE DIRECTOR OF THE OFFICE
4 AS BEING TECHNICALLY COMPATIBLE WITH PLANS AND NETWORKS AS
5 DESCRIBED IN SECTION 24-33.5-2505 (1).

6 **24-33.5-2508. Digital trunked radio system - service charges**
7 **- pricing policy.** (1) (a) USERS OF THE DIGITAL TRUNKED RADIO SYSTEM
8 SHALL BE CHARGED THE FULL COST OF THE PARTICULAR SERVICE, WHICH
9 SHALL INCLUDE THE COST OF ALL MATERIAL, LABOR, AND OVERHEAD. THE
10 USER CHARGES SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO
11 SHALL CREDIT THEM TO THE PUBLIC SAFETY COMMUNICATIONS TRUST
12 FUND CREATED IN SECTION 24-33.5-2510. THE PUBLIC SAFETY
13 COMMUNICATIONS TRUST FUND MUST INCLUDE USER CHARGES ON PUBLIC
14 SAFETY RADIO SYSTEMS OF A STATE AGENCY OR OTHER STATE ENTITY;
15 EXCEPT THAT NO MUNICIPALITY, COUNTY, CITY AND COUNTY, OR SPECIAL
16 DISTRICT SHALL BE CHARGED USER CHARGES ON PUBLIC SAFETY RADIO
17 SYSTEMS OF A STATE AGENCY OR OTHER STATE ENTITY.

18 (b) PRIVATELY OWNED AND OPERATED BUSINESSES MAY BE
19 GRANTED USE OF THE PUBLIC SAFETY COMMUNICATIONS NETWORK. SUCH
20 BUSINESSES MAY BE ASSESSED FEES FOR NETWORK SERVICES PROVIDED.
21 FEES COLLECTED FROM THESE BUSINESSES SHALL BE TRANSFERRED TO THE
22 PUBLIC SAFETY COMMUNICATIONS TRUST FUND FOR REINVESTMENT IN THE
23 NETWORK.

24 (2) THE DIRECTOR OF THE OFFICE SHALL ESTABLISH A POLICY OF
25 REMAINING COMPETITIVE WITH PRIVATE INDUSTRY WITH REGARD TO THE
26 COST, TIMELINESS, AND QUALITY OF THE PUBLIC SAFETY RADIO
27 COMMUNICATIONS FUNCTIONS PROVIDED BY THE DEPARTMENT. AN

1 AGENCY MAY ONLY PURCHASE PRIVATE SERVICES IF IT HAS FIRST WORKED
2 WITH THE DEPARTMENT AND THE DEPARTMENT HAS AUTHORIZED THE
3 PURCHASE OF PRIVATE SERVICES.

4 **24-33.5-2509. Interoperable communications among public**
5 **safety radio systems - statewide plan - regional plans - governmental**
6 **immunity - needs assessment.** (1) (a) THE EXECUTIVE DIRECTOR SHALL
7 EXERCISE THE POWERS, DUTIES, AND FUNCTIONS REGARDING THE
8 TACTICAL AND LONG-TERM INTEROPERABLE COMMUNICATIONS PLAN,
9 ADOPTED BY EACH REGION PURSUANT TO FORMER SECTION 24-33.5-716,
10 AS THAT SECTION EXISTED ON JUNE 30, 2023, TO IMPROVE
11 COMMUNICATIONS AMONG PUBLIC SAFETY AGENCIES IN THE REGION AND
12 WITH PUBLIC SAFETY AGENCIES OF OTHER REGIONS, THE STATE AND
13 FEDERAL GOVERNMENTS, AND OTHER STATES. THE PLANS SHALL INCLUDE
14 MEASURES TO CREATE AND PERIODICALLY TEST INTEROPERABILITY
15 INTERFACES, PROVISIONS FOR TRAINING ON COMMUNICATIONS SYSTEMS
16 AND EXERCISES ON THE IMPLEMENTATION OF THE PLAN, A STRATEGY FOR
17 INTEGRATING WITH THE STATE DIGITAL TRUNKED RADIO SYSTEM,
18 DEADLINES FOR IMPLEMENTATION, AND OTHER ELEMENTS REQUIRED BY
19 THE EXECUTIVE DIRECTOR. EACH REGION SHALL SUBMIT REVISED PLANS
20 AS THEY ARE UPDATED TO THE DIRECTOR OF THE OFFICE.

21 (b) EACH LOCAL GOVERNMENT AGENCY OR PRIVATE ENTITY THAT
22 OPERATES A PUBLIC SAFETY RADIO SYSTEM SHALL COLLABORATE IN THE
23 DEVELOPMENT AND, AS NECESSARY, PERIODIC REVISION OF THE TACTICAL
24 AND LONG-TERM INTEROPERABLE COMMUNICATIONS PLAN OF THE REGION
25 IN WHICH IT IS LOCATED. SUCH TACTICAL PLANS, AND REVISIONS THERETO,
26 SHALL BE SUBMITTED TO THE DIRECTOR OF THE OFFICE.

27 (c) A REGION THAT FAILS TO TIMELY SUBMIT A TACTICAL AND

1 LONG-TERM INTEROPERABLE COMMUNICATIONS PLAN OR REVISIONS
2 THERETO, OR A LOCAL GOVERNMENT AGENCY THAT FAILS TO
3 COLLABORATE IN THE DEVELOPMENT OF OR TIMELY SUBMIT THE PLAN, OR
4 A REGION OR LOCAL GOVERNMENT AGENCY THAT FAILS TO MAINTAIN
5 CURRENT PLANS, IS INELIGIBLE TO RECEIVE HOMELAND SECURITY OR
6 PUBLIC SAFETY GRANT MONEY ADMINISTERED BY THE DEPARTMENT OF
7 LOCAL AFFAIRS, DEPARTMENT OF PUBLIC SAFETY, OR DEPARTMENT OF
8 PUBLIC HEALTH AND ENVIRONMENT UNTIL THE REGION SUBMITS A PLAN TO
9 THE DIRECTOR OF THE OFFICE.

10 (2) A PUBLIC SAFETY AGENCY SHALL NOT EXPEND MONEY
11 RECEIVED THROUGH THE DEPARTMENT ON A MOBILE DATA
12 COMMUNICATIONS SYSTEM UNLESS THE SYSTEM IS CAPABLE OF
13 INTEROPERABLE COMMUNICATIONS.

14 (3) THE EXECUTIVE DIRECTOR SHALL NOT REQUIRE A PUBLIC
15 SAFETY AGENCY TO ACQUIRE THE COMMUNICATIONS EQUIPMENT OF A
16 PARTICULAR MANUFACTURER OR PROVIDER AS A CONDITION OF AWARDED
17 GRANT MONEY ADMINISTERED BY THE DEPARTMENT.

18 (4) A PUBLIC SAFETY AGENCY OR AN EMPLOYEE OF A PUBLIC
19 SAFETY AGENCY ACTING IN COLLABORATION WITH ANOTHER AGENCY OR
20 PERSON TO CREATE AND OPERATE AN INTEROPERABLE COMMUNICATIONS
21 SYSTEM HAS THE SAME DEGREE OF IMMUNITY UNDER THE "COLORADO
22 GOVERNMENTAL IMMUNITY ACT", ARTICLE 10 OF THIS TITLE 24, AS THE
23 PUBLIC SAFETY AGENCY OR EMPLOYEE WOULD HAVE IF NOT ACTING IN
24 COLLABORATION WITH ANOTHER AGENCY OR PERSON.

25 **24-33.5-2510. Public safety communications trust fund -**
26 **creation - report.** (1) THE PUBLIC SAFETY COMMUNICATIONS TRUST
27 FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED

1 IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY APPROPRIATED
2 OR TRANSFERRED TO THE FUND PURSUANT TO SUBSECTIONS (2) AND (3) OF
3 THIS SECTION AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY
4 APPROPRIATE OR TRANSFER TO THE FUND. THE MONEY IN THE FUND IS
5 CONTINUOUSLY APPROPRIATED BY THE GENERAL ASSEMBLY TO THE
6 DEPARTMENT FOR DISTRIBUTION AS DETERMINED BY RULES ADOPTED
7 PURSUANT TO SECTION 24-33.5-2505 (1)(i). THE PRIMARY PURPOSE OF
8 SUCH DISTRIBUTION IS THE ACQUISITION AND MAINTENANCE OF PUBLIC
9 SAFETY COMMUNICATIONS SYSTEMS FOR USE BY DEPARTMENTS
10 INCLUDING BUT NOT LIMITED TO THE DEPARTMENTS OF PUBLIC SAFETY,
11 TRANSPORTATION, NATURAL RESOURCES, AND CORRECTIONS AS PROVIDED
12 IN SECTION 24-33.5-2505 (3)(b). SUCH SYSTEMS SHALL SATISFY THE
13 REQUIREMENTS OF THE PUBLIC SAFETY NATIONAL PLAN ESTABLISHED BY
14 THE FEDERAL COMMUNICATIONS COMMISSION, 47 CFR 90.16. THIS
15 SECTION SHALL NOT PRECLUDE THE PAYMENT OF MAINTENANCE EXPENSES
16 INCLUDING THE COST OF LEASED OR RENTED EQUIPMENT, PAYMENTS TO
17 LOCAL GOVERNMENTAL ENTITIES FOR RADIO COMMUNICATIONS SYSTEMS,
18 OR PAYMENTS RELATED TO PUBLIC SAFETY RADIO SYSTEMS.

19 (2) (a) (I) THE GENERAL ASSEMBLY DECLARES ITS INTENTION TO
20 COMMIT STATE MONEY TO THE FUND FOR THE PURPOSES SET FORTH IN THIS
21 SECTION. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(b) OF THIS
22 SECTION, THE TOTAL AMOUNT OF THE PRINCIPAL IN THE FUND SHALL NOT
23 EXCEED FIFTY MILLION DOLLARS.

24 (II) ANY TRANSFER OF STATE MONEY TO THE FUND FOR ANY
25 FISCAL YEAR FROM MONEY IN THE CAPITAL CONSTRUCTION FUND CREATED
26 IN SECTION 24-75-302 IS CONTINUOUSLY APPROPRIATED FROM THE FUND
27 TO THE DEPARTMENT FOR THE PURPOSES SET FORTH IN THIS SECTION. ANY

1 MONEY IN THE FUND SO APPROPRIATED THAT WAS INITIALLY TRANSFERRED
2 FROM MONEY IN THE CAPITAL CONSTRUCTION FUND SHALL, IF ANY
3 PROJECT FOR WHICH SUCH MONEY IS APPROPRIATED IS INITIATED WITHIN
4 THE FISCAL YEAR, REMAIN AVAILABLE UNTIL COMPLETION OF THE
5 PROJECT, AT WHICH TIME THE UNEXPENDED AND UNENCUMBERED
6 BALANCES OF SUCH APPROPRIATION SHALL REVERT TO THE FUND.

7 (b) IN ADDITION TO ANY TRANSFERS MADE AS A RESULT OF
8 SUBSECTION (2)(a) OF THIS SECTION, THE DEPARTMENT MAY SOLICIT AND
9 ACCEPT GIFTS, GRANTS, DONATIONS, BEQUESTS, AND OTHER
10 CONTRIBUTIONS TO THE FUND FROM LOCAL, STATE, AND FEDERAL ENTITIES
11 AND FROM PUBLIC SAFETY-RELATED NONPROFIT ORGANIZATIONS THAT
12 DIRECTLY SUPPORT STATE DEPARTMENTS, STATE INSTITUTIONS, STATE
13 AGENCIES, AND LAW ENFORCEMENT AND PUBLIC SAFETY POLITICAL
14 SUBDIVISIONS OF THE STATE. SUCH CONTRIBUTIONS SHALL BE
15 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE
16 CONTRIBUTIONS TO THE FUND.

17 (3) (a) (I) FOR THE 2023-24 AND 2024-25 STATE FISCAL YEARS,
18 THE GENERAL ASSEMBLY SHALL TRANSFER TO THE FUND A TOTAL OF
19 THREE MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL
20 FUND OR FROM ANY OTHER FUND. FOR EACH SUCH FISCAL YEAR, THE
21 GENERAL ASSEMBLY SHALL DETERMINE THE AMOUNT TO BE TRANSFERRED
22 FROM THE GENERAL FUND AND THE AMOUNT TO BE TRANSFERRED FROM
23 ANY OTHER FUND. THE DEPARTMENT SHALL USE THE MONEY
24 TRANSFERRED TO THE FUND PURSUANT TO THIS SUBSECTION (3)(a)(I) FOR
25 THE REPLACEMENT OF LEGACY RADIO EQUIPMENT AND HARDWARE AT
26 RADIO TOWER SITES.

27 (II) FOR THE 2023-24 AND 2024-25 STATE FISCAL YEARS, IN

1 **ADDITION TO** THE AMOUNT TRANSFERRED TO THE FUND PURSUANT TO
2 SUBSECTION (3)(a)(I) OF THIS SECTION, THE GENERAL ASSEMBLY SHALL
3 TRANSFER TO THE FUND THREE MILLION SEVEN HUNDRED THOUSAND
4 DOLLARS FROM THE GENERAL FUND OR FROM ANY OTHER FUND. FOR EACH
5 SUCH FISCAL YEAR, THE GENERAL ASSEMBLY SHALL DETERMINE THE
6 AMOUNT TO BE APPROPRIATED FROM THE GENERAL FUND AND THE
7 AMOUNT TO BE APPROPRIATED FROM ANY OTHER FUND. THE DEPARTMENT
8 SHALL USE THE MONEY APPROPRIATED TO THE FUND PURSUANT TO THIS
9 SUBSECTION (3)(a)(II) FOR SOFTWARE UPGRADE ASSURANCE.

10 (III) THE DEPARTMENT MAY USE ANY UNENCUMBERED AND
11 UNEXPENDED MONEY TRANSFERRED PURSUANT TO SUBSECTIONS (3)(a)(I)
12 AND (3)(a)(II) OF THIS SECTION ON DIGITAL TRUNKED RADIO SYSTEM SITE
13 SUPPORTING INFRASTRUCTURE AND DIGITAL TRUNKED RADIO SYSTEM
14 SUPPORTING SOFTWARE AND HARDWARE.

15 (b) ON OR BEFORE NOVEMBER 1, **2023**, AND ON OR BEFORE
16 NOVEMBER 1 OF EACH YEAR THEREAFTER THROUGH NOVEMBER 1, **2025**,
17 THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF
18 CORRECTIONS, THE DEPARTMENT OF NATURAL RESOURCES, THE
19 DEPARTMENT OF TRANSPORTATION, AND ANY OTHER STATE DEPARTMENT
20 OR LOCAL OR REGIONAL GOVERNMENT DEEMED APPROPRIATE BY THE
21 DEPARTMENT, SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE
22 OF THE GENERAL ASSEMBLY DETAILING THE USE OF THE MONEY
23 APPROPRIATED TO THE FUND PURSUANT TO SUBSECTION (3)(a) OF THIS
24 SECTION. THE REPORT MUST INCLUDE THE FOLLOWING:

25 (I) COMPREHENSIVE DOCUMENTATION REGARDING THE PURPOSES
26 FOR WHICH THE MONEY TRANSFERRED PURSUANT TO SUBSECTION (3)(a)
27 OF THIS SECTION WAS USED DURING THE PRIOR FISCAL YEAR AND IS BEING

1 USED DURING THE CURRENT FISCAL YEAR AND THE ANTICIPATED USE OF
2 THE MONEY THAT WILL BE TRANSFERRED IN FUTURE FISCAL YEARS;

3 (II) OF THE TOTAL AMOUNT EXPENDED DURING THE PRIOR FISCAL
4 YEAR FOR EACH OF THE PURPOSES SPECIFIED IN SUBSECTIONS (3)(a)(I) AND
5 (3)(a)(II) OF THIS SECTION, THE AMOUNT THAT WAS TRANSFERRED FROM
6 THE GENERAL FUND AND THE AMOUNT THAT WAS TRANSFERRED FROM
7 ANY OTHER FUND; AND

8 (III) FOR THE TRANSFER OR TRANSFERS FOR THE NEXT FISCAL
9 YEAR, A RECOMMENDATION REGARDING THE AMOUNT TO BE TRANSFERRED
10 FROM THE GENERAL FUND AND THE AMOUNT TO BE TRANSFERRED FROM
11 ANY OTHER FUND FOR EACH OF THE PURPOSES SPECIFIED IN SUBSECTIONS
12 (3)(a)(I) AND (3)(a)(II) OF THIS SECTION.

13 (4) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
14 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
15 FUND TO THE FUND.

16 (5) IN AUTHORIZING DISTRIBUTIONS OF PRINCIPAL AND INTEREST
17 FROM THE FUND AND PURCHASING, LEASING, CONTRACTING FOR, AND
18 OTHERWISE ACQUIRING EQUIPMENT FOR STATE ENTITIES, THE DIRECTOR OF
19 THE DIVISION SHALL CONSIDER THE FOLLOWING:

20 (a) THE NEED FOR ACHIEVING FUNCTIONAL INTEROPERABILITY
21 AMONG LOCAL, STATE, AND FEDERAL PUBLIC SAFETY RADIO
22 COMMUNICATIONS SYSTEMS BY ACQUIRING EQUIPMENT THAT MEETS
23 EMERGING TECHNICAL STANDARDS FOR SYSTEMS INTEROPERABILITY AND
24 OPEN NETWORK ARCHITECTURE;

25 (b) THE NEEDS OF LOCAL GOVERNMENT ENTITIES THAT HAVE
26 RECENTLY INVESTED IN NEW RADIO SYSTEMS, PARTICULARLY IN REGARD
27 TO INTEROPERABILITY; AND

1 (c) THE PROMOTION OF AN ORDERLY TRANSITION FROM
2 ANALOG-BASED TO DIGITAL-BASED RADIO SYSTEMS.

3 (6) IN ACQUIRING EQUIPMENT PURSUANT TO SUBSECTION (5) OF
4 THIS SECTION, THE DIRECTOR OF THE DIVISION SHALL DEVELOP BID
5 SPECIFICATIONS THAT IDENTIFY ALL SERVICES, REQUIREMENTS, AND COSTS
6 CONSISTENT WITH EXISTING STATE LAW.

7 (7) (a) THE DIRECTOR OF THE DIVISION SHALL KEEP AN ACCURATE
8 ACCOUNT OF ALL ACTIVITIES RELATED TO THE FUND INCLUDING ITS
9 RECEIPTS AND EXPENDITURES AND SHALL ANNUALLY REPORT IN WRITING
10 SUCH ACCOUNT TO THE JOINT BUDGET COMMITTEE, CREATED IN SECTION
11 2-3-201. THE STATE AUDITOR MAY INVESTIGATE THE AFFAIRS OF THE
12 FUND, SEVERALLY EXAMINE THE PROPERTIES AND RECORDS RELATING TO
13 THE FUND, AND PRESCRIBE ACCOUNTING METHODS AND PROCEDURES FOR
14 RENDERING PERIODICAL REPORTS IN RELATION TO DISBURSEMENTS AND
15 PURCHASES MADE FROM THE FUND.

16 (b) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
17 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN
18 SUBSECTION (7)(a) OF THIS SECTION CONTINUES INDEFINITELY.

19 (8) IN THE EXPENDITURE OF ANY MONEY FROM THE FUND FOR THE
20 ACQUISITION, MAINTENANCE, OR LEASE OF ANY PUBLIC SAFETY RADIO
21 COMMUNICATIONS SYSTEMS EQUIPMENT OR ANY OTHER COMMUNICATIONS
22 DEVICES OR EQUIPMENT, THE DIRECTOR OF THE DIVISION SHALL ENSURE
23 THAT SUCH EXPENDITURES ARE MADE PURSUANT TO THE REQUIREMENTS
24 SET FORTH UNDER THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF
25 THIS TITLE 24.

26 **SECTION 3.** In Colorado Revised Statutes, 24-37.5-501, **add** (3)
27 as follows:

1 **24-37.5-501. Powers, duties, and functions concerning**
2 **telecommunications.** (3) THE CHIEF INFORMATION OFFICER SHALL BEGIN
3 THE TRANSFER OF THE PUBLIC SAFETY TELECOMMUNICATIONS PROGRAM
4 TO THE DEPARTMENT OF PUBLIC SAFETY PURSUANT TO HOUSE BILL
5 22-1353 ON JULY 1, 2022.

6 **SECTION 4.** In Colorado Revised Statutes, 2-3-1304, **amend**
7 (1)(f) as follows:

8 **2-3-1304. Powers and duties of capital development committee**
9 **- definition.** (1) The capital development committee has the following
10 powers and duties:

11 (f) To review the annual capital construction and maintenance
12 requests from the chief information officer of the office of information
13 technology regarding the public safety communications trust fund created
14 pursuant to ~~section 24-37.5-506, C.R.S.~~ SECTION 24-33.5-2510;

15 **SECTION 5.** In Colorado Revised Statutes, 24-1-128.6, **amend**
16 (2)(h)(II)(B) and (2)(h)(II)(C); and **add** (2)(h)(II)(D) as follows:

17 **24-1-128.6. Department of public safety - creation - repeal.**
18 (2) The department of public safety consists of the following divisions:

19 (h) (II) The division of homeland security and emergency
20 management includes the following agencies, which shall exercise their
21 powers and perform their duties and functions under the department of
22 public safety as if the same were transferred thereto by a **type 2** transfer:

23 (B) THE office of prevention and security, created in section
24 24-33.5-1606; **and**

25 (C) The office of preparedness, created in section 24-33.5-1606.5;

26 AND

27 (D) THE OFFICE OF PUBLIC SAFETY COMMUNICATIONS CREATED IN

1 SECTION 24-33.5-2502.

2 SECTION 6. In Colorado Revised Statutes, 24-33.5-1603, add
3 (2)(d) as follows:

4 24-33.5-1603. **Division of homeland security and emergency**
5 **management - creation - director.** (2) The division includes the
6 following agencies, which shall exercise their powers and perform their
7 duties and functions under the department as if the same were transferred
8 thereto by a **type 2** transfer:

9 (d) THE OFFICE OF PUBLIC SAFETY COMMUNICATIONS, CREATED IN
10 PART 25 OF THIS ARTICLE 33.5.

11 SECTION 7. In Colorado Revised Statutes, 30-11-107, **repeal**
12 (1)(x) as follows:

13 30-11-107. **Powers of the board.** (1) The board of county
14 commissioners of each county has power at any meeting:

15 (x) ~~To enter into a contract with the state telecommunications~~
16 ~~director pursuant to the provisions of section 24-37.5-502 (3), C.R.S., for~~
17 ~~the providing of teleconferencing facilities and services between the~~
18 ~~county and any other county, city and county, or state agency to be used~~
19 ~~for teleconferencing of hearings relating to any person in the custody of~~
20 ~~the county;~~

21 SECTION 8. In Colorado Revised Statutes, **repeal** 30-11-208 as
22 follows:

23 30-11-208. **Contract - teleconferencing facilities and services.**
24 ~~The city and county of Denver may enter into a contract with the state~~
25 ~~telecommunications director pursuant to the provisions of section~~
26 ~~24-37.5-503, C.R.S., for the providing of teleconferencing facilities and~~
27 ~~services between the city and county of Denver and any other county or~~

1 ~~state agency to be used for teleconferencing of hearings relating to any~~
2 ~~person in the custody of the city and county of Denver.~~

3 **SECTION 9.** In Colorado Revised Statutes, 43-1-1202, **amend**
4 (1)(a)(IV)(B) as follows:

5 **43-1-1202. Department powers - definition.**

6 (1) Notwithstanding any other law, the department may:

7 (a) Solicit and consider proposals, enter into agreements, grant
8 benefits, and accept contributions for public-private initiatives pursuant
9 to this part 12 concerning any of the following:

10 (IV) (B) For purposes of this subsection (1)(a)(IV),
11 "telecommunications" does not mean the state telecommunications
12 network described in ~~part 5 of article 37.5 of title 24~~ PART 25 OF ARTICLE
13 33.5 OF TITLE 24.

14 **SECTION 10.** In Colorado Revised Statutes, **repeal** 24-33.5-716
15 and part 5 of article 37.5 of title 24.

16 **SECTION 11. Effective date.** This act takes effect July 1, 2023;
17 ~~except that sections 3, 11, and 12 of this act take effect upon passage.~~

18 **SECTION 12. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety.