

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

INTRODUCED

LLS NO. 24-0434.01 Nicole Myers x4326

HOUSE BILL 24-1442

HOUSE SPONSORSHIP

Lindstedt,

SENATE SPONSORSHIP

Fenberg,

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE CAPITOL BUILDING ADVISORY**
102 **COMMITTEE.**

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>.)

The capitol building advisory committee (committee) advises the general assembly regarding the protection of the historic character of the capitol building and other buildings in the capitol annex. The bill modifies the statute that creates and specifies the duties of the committee as follows:

- Clarifies that it is the general assembly's intent that the

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.*

committee will advise the general assembly regarding the protection of the capitol building's historic character, including its art, memorials, furniture, and architectural fixtures;

- Clarifies that the ex officio members of the committee are voting members of the committee in accordance with current practice;
- Adds the capitol building annex to the list of buildings for which the committee is required to review, advise, and make recommendations to the capital development committee regarding plans to restore, redecorate, and reconstruct historic elements of the building;
- Specifies the buildings and areas within the capitol complex for which the committee may engage in long-range planning for modifications and improvements;
- Requires the committee to determine, based on consultation with and the recommendations of history Colorado, which art, memorials, architectural fixtures, and furniture that is original to the state capitol building is part of the state's collection of historic materials known as the Colorado collection (Colorado collection); and
- Clarifies that the committee has authority over publications on the history of the state capitol building and that the committee may authorize other state capitol building memorabilia for sale to the public.

In addition, history Colorado, at the direction and under the supervision of the committee, is required to inventory all art, memorials, architectural fixtures, and furniture that is original to the state capitol building and make recommendations to the capitol building advisory committee regarding which items are appropriate for inclusion in the Colorado collection. The bill specifies that history Colorado holds in trust for the people of Colorado any items original to the capitol building that are part of the Colorado collection, but that the advisory committee retains authority over the collection on behalf of the general assembly and in accordance with the policies and requirements of the state register of historic properties.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-82-108, **amend**
3 (1), (2)(a)(I) introductory portion, (2)(a)(I)(D), (2)(d), (2)(e), (3), and (4);
4 and **add** (3.5) as follows:

1 **24-82-108. State capitol building advisory committee -**
2 **creation - duties - legislative declaration - repeal. (1) Legislative**
3 **declaration.** THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES
4 THAT:

5 (a) It is the intent of the general assembly to ensure that the
6 historic character and architectural integrity of the capitol building and
7 grounds be preserved and promoted;

8 (b) ~~Because~~ The rose onyx, marble, granite, gold, oak woodwork,
9 and brass fixtures and trim are deemed to be historic, AND it is the intent
10 of the general assembly to ~~provide for~~ SPECIFY special procedures to be
11 followed in any project affecting such items;

12 (c) ~~In order~~ To ensure that structural changes and innovations do
13 not injure or dramatically change the state capitol building or the historic
14 items contained within the building or other areas ~~set forth in paragraph~~
15 ~~(a) of subsection (3) of this section, there is hereby created~~ AS SPECIFIED
16 IN THIS SECTION, IT IS NECESSARY TO CREATE the state capitol building
17 advisory committee ~~which shall review plans to restore, redecorate, or~~
18 ~~reconstruct space within the state capitol building and make~~
19 ~~recommendations to the capital development committee based on such~~
20 ~~plans.~~ TO ADVISE THE GENERAL ASSEMBLY REGARDING THE PROTECTION
21 OF THE CAPITOL BUILDING'S HISTORIC CHARACTER, INCLUDING ITS ART,
22 MEMORIALS, FURNITURE, AND ARCHITECTURAL FIXTURES; AND

23 (d) IT IS ALSO NECESSARY FOR THE CAPITOL BUILDING ADVISORY
24 COMMITTEE TO REVIEW, ADVISE, AND MAKE RECOMMENDATIONS TO THE
25 GENERAL ASSEMBLY REGARDING PLANS TO RESTORE, REDECORATE, AND
26 RECONSTRUCT HISTORIC AREAS WITHIN SPECIFIED BUILDINGS AND
27 GROUNDS IN THE CAPITOL BUILDING ANNEX.

1 **(2) State capitol building advisory committee creation.**

2 (a) (I) THE STATE CAPITOL BUILDING ADVISORY COMMITTEE, REFERRED
3 TO IN THIS SECTION AS THE ADVISORY COMMITTEE, IS HEREBY CREATED.

4 The ~~state capitol building~~ advisory committee consists of the following
5 twelve members:

6 (D) The following ex officio members WHO ARE VOTING MEMBERS
7 OF THE ADVISORY COMMITTEE: The president of the state historical society
8 or a designee of the president; and the executive director of the
9 department of personnel or a designee of the executive director.

10 (d) At the annual meeting, the advisory committee members shall
11 elect a ~~chairman~~ CHAIR from among its members to serve as ~~chairman~~
12 CHAIR for one year of such member's term.

13 (e) All members of the advisory committee ~~shall be~~ ARE
14 volunteers and ~~shall~~ serve without per diem except as otherwise provided
15 in section 2-2-326; ~~C.R.S.~~ except that members of the advisory committee
16 ~~shall~~ MUST be reimbursed for necessary and actual expenses incurred in
17 the performance of their duties.

18 **(3) Duties of the advisory committee.** The advisory committee
19 ~~shall have~~ HAS the ~~following~~ duties SPECIFIED IN SUBSECTIONS (3)(a)
20 THROUGH (3)(i) OF THIS SECTION.

21 **(a) Plans to restore, redecorate, and reconstruct space in**
22 **specified buildings and grounds.** (I) The advisory committee shall
23 review, advise, and make recommendations to the capital development
24 committee ~~with respect to~~ REGARDING plans to restore, redecorate, and
25 reconstruct space within the public and ceremonial areas of the state
26 capitol ~~buildings group~~ BUILDING, THE HISTORIC ELEMENTS OF THE
27 INTERIOR AND EXTERIOR OF THE CAPITOL BUILDING ANNEX AND THE

1 SURROUNDING GROUNDS OF THE CAPITOL BUILDING ANNEX, the legislative
2 services building and the surrounding grounds of such building, and the
3 surrounding grounds of the state capitol building bounded by Colfax
4 avenue on the north, Grant street on the east, Fourteenth avenue on the
5 south, and Broadway on the west, in the city and county of Denver. This
6 ~~shall include but not be~~ INCLUDES BUT IS NOT limited to the corridors,
7 rotundas, lobbies, entrance ways, stairways, restrooms, porticos, steps,
8 and elevators.

9 (II) The committee ~~shall not have responsibility~~ IS NOT
10 RESPONSIBLE for reviewing, advising, or making recommendations
11 concerning the ~~outer office of the~~ executive suite and the areas used for
12 office space, legislative chambers, and legislative committee meeting
13 rooms, except as to structural modifications affecting the rose onyx,
14 marble, granite, gold, oak woodwork, or brass fixtures and trim as
15 ~~provided for in paragraph (b) of this subsection (3)~~ SPECIFIED IN
16 SUBSECTION (3)(b) OF THIS SECTION.

17 (b) **Projects affecting capitol building rose onyx, marble,**
18 **granite, gold, oak woodwork, and brass fixtures and trim.** (I) The
19 advisory committee shall review all planned construction projects
20 affecting the rose onyx, marble, granite, gold, oak woodwork, and brass
21 fixtures and trim of the state capitol building, and shall submit a written
22 report to the capital development committee containing the advisory
23 committee's findings. ~~No such project affecting~~ AN AGENCY OR
24 DEPARTMENT SHALL NOT BEGIN A PROJECT THAT AFFECTS the rose onyx,
25 marble, granite, gold, oak woodwork, and brass fixtures and trim ~~shall be~~
26 ~~made~~ without review by ~~said~~ THE advisory committee and the consent of
27 the capital development committee. ~~No~~ Alteration to the ~~above-listed~~

1 ~~items shall be~~ ITEMS LISTED IN THIS SUBSECTION (3)(b) IS NOT permitted
2 in any area of the state capitol building until ~~such~~ THE project is reviewed
3 by the advisory committee and approved by the capital development
4 committee.

5 (II) Notwithstanding the provisions of ~~this paragraph (b)~~
6 SUBSECTION (3)(b)(I) OF THIS SECTION, the department of personnel ~~shall~~
7 ~~have the authority to~~ MAY perform emergency repairs where the safety of
8 persons or the well-being of the building would be jeopardized by delay.
9 ~~Such emergency repairs shall be undertaken~~ THE DEPARTMENT OF
10 PERSONNEL SHALL UNDERTAKE EMERGENCY REPAIRS in a manner to
11 prevent or minimize any damage to the rose onyx, marble, granite, gold,
12 oak woodwork, or brass fixtures and trim of the state capitol building.

13 ~~(b.5) Repealed.~~

14 (c) **Long-range planning for specified buildings and grounds**
15 **in the capitol building annex.** The advisory committee, in cooperation
16 with the department of personnel and with the approval of the capital
17 development committee, may engage in long-range planning for
18 modifications and improvements to the ~~state capitol building and its~~
19 ~~surrounding grounds~~ SPACE WITHIN THE PUBLIC AND CEREMONIAL AREAS
20 OF THE STATE CAPITOL BUILDING, THE HISTORIC ELEMENTS OF THE
21 INTERIOR AND EXTERIOR OF THE CAPITOL BUILDING ANNEX AND THE
22 SURROUNDING GROUNDS OF SUCH BUILDING, THE LEGISLATIVE SERVICES
23 BUILDING AND THE SURROUNDING GROUNDS OF SUCH BUILDING, AND THE
24 SURROUNDING GROUNDS OF THE STATE CAPITOL BUILDING BOUNDED BY
25 COLFAX AVENUE ON THE NORTH, GRANT STREET ON THE EAST,
26 FOURTEENTH AVENUE ON THE SOUTH, AND BROADWAY ON THE WEST, IN
27 THE CITY AND COUNTY OF DENVER. THIS INCLUDES BUT IS NOT LIMITED TO

1 THE CORRIDORS, ROTUNDAS, LOBBIES, ENTRANCE WAYS, STAIRWAYS,
2 RESTROOMS, PORTICOS, STEPS, AND ELEVATORS.

3 (d) **Determination of items in the Colorado collection.** The
4 ~~advisory committee shall identify all furniture original to the state capitol~~
5 ~~building and create an inventory of such furniture. Any costs associated~~
6 ~~with identifying and inventorying furniture original to the state capitol~~
7 ~~building shall be paid with moneys raised through private sources and~~
8 ~~shall not be paid from the general fund. The department of personnel is~~
9 ~~hereby granted the authority to collect and use such moneys raised by~~
10 ~~private sources for the purpose of identifying and inventorying all~~
11 ~~furniture original to the state capitol building. The possession of all~~
12 ~~furniture original to the state capitol building shall be retained by the~~
13 ~~department of administration and shall be made available for use in the~~
14 ~~state capitol building. The furniture original to the state capitol building~~
15 ~~shall remain in the state capitol building at all times.~~ THE ADVISORY
16 COMMITTEE SHALL DETERMINE, BASED ON CONSULTATION WITH AND THE
17 RECOMMENDATIONS OF HISTORY COLORADO PURSUANT TO SUBSECTION
18 (3.5) OF THIS SECTION, WHICH ART, MEMORIALS, ARCHITECTURAL
19 FIXTURES, AND FURNITURE THAT IS ORIGINAL TO THE STATE CAPITOL
20 BUILDING IS PART OF THE STATE'S COLLECTION OF HISTORIC MATERIALS
21 KNOWN AS THE COLORADO COLLECTION.

22 (e) The advisory committee shall determine ~~which~~ WHETHER
23 damaged pieces of furniture original to the state capitol building should
24 be restored or renovated. ~~and shall make recommendations to the capital~~
25 ~~development committee regarding such furniture~~

26 (f) **Publications on the history of the capitol building.** (I) For
27 the purpose of promoting historic interest in the state capitol building and

1 for producing ~~moneys~~ MONEY to enhance preservation of original and
2 historic elements of the state capitol building, the advisory committee
3 ~~shall formulate a plan for publishing~~ HAS AUTHORITY OVER publications
4 on the history of the state capitol building and ~~for developing~~ MAY
5 AUTHORIZE other state capitol building memorabilia for sale to the public.
6 ~~This plan shall be presented to the capital development committee no later~~
7 ~~than October 1, 1991.~~ All ~~moneys~~ MONEY received from the sale of such
8 items ~~shall be~~ IS credited to a special account within the public buildings
9 trust fund established by section 8 of the "Enabling Act of Colorado",
10 which account is hereby established.

11 (II) The ADVISORY committee is authorized to accept gifts, grants,
12 or donations of any kind from any private or public source to carry out the
13 purposes of this ~~paragraph (f)~~ SUBSECTION (3)(f). All such gifts, grants,
14 or donations shall be transmitted to the state treasurer who shall credit the
15 same to the special account created ~~by this paragraph (f)~~ IN SUBSECTION
16 (3)(f)(I) OF THIS SECTION within the public buildings trust fund.

17 (III) ~~Moneys~~ MONEY in the special account ~~are hereby~~ CREATED
18 IN SUBSECTION (3)(f)(I) OF THIS SECTION IS continuously appropriated to
19 the advisory committee for republishing and reissuing publications on the
20 history of the state capitol building and other state capitol building
21 memorabilia, for restoring, repairing, and enhancing the state capitol
22 building, THE HISTORIC ELEMENTS OF THE INTERIOR AND EXTERIOR OF THE
23 CAPITOL BUILDING ANNEX, the legislative services building, and the
24 grounds of ~~said~~ SUCH buildings, and for such other purposes as are
25 necessary or incidental to accomplish the purposes of this ~~paragraph (f)~~
26 SUBSECTION (3)(f).

27 (g) **Proposals for use of state capitol building driveways.** The

1 advisory committee shall evaluate proposals for uses of the state capitol
2 BUILDING driveways in addition to those authorized in section 24-82-104.
3 The advisory committee shall evaluate any proposals ~~which~~ THAT are
4 received from the general assembly, the governor, or the city and county
5 of Denver. ~~Such~~ IN ITS evaluation, THE ADVISORY COMMITTEE shall
6 consider any potential threat to the safety of individuals who are in or
7 around the state capitol building, any potential interference with the
8 operations of the executive department ~~which~~ THAT are posed by any
9 proposed additional use, and the relevant provisions of any current master
10 plan for the state capitol building and surrounding area. Notwithstanding
11 the provisions of section 24-82-104 (2), if the advisory committee
12 determines THAT the proposed use ~~to be~~ IS reasonable, the ~~proposal shall~~
13 ~~be directed~~ ADVISORY COMMITTEE SHALL DIRECT THE PROPOSAL to the
14 capital development committee and the governor for approval. No
15 additional use of the state capitol BUILDING driveways ~~shall be~~ IS effective
16 without the approval of the capital development committee and the
17 governor.

18 (h) **Proposals for a gift or loan of art and memorials.** (I) Except
19 as provided in ~~subparagraph (II) of this paragraph (h)~~ SUBSECTION
20 (3)(h)(II) OF THIS SECTION, all proposals involving the gift or loan of
21 objects of art and memorials to be placed on a permanent or temporary
22 basis in the state capitol building or on its surrounding grounds and
23 proposals for fund-raising efforts to place objects of art or memorials in
24 the state capitol building or on its surrounding grounds shall be submitted
25 to the advisory committee for evaluation. The advisory committee shall
26 develop criteria and a procedure for such evaluations, which ~~procedure~~
27 shall include consulting with knowledgeable advisors to assist in

1 evaluating each object of art or memorial individually. The advisory
2 committee shall evaluate all ~~such~~ proposals SUBMITTED TO THE ADVISORY
3 COMMITTEE and present recommendations resulting from ~~such~~ THE
4 evaluations as follows:

5 (A) Proposals INVOLVING THE GIFT OR LOAN OF OBJECTS OF ART
6 AND MEMORIALS pertaining to all public areas of the state capitol
7 building, including but not limited to the corridors, rotunda, lobbies,
8 entrance ways, stairways, restrooms, porticos, steps, and elevators ~~shall~~
9 MUST be submitted to the capital development committee for approval.
10 No such proposal shall ~~be permitted to~~ proceed without the prior approval
11 of the capital development committee.

12 (B) Proposals INVOLVING THE GIFT OR LOAN OF OBJECTS OF ART
13 AND MEMORIALS pertaining to the surrounding grounds of the capitol
14 building bounded by Colfax avenue on the north, Grant street on the east,
15 Fourteenth avenue on the south, and Broadway on the west, in the city
16 and county of Denver, ~~shall~~ MUST be submitted to the capital
17 development committee and the governor for approval. No such proposal
18 shall ~~be permitted to~~ proceed without the prior approval of the capital
19 development committee and the governor.

20 (II) The provisions of this ~~paragraph (h) shall~~ SUBSECTION (3)(h)
21 DO not apply to proposals pertaining to the outer office of the executive
22 suite and those areas of the first floor used as office space by the
23 executive department.

24 (III) The advisory committee is authorized to direct the removal
25 of any objects of art or memorials that are placed in the state capitol
26 building or on its surrounding grounds that have not been submitted to the
27 advisory committee for evaluation and approval pursuant to the criteria

1 and procedure developed by the advisory committee pursuant to
2 ~~subparagraph (I) of this paragraph (h)~~ SUBSECTION (3)(h)(I) OF THIS
3 SECTION. This ~~subparagraph (II) shall~~ SUBSECTION (3)(h)(III) DOES not
4 apply to objects of art or memorials placed prior to the formation of the
5 advisory committee.

6 (i) **Duties of former fallen heroes memorial commission.**

7 (I) The advisory committee ~~shall be~~ IS responsible for any remaining
8 duties of the former fallen heroes memorial commission as it existed in
9 section 24-80-1402 prior to its repeal. The advisory committee shall
10 perform any remaining duties with the assistance of the department of
11 personnel and a Colorado 501(c)(3) organization created for the purpose
12 of raising funds for the construction of the fallen heroes memorial.

13 (II) This subsection (3)(i) is repealed, effective July 1 of the year
14 following the receipt by the revisor of statutes of certification from the
15 executive director of the department of personnel that the appropriate
16 memorials have been constructed.

17 (3.5) **Items original to the state capitol building.** (a) AT THE
18 DIRECTION AND UNDER THE SUPERVISION OF THE ADVISORY COMMITTEE,
19 HISTORY COLORADO, IN COOPERATION WITH THE LEGISLATIVE COUNCIL
20 STAFF, SHALL INVENTORY ALL ART, MEMORIALS, ARCHITECTURAL
21 FIXTURES, AND FURNITURE THAT IS ORIGINAL TO THE STATE CAPITOL
22 BUILDING AND MAKE RECOMMENDATIONS TO THE ADVISORY COMMITTEE
23 REGARDING WHICH ITEMS ARE APPROPRIATE FOR INCLUSION IN THE
24 STATE'S COLLECTION OF HISTORIC MATERIALS KNOWN AS THE COLORADO
25 COLLECTION. THE ADVISORY COMMITTEE SHALL DETERMINE, PURSUANT
26 TO SUBSECTION (3)(d) OF THIS SECTION, WHICH INVENTORIED ITEMS
27 ORIGINAL TO THE CAPITOL BUILDING ARE PART OF THE COLORADO

1 COLLECTION.

2 (b) HISTORY COLORADO HOLDS IN TRUST FOR THE PEOPLE OF
3 COLORADO ANY ITEMS ORIGINAL TO THE CAPITOL BUILDING THAT ARE
4 INCLUDED AS PART OF THE COLORADO COLLECTION PURSUANT TO
5 SUBSECTION (3)(d) OF THIS SECTION, HOWEVER, THE ADVISORY
6 COMMITTEE RETAINS AUTHORITY OVER THE COLLECTION ON BEHALF OF
7 THE GENERAL ASSEMBLY AND IN ACCORDANCE WITH THE POLICIES AND
8 REQUIREMENTS OF THE STATE REGISTER OF HISTORIC PROPERTIES CREATED
9 IN SECTION 24-80.1-103.

10 (c) THE ART, MEMORIALS, ARCHITECTURAL FIXTURES, AND
11 FURNITURE THAT IS ORIGINAL TO THE STATE CAPITOL BUILDING,
12 REGARDLESS OF WHETHER IT IS PART OF THE COLORADO COLLECTION
13 PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION, MUST REMAIN IN THE
14 STATE CAPITOL BUILDING AT ALL TIMES; EXCEPT THAT SUCH ITEMS
15 ORIGINAL TO THE CAPITOL BUILDING MAY BE TEMPORARILY REMOVED
16 FROM THE CAPITOL BUILDING FOR CONSERVATION FROM TIME TO TIME
17 WITH THE APPROVAL OF THE ADVISORY COMMITTEE.

18 (4) **Staff support.** The advisory committee may call upon the staff
19 of the legislative council, THE OFFICE OF LEGISLATIVE LEGAL SERVICES,
20 and the department of personnel to provide any necessary assistance in
21 carrying out the committee's duties. Proposed plans to restore, redecorate,
22 or reconstruct the building, or make alterations affecting the rose onyx,
23 marble, granite, gold, oak woodwork, and brass fixtures or trim in the
24 building ~~shall~~ MUST be submitted in writing to the staff of the legislative
25 council and the department of personnel at least thirty days before such
26 work is scheduled to begin.

27 **SECTION 2. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly; except
3 that, if a referendum petition is filed pursuant to section 1 (3) of article V
4 of the state constitution against this act or an item, section, or part of this
5 act within such period, then the act, item, section, or part will not take
6 effect unless approved by the people at the general election to be held in
7 November 2024 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.