

CHAPTER 91

**GOVERNMENT - STATE**

**HOUSE BILL 06-1373**

BY REPRESENTATIVE(S) Buescher, Hall, Plant, Berens, Borodkin, Boyd, Butcher, Coleman, Gallegos, Garcia, Green, Harvey, Hodge, Larson, Madden, Massey, May M., McFadyen, McGihon, Merrifield, Penry, Romanoff, Solano, Stafford, and Todd; also SENATOR(S) Tapia, Keller, Owen, and Fitz-Gerald.

**AN ACT**

**CONCERNING CONSTRUCTION OF IMPROVEMENTS AT THE COLORADO MENTAL HEALTH INSTITUTE IN PUEBLO, AND MAKING AN APPROPRIATION THEREFOR.**

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

**SECTION 1. Legislative declaration.** (1) The general assembly hereby finds and declares:

(a) Pursuant to section 26-1-133, Colorado Revised Statutes, the executive director of the department of human services is authorized to enter into a lease agreement to occupy and operate an institute for forensic psychiatry and auxiliary facilities at the Colorado mental health institute at Pueblo.

(b) It is in the state's best interest to appropriate moneys directly to build the institute and make the improvements to the auxiliary facilities than to lease them.

**SECTION 2. Colorado mental health institute at Pueblo - forensic unit.**

(1) The executive director of the department of human services is authorized to enter into agreements for completion of the design and construction of an institute for forensic psychiatry at the Colorado mental health institute at Pueblo at a cost not to exceed fifty-three million five hundred thirty-seven thousand five hundred twenty-seven dollars (\$53,537,527) and for improvements to the auxiliary facilities at a cost not to exceed four million three hundred forty-seven thousand eight hundred fifty-nine dollars (\$4,347,859).

(2) The institute for forensic psychiatry and its auxiliary facilities funded pursuant to this section 2 shall be designed and constructed in accordance with the design standards and specifications approved by the executive director of the department

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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.*

of human services and the facility program plan approved by the capital development committee.

**SECTION 3. Repeal.** 26-1-133, Colorado Revised Statutes, is repealed.

**SECTION 4.** 24-75-302 (2) (s) and (2) (t), Colorado Revised Statutes, are amended to read:

**24-75-302. Capital construction fund - capital assessment fees - calculation.**

(2) As of July 1, 1988, and July 1 of each year thereafter through July 1, 2008, a sum as specified in this subsection (2) shall accrue to the capital construction fund. The state treasurer and the controller shall transfer such sum out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) shall not be deemed to be appropriations subject to the limitations of section 24-75-201.1. The amount which shall accrue pursuant to this subsection (2) shall be as follows:

(s) On July 1, 2006, twenty-two thousand nine hundred twenty-four dollars pursuant to section 3 of H.B. 02S-1006, enacted at the third extraordinary session of the sixty-third general assembly, plus two hundred ninety-one thousand seven hundred sixty-one dollars pursuant to H.B. 03-1004, enacted at the first regular session of the sixty-fourth general assembly; plus one hundred twenty-five thousand forty-one dollars pursuant to H.B. 03-1138, enacted at the first regular session of the sixty-fourth general assembly; plus sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B. 03-1213, enacted at the first regular session of the sixty-fourth general assembly; plus sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B. 03-1317, enacted at the first regular session of the sixty-fourth general assembly; plus ninety thousand three hundred seven dollars pursuant to H.B. 04-1021, enacted at the second regular session of the sixty-fourth general assembly; plus sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B. 04-1016, enacted at the second regular session of the sixty-fourth general assembly; PLUS FIFTEEN MILLION DOLLARS PURSUANT TO H.B. 06-1373, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY;

(t) On July 1, 2007, four hundred sixteen thousand eight hundred two dollars pursuant to H.B. 03-1004, enacted at the first regular session of the sixty-fourth general assembly, plus fifty-five thousand five hundred seventy-four dollars pursuant to H.B. 03-1317, enacted at the first regular session of the sixty-fourth general assembly; plus thirteen thousand eight hundred ninety-three dollars pursuant to H.B. 04-1021, enacted at the second regular session of the sixty-fourth general assembly; PLUS TWENTY-TWO MILLION EIGHT HUNDRED EIGHTY-FIVE THOUSAND THREE HUNDRED EIGHTY-SIX DOLLARS PURSUANT TO H.B. 06-1373, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY;

**SECTION 5. Appropriation.** (1) (a) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the capital construction fund, for the fiscal year beginning July 1, 2005, the sum of twenty million dollars (\$20,000,000) or so much as may be necessary, for the implementation of this act.

(b) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the capital construction fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2005, the sum of twenty million dollars (\$20,000,000), or so much thereof as may be necessary, for the implementation of this act.

(c) The moneys appropriated in this subsection (1) shall remain available until completion of the project or for a period of three years, whichever comes first, at which time unexpended and unencumbered balances shall revert to the capital construction fund.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the capital construction fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2006, the sum of fifteen million dollars (\$15,000,000), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 6. 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: March 31, 2006