

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 23-0590.01 Alison Killen x4350

HOUSE BILL 23-1053

HOUSE SPONSORSHIP

Hartsook and Ortiz, Evans, Martinez, Velasco

SENATE SPONSORSHIP

Zenzinger and Rich, Bridges

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY TO ACCEPT AND EXPEND GIFTS, GRANTS,**
102 **AND DONATIONS, AND, IN CONNECTION THEREWITH,**
103 **AUTHORIZING THE DIVISION OF VETERANS AFFAIRS TO EXPEND**
104 **GIFTS, GRANTS, AND DONATIONS IN SUPPORT OF THE WESTERN**
105 **SLOPE MILITARY VETERANS' CEMETERY, AUTHORIZING THE**
106 **DEPARTMENT OF PUBLIC SAFETY TO ACCEPT AND EXPEND GIFTS,**
107 **GRANTS, AND DONATIONS IN SUPPORT OF ITS PURPOSES, AND**
108 **CREATING THE DEPARTMENT OF PUBLIC SAFETY GIFTS, GRANTS,**
109 **AND DONATIONS FUND.**

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
2nd Reading Unamended
January 30, 2023

applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Currently, the division of veterans affairs (division) is authorized to accept gifts, grants, contributions, and donations to the western slope military veterans' cemetery fund, but is not authorized to expend such gifts, grants, contributions, or donations. **Section 1** of the bill gives the division such authority to expend.

Current law also allows certain programs housed within the department of public safety (department) to accept and expend gifts, grants, and donations for each program's specific purpose. However, the department does not have authority to accept or expend gifts, grants, or donations generally. **Section 2** authorizes the department to accept and expend gifts, grants, and donations for the purposes of the department and creates the department of public safety gifts, grants, and donations fund. The bill does not affect existing programs within the department that are authorized to accept and expend gifts, grants, and donations for their specific purposes.

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

2 **SECTION 1.** In Colorado Revised Statutes, 28-5-708, **amend**
3 (1)(a) as follows:

4 **28-5-708. Western slope veterans' cemetery - fund - rules.**

5 (1) (a) There is hereby established in the state treasury the western slope
6 military veterans' cemetery fund, referred to in this section as the "fund".
7 The division is authorized to accept AND EXPEND gifts, grants,
8 contributions, and donations for the purposes of this section. The fund
9 shall consist of such moneys received through gifts, grants, contributions,
10 or donations, from any person or entity, and any moneys appropriated to
11 the fund by the general assembly. Any interest derived from the deposit
12 and investment of moneys in the fund shall be credited to the fund. At the
13 end of any fiscal year, all unexpended and unencumbered moneys in the
14 fund shall remain therein and shall not be credited or transferred to the
15 general fund or any other fund.

1 **SECTION 2.** In Colorado Revised Statutes, **add** 24-33.5-118 as
2 follows:

3 **24-33.5-118. Department of public safety gifts, grants, and**
4 **donations fund.** THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND
5 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR
6 THE PURPOSES OF THIS ARTICLE 33.5. THE DEPARTMENT SHALL TRANSMIT
7 ALL MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE
8 STATE TREASURER, WHO SHALL CREDIT THE MONEY NOT OTHERWISE
9 REQUIRED TO BE CREDITED TO A SPECIFIC PROGRAM FUND CREATED IN THIS
10 ARTICLE 33.5 TO THE DEPARTMENT OF PUBLIC SAFETY GIFTS, GRANTS, AND
11 DONATIONS FUND, WHICH FUND IS HEREBY CREATED AND REFERRED TO IN
12 THIS SECTION AS THE "FUND". THE STATE TREASURER SHALL CREDIT ALL
13 INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF
14 MONEY IN THE FUND TO THE FUND. SUBJECT TO ANNUAL APPROPRIATION
15 BY THE GENERAL ASSEMBLY, THE DEPARTMENT MAY EXPEND ANY MONEY
16 FROM THE FUND FOR THE PURPOSES OF THIS ARTICLE 33.5. MONEY
17 RECEIVED PURSUANT TO THIS SECTION IS NOT SUBJECT TO THE PROVISIONS
18 OF PART 13 OF ARTICLE 75 OF THIS TITLE 24.

19 **SECTION 3. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety.