

## CHAPTER 133

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**NATURAL RESOURCES**


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**HOUSE BILL 07-1095**

BY REPRESENTATIVE(S) Balmer, Curry, Gallegos, Kerr J., Marshall, and Stafford;  
also SENATOR(S) Tapia.

**AN ACT**

**CONCERNING AN EXEMPTION FOR OFF-HIGHWAY VEHICLE TRAIL GRANTS FROM THE ENCUMBRANCE  
DEADLINE FOR PROFESSIONAL SERVICES CONTRACTS.**

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

**SECTION 1.** 24-30-1404 (7) (a) and (7) (c), Colorado Revised Statutes, are amended to read:

**24-30-1404. Contracts.** (7) (a) Except as provided in paragraphs ~~(b), (c)~~ (b), (c), (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 that includes the project for which the professional services are required becomes law. ~~In the event that~~ IF 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~~ AFTER the appropriation. If ~~an~~ A STATE agency determines that the nature of a particular project is such that the deadlines imposed by this section cannot be met, the STATE 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.

(c) ~~The provisions of~~ This subsection (7) shall not apply to:

(I) ~~Those~~ MAINTENANCE, REPAIR, AND IMPROVEMENT projects included in 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.*

capital construction section of the general appropriation act OR IN ANY SUPPLEMENTAL APPROPRIATION ACT for the division of parks and outdoor recreation and the division of wildlife in the department of natural resources; ~~or in any supplemental appropriation act, which projects are listed as maintenance, repair, and improvement projects, nor shall such provisions apply to~~

(II) The acquisition of any easement by such divisions; OR

(III) GRANTS FOR OFF-HIGHWAY VEHICLE TRAIL PURPOSES MADE PURSUANT TO SECTION 33-14.5-106, C.R.S.

**SECTION 2. 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 8, 2007, if adjournment sine die is on May 9, 2007); 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: April 16, 2007