

CHAPTER 240

GOVERNMENT - STATE

SENATE BILL 23-283

BY SENATOR(S) Zenzinger and Bridges, Cutter, Hansen, Hinrichsen, Mullica, Priola, Roberts, Winter F., Fenberg;
also REPRESENTATIVE(S) Bird and Sirota, Amabile, Boesenecker, Brown, Dickson, Hamrick, Jodeh, Kipp, Lukens,
McCormick, Ricks, Sharbini, Snyder, Story, Titone, Valdez, Woodrow, Young, McCluskie.

AN ACT

CONCERNING MECHANISMS TO UTILIZE FEDERAL FUNDING UNDER FEDERAL INFRASTRUCTURE-RELATED ACTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 24-75-232, **amend** (3), (4)(a), (5)(b)(II), and (7)(a) introductory portion; and **add** (2)(b.5) as follows:

24-75-232. "Infrastructure Investment and Jobs Act" cash fund - creation - allowable uses - report - legislative declaration - definitions - repeal. (2) As used in this section, unless the context otherwise requires:

(b.5) "INFLATION REDUCTION ACT" MEANS THE FEDERAL "INFLATION REDUCTION ACT OF 2022", PUB.L. 117-169, AS THE ACT MAY BE SUBSEQUENTLY AMENDED.

(3) The "Infrastructure Investment and Jobs Act" cash fund is hereby created in the state treasury. The fund consists of money credited OR TRANSFERRED to the fund pursuant to subsection (4) of this section and any other money that the general assembly may appropriate or transfer to the fund.

(4) (a) (I) No later than three days after June 7, 2022, the state treasurer shall transfer eighty million two hundred fifty thousand dollars from the general fund to the fund.

(II) ON JULY 1, 2023, THE STATE TREASURER SHALL TRANSFER EIGHTY-FOUR MILLION DOLLARS FROM THE GENERAL FUND TO THE FUND.

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.

(5) (b) In addition to the uses set forth in subsection (5)(a) of this section:

(II) The office may expend money from the fund to provide grant writing support, project planning support FOR FEDERAL FUNDING OPPORTUNITIES IN CONNECTION WITH THE "INFRASTRUCTURE INVESTMENT AND JOBS ACT" AND RELATED FEDERAL FUNDING OPPORTUNITIES INCLUDING FUNDING OPPORTUNITIES FROM THE "INFLATION REDUCTION ACT", and for administrative needs in processing applications for money from the fund and disbursing money awarded from the fund in accordance with this section.

(7) (a) On or before October 1, 2022, and on ~~or before October 1~~ A QUARTERLY BASIS BEGINNING ON JULY 1, 2023 of every year thereafter, the office shall submit a report to the joint budget committee of the general assembly, the senate committee on transportation and energy or any successor committee, and the house of representatives committees on transportation and local government and energy and environment or any successor committees. The report must include:

SECTION 2. In Colorado Revised Statutes, 24-75-219, **add** (7)(i) as follows:

24-75-219. Transfers - transportation - capital construction - definitions - repeal. (7) In addition to any other transfers required by this section:

(i) (I) ON JULY 1, 2023, THE STATE TREASURER SHALL TRANSFER FIVE MILLION DOLLARS FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND. THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (7)(i)(I) MUST BE USED BY THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF DEVELOPING COMPREHENSIVE OPERATIONAL CAPACITY TO MAXIMIZE UTILIZATION AND IMPLEMENTATION OF FEDERAL INFRASTRUCTURE FUNDING.

(II) THIS SUBSECTION (7)(i) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 3. In Colorado Revised Statutes, 23-41-104, **amend** (2) as follows:

23-41-104. Control - management. (2) The board of trustees may lease, for terms not exceeding ~~eighty~~ NINETY-NINE years, real or personal property, or both, to state or federal governmental agencies, persons, or entities, public or private, for the construction, use, operation, maintenance, and improvement of research and development facilities, health and recreation facilities, dormitories, and living, dining, and group housing buildings and facilities or for any of such purposes and to buy land and construct buildings and facilities therefor. Neither the grounds so leased nor any of the improvements constructed on the grounds shall be used in any manner that discriminates against anyone because of race, creed, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, or gender expression. The board of trustees may borrow money in conjunction with the construction and leases and assist in effecting any of those purposes. Any actions taken prior to May 27, 1965, by the board of trustees consistent with any power granted in this subsection (2) are ratified and validated.

SECTION 4. Appropriation. For the 2023-24 state fiscal year, \$84,000,000 is appropriated to a department as defined by section 24-75-232 (2)(a), C.R.S., and to the office of the governor for use by a department or the office of the governor. This

appropriation is from the "Infrastructure Investment and Jobs Act" cash fund created in section 24-75-232 (3), C.R.S. To implement this act, a department or the office of the governor may use this appropriation for the purposes specified in section 24-75-232 (5), C.R.S. and is based on the assumption the office will require an additional 4.8 FTE. Any money appropriated in this section not expended prior to July 1, 2024, is further appropriated to a department and the office of the governor through the 2026-27 state fiscal year for the same purpose.

SECTION 5. 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: May 22, 2023