

CHAPTER 127

---

**GOVERNMENT - STATE**

---

**SENATE BILL 98-141**

BY SENATORS Blickensderfer and Linkhart;  
also REPRESENTATIVES Owen and Lawrence.

**AN ACT**

CONCERNING CONDITIONS FOR THE DISTRIBUTION OF MONEYS FROM THE COLORADO ECONOMIC DEVELOPMENT FUND.

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

**SECTION 1.** 24-46-101, Colorado Revised Statutes, is amended to read:

**24-46-101. Legislative declaration.** The general assembly hereby finds and declares that, in light of current economic conditions in Colorado, it is in the best interests of the people of this state that measures be taken to encourage, promote, and stimulate economic development AND EMPLOYMENT in Colorado. To that end, it is the purpose of this article to bring together people representing a broad spectrum of interests, including higher education, agriculture, advanced technologies, finance and banking, venture capital, energy, and industry, to review the economic condition of Colorado, ~~and~~ to develop and implement programs for the promotion of economic development in Colorado, AND TO ENSURE THAT SUCH ECONOMIC DEVELOPMENT PROGRAMS CREATE EMPLOYMENT OPPORTUNITIES FOR COLORADO RESIDENTS AND BENEFIT COLORADO COMPANIES.

**SECTION 2.** 24-46-105 (2.5), Colorado Revised Statutes, is amended to read:

**24-46-105. Colorado economic development fund - creation.** (2.5) (a) The moneys in the fund may be used by the commission to make grants or loans to both public and private persons and entities for use in carrying out the purposes of this article, subject to the provisions of PARAGRAPH (b) OF THIS SUBSECTION (2.5) AND subsection (3) of this section. IN DETERMINING WHETHER TO MAKE A GRANT OR

---

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

LOAN, THE COMMISSION SHALL CONSIDER EACH OF THE FOLLOWING GUIDELINES:

(I) THE AMOUNT OF THE GRANT OR LOAN;

(II) THE NUMBER OF JOBS THAT ARE LIKELY TO BE GENERATED IN THE STATE AS A DIRECT OR INDIRECT RESULT OF THE FACILITY OR OPERATION THE GRANT OR LOAN WOULD FUND AND ANCILLARY FACILITIES THERETO;

(III) THE QUALITY AND WAGE LEVEL OF JOBS CREATED;

(IV) THE EXTENT TO WHICH A PERSON OR ENTITY ESTABLISHING OR EXPANDING A BUSINESS OPERATION OR FACILITY INTENDS TO EMPLOY COLORADO RESIDENTS AT THE NEW OR EXPANDED OPERATION OR FACILITY THE GRANT OR LOAN WOULD FUND AND ANCILLARY FACILITIES THERETO;

(V) THE EXTENT TO WHICH A PERSON OR ENTITY ESTABLISHING OR EXPANDING A BUSINESS FACILITY OR OPERATION INTENDS TO CONTRACT WITH COLORADO RESIDENTS AND COLORADO-BASED COMPANIES FOR SERVICES AND GOODS AT THE NEW OR EXPANDED OPERATION OR FACILITY THE GRANT OR LOAN WOULD FUND AND ANCILLARY FACILITIES THERETO; AND

(VI) THE EXTENT OF THE PUBLIC BENEFITS EXPECTED TO RESULT FROM THE GRANT OR LOAN.

(b) The commission may establish whatever terms and conditions it deems appropriate in making ~~such~~ grants or loans PURSUANT TO THIS SECTION. The loan amount and any interest earned thereon shall be paid back to the commission, and such moneys shall be credited to a special account in the fund to be known as the revolving account. In accordance with subsection (2) of this section, interest earned on the investment or deposit of moneys in the economic development fund shall also be credited to the revolving account. All moneys in the revolving account may be used by the commission to make loans and grants as provided in this subsection (2.5) without further appropriation by the general assembly. The commission shall report to the joint budget committee by January 1 of each year all expenditures from, and the unencumbered balance of, the revolving account. The commission shall not approve grants or loans to state departments or agencies for specific projects which are typically considered by the general assembly in the general appropriation bill or in supplemental appropriation bills unless the joint budget committee approves the application for such grants or loans.

**SECTION 3. Effective date - applicability.** This act shall take effect July 1, 1998, and shall apply to grants and loans made on or after said date.

**SECTION 4. 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 17, 1998