

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT

UNREVISED  
REDRAFT  
2.28.18  
Double underlining  
denotes changes from  
prior draft

LLS NO. 18-1010.01 Esther van Mourik x4215

COMMITTEE BILL

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Capital Development Committee

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**BILL TOPIC: "Private Entities Use State Telecom Network"**

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**A BILL FOR AN ACT**

101 CONCERNING THE USE OF THE STATE TELECOMMUNICATIONS  
102 NETWORK BY PRIVATE ENTITIES THROUGH PUBLIC-PRIVATE  
103 PARTNERSHIPS.

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**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/>.)*

**Capital Development Committee.** The bill authorizes private entities to use the state telecommunications network through public-private partnerships considered, evaluated, and accepted by the department of public safety.

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

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

**SECTION 1. Legislative declaration.** (1) The general assembly hereby finds and declares that:

(a) By almost any measure, the thousands of public safety communications networks in the United States today are inadequate;

(b) The most discussed problem is the lack of interoperability, which means that in many places emergency workers such as police and firefighters have incompatible communications systems that prevent them from interacting with one another;

(c) Current public safety infrastructure is also unnecessarily expensive because all these independent and overlapping networks require an order of magnitude more towers than would otherwise be needed; and

(d) There is an opportunity to approach these problems by considering public-private partnerships, which the general assembly encourages the department of public safety to study and contemplate.

**SECTION 2.** In Colorado Revised Statutes, 24-33.5-223, **amend** (2)(b) as follows:

**24-33.5-223. State telecommunications network.** (2) (b) The facilities of the network shall be made available for the use of:

(I) State departments, state institutions, state agencies, and law enforcement and public safety political subdivisions of the state;

(II) Other local, state, and federal governmental entities or public safety-related nonprofit organizations that directly support any agency described in ~~subparagraph (I) of this paragraph~~ (b) SUBSECTION (2)(b)(I) OF THIS SECTION and that:

1 (A) May be requested to support the purposes expressed in section  
2 24-37.5-502 (1)(c) and (1)(e) and aggregate telecommunications service  
3 requirements of any public office described in section 24-32-3001 (1)(h);  
4 or

5 (B) Make donations, grants, bequests, and other contributions to  
6 the public safety communications trust fund pursuant to section  
7 24-37.5-506 (2)(b); OR

8 (III) PRIVATE ENTITIES THROUGH PUBLIC-PRIVATE PARTNERSHIPS  
9 CONSIDERED, EVALUATED, AND ACCEPTED BY THE DEPARTMENT; EXCEPT  
10 THAT ANY NEGOTIATED LEASE RATES MUST BE BASED ON LOCAL MARKET-  
11 BASED LEASE RATES IN THE AREA.

12 **SECTION 3. Act subject to petition - effective date.** This act  
13 takes effect at 12:01 a.m. on the day following the expiration of the  
14 ninety-day period after final adjournment of the general assembly (August  
15 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
16 referendum petition is filed pursuant to section 1 (3) of article V of the  
17 state constitution against this act or an item, section, or part of this act  
18 within such period, then the act, item, section, or part will not take effect  
19 unless approved by the people at the general election to be held in  
20 November 2018 and, in such case, will take effect on the date of the  
21 official declaration of the vote thereon by the governor. <{Ask  
22 committee}>