

## CHAPTER 295

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**GOVERNMENT - STATE**

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**HOUSE BILL 06-1085**

BY REPRESENTATIVE(S) Garcia, and Soper;  
also SENATOR(S) Entz, and Boyd.

**AN ACT**

**CONCERNING EXPANSION OF THE PURPOSES FOR WHICH MONEYS IN THE BUILDING REGULATION FUND  
MAY BE EXPENDED, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

**SECTION 1.** 24-32-3309, Colorado Revised Statutes, is amended to read:

**24-32-3309. Fees - building regulation fund.** (1) The board, by rule, shall establish a schedule of fees designed to pay all direct and indirect costs incurred by the division in carrying out and enforcing the provisions of this part 33; except that the amount of the registration fee for installers of manufactured homes is the amount specified in section 24-32-3315 (5) and the amount of the registration fee for sellers of manufactured homes is the amount specified in section 24-32-3323 (3). Before establishing the schedule of fees, the board shall gather information regarding the fees charged by Colorado local governments for the inspection and certification of improvements to residential real property that are not manufactured homes and the fees charged by governmental entities outside of Colorado for the inspection and certification of manufactured homes. The fees shall be paid to the division and transmitted to the state treasurer, who shall credit the fees to the building regulation fund, which fund is hereby created in the state treasury AND REFERRED TO IN THIS SECTION AS THE "FUND". All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, at the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain in the fund and shall not be credited or transferred to the general fund or any other fund or used for any other purpose other than to offset the costs of implementing and administering and enforcing the provisions of this part 33.

(2) IN ADDITION TO BEING USED TO OFFSET THE COSTS OF IMPLEMENTING AND

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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.*

ADMINISTERING THE PROVISIONS OF THIS PART 33 AS SPECIFIED IN SUBSECTION (1) OF THIS SECTION, MONEYS IN THE FUND MAY BE EXPENDED:

(a) TO PROVIDE EDUCATION AND TRAINING TO MANUFACTURERS, DEALERS, INSTALLERS, BUILDING DEPARTMENT EMPLOYEES, ELECTED OFFICIALS, AND, AS APPROPRIATE, OTHER PERSONS AFFECTED BY THE MOBILE, MANUFACTURED, AND FACTORY-BUILT STRUCTURES INDUSTRY REGARDING THE BUILDING CODES AND STATE PROGRAM REQUIREMENTS APPLICABLE TO MOBILE, MANUFACTURED, AND FACTORY-BUILT STRUCTURES WITHIN THE STATE;

(b) TO PROVIDE CONSUMER TRAINING THROUGHOUT THE STATE THAT WILL HELP A CONSUMER TO MAKE INFORMED DECISIONS WHEN PURCHASING OR CONSIDERING THE PURCHASE OF A MOBILE HOME, MANUFACTURED HOME, OR FACTORY-BUILT STRUCTURE; AND

(c) TO PROVIDE EDUCATION AND GRANTS THAT WILL HELP MANUFACTURERS, DEALERS, INSTALLERS, OWNERS, AND, AS APPROPRIATE, OTHER PARTIES AFFECTED BY THE MOBILE, MANUFACTURED, AND FACTORY-BUILT STRUCTURES INDUSTRY ADDRESS SAFETY ISSUES THAT AFFECT MOBILE, MANUFACTURED, AND FACTORY-BUILT STRUCTURES.

**SECTION 2. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated to the department of local affairs, for the fiscal year beginning July 1, 2006, the sum of three hundred eleven thousand three hundred two dollars (\$311,302) cash funds and 1.1 FTE, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from the building regulation fund created pursuant to section 24-32-3309, Colorado Revised Statutes.

(2) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2006, the sum of two thousand five hundred seventy-eight dollars (\$2,578) cash funds exempt, or so much thereof as may be necessary, for the provision of legal services to the department of local affairs related to the implementation of this act. Said sum shall be from cash funds exempt received from the department of local affairs out of the appropriation made in subsection (1) of this section.

**SECTION 3. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 9, 2006, if adjournment sine die is on May 10, 2006); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 1, 2006