

## CHAPTER 60

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**GOVERNMENT - STATE**

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**SENATE BILL 95-55**

BY SENATORS Johnson, Ament, and Wham;  
also REPRESENTATIVES Tucker, Chlouber, and Reeves.

**AN ACT****CONCERNING THE SIX MONTH ENCUMBRANCE DEADLINE FOR CAPITAL CONSTRUCTION APPROPRIATIONS.**

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

**SECTION 1.** 24-30-1404 (7) (a), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended, and the said 24-30-1404 (7) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**24-30-1404. Contracts.** (7) (a) Except as provided in paragraphs (b), ~~and~~ (e), AND (f) of this subsection (7), any professional services contract entered into pursuant to the provisions of this part 14 shall be executed and encumbered within six months after the date on which the appropriation ~~for~~ THAT INCLUDES the project for which the professional services are required becomes law. In the event that no professional services contract is required for a particular project, the contract with the contractor for the project shall be entered into within six months of the appropriation. If an agency determines that the nature of a particular project is such that the deadlines imposed by this section cannot be met, the agency may request the capital development committee to recommend to the controller that the deadline be waived for that project. The controller, in consultation with the capital development committee, may grant a waiver from such deadlines. This subsection (7) shall not apply to projects under the supervision of the department of transportation. The provisions of this subsection (7) shall not affect any priority established pursuant to section 24-35-210 (11) in the general appropriation act for expenditures for projects to be financed from net lottery proceeds appropriated for capital construction.

(f) IN THE EVENT THAT AN APPROPRIATION IS MADE TO A STATE AGENCY FOR ALLOCATION TO OTHER STATE AGENCIES, THE SIX-MONTH PERIOD SHALL APPLY TO THE EXECUTION AND ENCUMBRANCE OF A CONTRACT BY THE AGENCY RECEIVING THE

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

ALLOCATION AND SHALL BEGIN TO RUN FROM THE DATE OF THE ALLOCATION BY THE AGENCY THAT RECEIVED THE ORIGINAL APPROPRIATION. NOTHING IN THIS PARAGRAPH (f) SHALL BE CONSTRUED TO EXTEND THE DURATION OF ANY APPROPRIATION.

**SECTION 2.** 24-75-303, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-75-303. Appropriation for capital construction.** (4) ALL CONTRACTS REQUIRED AS THE RESULT OF A CAPITAL CONSTRUCTION APPROPRIATION SHALL BE ENTERED INTO IN ACCORDANCE WITH SECTION 24-30-1404 (7).

**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: April 7, 1995