

CHAPTER 167

EDUCATION - UNIVERSITIES AND COLLEGES

HOUSE BILL 09-1229

BY REPRESENTATIVE(S) Kerr J., Miklosi, Primavera, Middleton, Priola, Ryden, Stephens, Todd, Summers, Vigil;
also SENATOR(S) Isgar, Tochtrop, Bacon, Heath.

AN ACT

**CONCERNING THE DESIGNATION OF AUXILIARY FACILITIES OF INSTITUTIONS OF HIGHER
EDUCATION AS ENTERPRISES.**

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

SECTION 1. 23-5-101.5 (3) (a) and (4), Colorado Revised Statutes, are amended to read:

23-5-101.5. Enterprise status of auxiliary facilities - definitions. (3) (a) The governing body of an institution of higher education or the board of directors of the Auraria higher education center may, by resolution, designate any auxiliary facility or group of auxiliary facilities with similar functions managed by such governing body or board of directors, as applicable, as an enterprise so long as such auxiliary facility or group of auxiliary facilities meets the requirements for an enterprise as stated in subsection (1) of this section. The designation of a group of auxiliary facilities with similar functions may include auxiliary facilities that are located at one or more campuses or institutions under the jurisdiction of the governing body or board of directors. ~~All designations shall expire at 11:59 p.m. on June 30 of the year following their adoption unless the general assembly, by bill, acts to postpone the expiration of a specific designation. The postponement of the expiration of a designation shall not constitute legislative approval of the designation nor be admissible in any court as evidence of legislative intent. The postponement of the expiration date of a specific designation shall not prohibit any action by the general assembly pursuant to the provisions of paragraph (b) of this subsection (3) with respect to such designation.~~ EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (3), ANY SUCH DESIGNATION OF AN AUXILIARY FACILITY OR GROUP OF AUXILIARY FACILITIES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS PARAGRAPH (a) SHALL NOT TERMINATE, EXPIRE, OR BE RESCINDED AS LONG AS THE AUXILIARY FACILITY OR GROUP OF AUXILIARY FACILITIES MEETS THE REQUIREMENTS

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

FOR AN ENTERPRISE.

(4) ~~The expiration of the following designations of auxiliary facilities as enterprises, which are scheduled for expiration pursuant to subsection (3) of this section, are postponed until June 30, 2009~~ THE FOLLOWING AUXILIARY FACILITIES SHALL BE DESIGNATED AS ENTERPRISES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION:

(a) Auraria higher education center:

(I) Parking;

(II) Student facilities;

(III) Reprographics; and

(IV) Other auxiliaries;

(V) and (VI) (Deleted by amendment, L. 97, p. 1407, § 6, effective July 1, 1997.)

(b) University of Colorado:

(I) Auxiliary facilities;

(II) Education services;

(III) Research support services; and

(IV) Other self-funded services;

(c) Colorado school of mines:

(I) Student and faculty services;

(II) Continuing education;

(III) General operations; and

(IV) Research revolving;

(d) University of northern Colorado:

(I) Continuing education; and

(II) to (IV) (Deleted by amendment, L. 98, p. 218, § 1, effective April 10, 1998.)

(V) (Deleted by amendment, L. 2004, p. 110, § 1, effective March 17, 2004.)

(VI) Auxiliary facilities;

(e) Colorado community college and occupational education system:

(I) (Deleted by amendment, L. 98, p. 218, § 1, effective April 10, 1998.)

(II) Continuing education;

(III) Student and faculty services;

(IV) (Deleted by amendment, L. 97, p. 1407, § 6, effective July 1, 1997.)

(V) Tec operations; and

(VI) Lowry enterprise;

(f) Colorado state university system:

(I) Student and faculty operations and activities;

(II) Continuing education;

(III) (Deleted by amendment, L. 97, p. 1407, § 6, effective July 1, 1997.)

(IV) Research building revolving fund; and

(V) Colorado state forest service seedling tree nursery;

(g) Adams state college:

(I) Student and faculty services; AND

(II) Continuing education;

(h) Mesa state college:

(I) Student and faculty services;

(II) Continuing education; AND

(III) OTHER SELF-FUNDED SERVICES;

(i) Metropolitan state college of Denver:

(I) Student and faculty services; AND

(II) Continuing education;

(j) Western state college of Colorado:

(I) Student and faculty services; AND

(II) Continuing education; and

(k) Fort Lewis college:

(I) Student and faculty operations and activities; AND

(II) CONTINUING EDUCATION.

SECTION 2. 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 22, 2009