

CHAPTER 297

SOCIAL SERVICES

HOUSE BILL 93-1339

BY REPRESENTATIVES Williams, Benavidez, Berry, Foster, Keller, Lyle, Pierson, Tanner, and Wright;
also SENATORS Cassidy, Ament, Rizzuto, and Traylor.

AN ACT

CONCERNING THE ENTERPRISE STATUS OF STATE NURSING HOMES FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

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

SECTION 1. 26-12-109 (1), Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

26-12-109. Declaration of policy - homes to be constructed. (1) The erection of state nursing homes within the state of Colorado is hereby declared to be essential to the discharge of the responsibility of the state of Colorado, and, furthermore, it is hereby declared to be the policy and purpose of the general assembly to provide for such construction, reconstruction, alteration, and maintenance of such state nursing homes by conferring such necessary powers upon the state board. ANY STATE NURSING HOME, STATE VETERANS NURSING HOME, OR GROUP OF SUCH NURSING HOMES SHALL CONSTITUTE AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT RETAINS AUTHORITY TO ISSUE ANTICIPATION WARRANTS AND RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUES IN GRANTS FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT CONSTITUTES AN ENTERPRISE, A STATE NURSING HOME, STATE VETERANS NURSING HOME, OR GROUP OF SUCH NURSING HOMES SHALL NOT BE SUBJECT TO ANY OF THE PROVISIONS OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

SECTION 2. 26-12-111, Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

26-12-111. Anticipation warrants - legislative declaration. For the purpose of

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

defraying the cost of construction or erection of new facilities, reconstruction or improvement of existing facilities, and maintenance and operation of such facilities, the state board may, with the approval of the governor, issue anticipation warrants which shall be payable solely from the fund described in section 26-12-110, and the payments and interest on such anticipation warrants shall be a first charge on and shall be payable from said fund which consists of the fees and revenues received from residents at any state nursing home. The Colorado state veterans center shall be considered a state nursing home under the provisions of this article. THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT THE AUTHORITY TO ISSUE ANTICIPATION WARRANTS AS SET FORTH IN THIS SECTION SHALL CONSTITUTE AUTHORITY TO ISSUE REVENUE BONDS FOR THE PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

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

Approved: June 6, 1993