

CHAPTER 101

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**AGRICULTURE**

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**SENATE BILL 99-201**

BY SENATORS Lacy, Owen, Tanner, Chlouber, Dennis, Hernandez, and Phillips;  
also REPRESENTATIVES Berry, Tool, Saliman, Chavez, Gagliardi, George, Gotlieb, Hefley, Lawrence, Mace, Spradley, Tapia,  
and Taylor.

**AN ACT**

CONCERNING THE OPERATIONS OF THE COLORADO STATE FAIR AUTHORITY, AND, IN CONNECTION THEREWITH, PERMANENTLY EXEMPTING THE AUTHORITY FROM THE REQUIREMENTS OF THE "PROCUREMENT CODE" AND CLARIFYING THE CIRCUMSTANCES IN WHICH THE BOARD OF COMMISSIONERS OF THE AUTHORITY MAY ACCEPT CONTRIBUTIONS FROM NONSTATE SOURCES.

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

**SECTION 1.** 35-65-401 (9) (f), Colorado Revised Statutes, is amended to read:

**35-65-401. Colorado state fair authority - creation - board - powers and duties.** (9) The board shall:

(f) Accept contributions from nonstate sources for the purpose of financing and supporting the Colorado state fair and industrial exposition; except that, IN ANY BUDGET YEAR THAT THE COLORADO STATE FAIR AUTHORITY WOULD OTHERWISE QUALIFY AS AN ENTERPRISE PURSUANT TO SECTION 35-65-405 (1), the board shall not accept any NONSTATE contributions that would cause the authority to exceed the limitations prescribed in section 35-65-405 (1). NOTHING IN THIS PARAGRAPH (f) SHALL BE CONSTRUED TO PROHIBIT THE BOARD FROM ACCEPTING CONTRIBUTIONS FROM NONSTATE SOURCES DURING ANY BUDGET YEAR THAT THE AUTHORITY DOES NOT QUALIFY AS AN ENTERPRISE PURSUANT TO SECTION 35-65-405 (1) DUE TO THE AMOUNT OF STATE GRANTS RECEIVED BY THE AUTHORITY.

**SECTION 2.** 35-65-408, Colorado Revised Statutes, is amended to read:

**35-65-408. Applicability of other laws.** (1) Notwithstanding any law to the contrary:

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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.*

(a) ~~Until March 1, 1998, the Colorado state fair authority shall not be subject to the provisions of part 14 of article 30 of title 24, C.R.S. and, until March 1, 1999, the Colorado state fair authority shall not be subject to the provisions of the "Procurement Code", articles 101 to 112 of title 24, C.R.S.~~ On and after March 1, 1998, the Colorado state fair authority shall be subject to the provisions of part 14 of article 30 of title 24, C.R.S.; and

(b) ~~on and after March 1, 1999,~~ The Colorado state fair authority shall NOT be subject to the provisions of the "Procurement Code", articles 101 to 112 of title 24, C.R.S.

(2) ~~On or before November 1, 1998, and following consultation with the board of commissioners of the Colorado state fair authority, the manager of the Colorado state fair authority shall submit a list to the joint budget committee of any provisions of part 14 of article 30 of title 24, C.R.S., and the "Procurement Code", articles 101 to 112 of title 24, C.R.S., that the Colorado state fair authority desires to remain exempt from on or after March 1, 1999.~~

**SECTION 3.** 24-101-105 (1), Colorado Revised Statutes, is amended to read:

**24-101-105. Application of this code.** (1) This code shall apply to all publicly funded contracts entered into by all governmental bodies of the executive branch of this state; except that this code shall not apply to the procurement of bridge and highway construction nor to contracts for unsolicited or comparable proposals for public-private initiatives under section 43-1-1203, C.R.S. Except as provided in section 24-111-103, it shall also apply to contracts funded in whole or in part with federal assistance moneys. However, this code shall not apply to the awarding of either grants or contracts between the state and its political subdivisions or other governments, except as provided in article 110 of this title. It shall apply to the transfer or disposal of state supplies. Except for the provisions of article 109 of this title, this code shall not apply to the procurement of public printing, as defined in section 24-70-201. This code shall not apply to the procurement of professional services, as defined in section 24-30-1402. THIS CODE SHALL NOT APPLY TO THE COLORADO STATE FAIR AUTHORITY CREATED PURSUANT TO SECTION 35-65-401 (1), C.R.S. Upon the request of a governmental body purchasing items for resale to the public, the head of a purchasing agency may, by written determination, provide that this code shall not apply to items acquired for such resale. Nothing in this code or in rules promulgated under this code shall prevent any governmental body or political subdivision from complying with the terms and conditions of any grant, gift, bequest, or cooperative agreement.

**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 14, 1999