

CHAPTER 139

GOVERNMENT - STATE

HOUSE BILL 14-1203

BY REPRESENTATIVE(S) Duran, May, Gerou, Buckner, Exum, Fields, Fischer, Ginal, Hamner, Hullinghorst, Kagan, Labuda, Lee, Melton, Mitsch Bush, Moreno, Pabon, Pettersen, Ryden, Salazar, Schafer, Vigil, Williams;
also SENATOR(S) Lambert, Hodge, Steadman, Crowder, Herpin, Jahn, Kerr, King, Lundberg, Newell, Nicholson, Rivera, Roberts, Schwartz, Todd.

AN ACT

CONCERNING FUNDING TO MAINTAIN THE INFRASTRUCTURE FOR THE DIGITAL TRUNKED RADIO SYSTEM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 24-37.5-506, **add** (2.5) as follows:

24-37.5-506. Public safety communications trust fund - creation.
(2.5) (a) (I) BEGINNING IN THE 2013-14 FISCAL YEAR AND IN EACH FISCAL YEAR THEREAFTER THROUGH THE 2024-25 FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE FUND A TOTAL OF THREE MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND OR FROM ANY OTHER FUND. FOR EACH SUCH FISCAL YEAR, THE GENERAL ASSEMBLY SHALL DETERMINE THE AMOUNT TO BE APPROPRIATED FROM THE GENERAL FUND AND THE AMOUNT TO BE APPROPRIATED FROM ANY OTHER FUND. THE OFFICE SHALL USE THE MONEYS APPROPRIATED TO THE FUND PURSUANT TO THIS SUBPARAGRAPH (I) FOR THE REPLACEMENT OF LEGACY RADIO EQUIPMENT AND HARDWARE AT RADIO TOWER SITES.

(II) BEGINNING IN THE 2017-18 FISCAL YEAR AND IN EACH FISCAL YEAR THEREAFTER THROUGH THE 2024-25 FISCAL YEAR, IN ADDITION TO THE AMOUNT APPROPRIATED TO THE FUND PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE FUND THREE MILLION SEVEN HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND OR FROM ANY OTHER FUND. FOR EACH SUCH FISCAL YEAR, THE GENERAL ASSEMBLY SHALL DETERMINE THE AMOUNT TO BE APPROPRIATED FROM THE GENERAL FUND AND THE AMOUNT TO BE APPROPRIATED FROM ANY OTHER FUND. THE OFFICE SHALL USE THE MONEYS APPROPRIATED TO THE FUND PURSUANT TO THIS SUBPARAGRAPH (II) FOR

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

SOFTWARE UPGRADE ASSURANCE.

(b) ON OR BEFORE NOVEMBER 1, 2014, AND ON OR BEFORE NOVEMBER 1 OF EACH YEAR THEREAFTER THROUGH NOVEMBER 1, 2025, THE OFFICE, IN CONSULTATION WITH THE DEPARTMENT OF CORRECTIONS, THE DEPARTMENT OF NATURAL RESOURCES, THE DEPARTMENT OF PUBLIC SAFETY, THE DEPARTMENT OF TRANSPORTATION, AND ANY OTHER STATE DEPARTMENT DEEMED APPROPRIATE BY THE OFFICE, SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY DETAILING THE USE OF THE MONEYS APPROPRIATED TO THE FUND PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2.5). THE REPORT MUST INCLUDE THE FOLLOWING:

(I) COMPREHENSIVE DOCUMENTATION REGARDING THE PURPOSES FOR WHICH THE MONEYS APPROPRIATED PURSUANT TO SUBPARAGRAPHS (I) AND (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2.5) WERE USED DURING THE PRIOR FISCAL YEAR AND ARE BEING USED DURING THE CURRENT FISCAL YEAR AND THE ANTICIPATED USE OF THE MONEYS THAT WILL BE APPROPRIATED IN FUTURE FISCAL YEARS;

(II) OF THE TOTAL AMOUNT EXPENDED DURING THE PRIOR FISCAL YEAR FOR EACH OF THE PURPOSES SPECIFIED IN SUBPARAGRAPHS (I) AND (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2.5), THE AMOUNT THAT WAS APPROPRIATED FROM THE GENERAL FUND AND THE AMOUNT THAT WAS APPROPRIATED FROM ANY OTHER FUND; AND

(III) FOR THE APPROPRIATION OR APPROPRIATIONS FOR THE NEXT FISCAL YEAR, A RECOMMENDATION REGARDING THE AMOUNT TO BE APPROPRIATED FROM THE GENERAL FUND AND THE AMOUNT TO BE APPROPRIATED FROM ANY OTHER FUND FOR EACH OF THE PURPOSES SPECIFIED IN SUBPARAGRAPHS (I) AND (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2.5).

SECTION 2. Appropriation. (1) In addition to any other appropriation, for the fiscal year beginning July 1, 2013, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the public safety communications trust fund created in section 24-37.5-506 (1), Colorado Revised Statutes, the sum of \$3,500,000, to be used for purposes consistent with the creation of the fund.

(2) In addition to any other appropriation, there is hereby appropriated, out of the public safety communications trust fund, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2013, the sum of \$3,500,000, or so much thereof as may be necessary, to be allocated to the office of information technology for the replacement of legacy radio equipment and hardware at digital trunked radio system tower sites.

SECTION 3. Appropriation. (1) In addition to any other appropriation, for the fiscal year beginning July 1, 2014, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the public safety communications trust fund created in section 24-37.5-506 (1), Colorado Revised Statutes, the sum of \$3,500,000, to be used for purposes consistent with the creation of the fund.

(2) In addition to any other appropriation, there is hereby appropriated, out of the public safety communications trust fund, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2014, the sum of

\$3,500,000, or so much thereof as may be necessary, to be allocated to the office of information technology for the replacement of legacy radio equipment and hardware at digital trunked radio system tower sites.

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: May 2, 2014