First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

REVISED

This Version Includes All Amendments Adopted on Second Reading in the Second House

LLS NO. 25-0879.03 Jed Franklin x5484 **HOUSE BILL 25-1321**

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Appropriations

Senate Committees
Appropriations

SENATE
2nd Reading Unamended
April 24, 2025

HOUSE
3rd Reading Unamended
April 16, 2025

HOUSE
Amended 2nd Reading
April 15, 2025

A BILL FOR AN ACT

CONCERNING USE OF THE "INFRASTRUCTURE INVESTMENT AND JOBS ACT" CASH FUND TO SUPPORT THE STATE'S DEFENSE AGAINST ADVERSE FEDERAL ACTION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

The bill appropriates $4 million from the "Infrastructure Investment and Jobs Act" cash fund (fund) to the office of the governor (office) for state fiscal year 2025-26, with roll-forward authority in state

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

fiscal year 2026-27 for any money remaining in the fund after state fiscal year 2025-26. The bill authorizes the office to accept gifts, grants, or donations for crediting to the fund to implement the bill.

Money in the fund may be used by the office in the governor's discretion to hire and employ personnel or retain contractors for purposes related to federal government actions that impact federal disbursements, grants, contracts, or money received by or transferred to the state. The office may also reimburse the department of law for costs associated with special assistant attorneys general who are contracted for the purposes of providing legal services:

- To state officers or employees related to legal proceedings, inquiries, hearings, or investigations initiated, pursued, or threatened by the federal government; or
- For the criminal defense of state officers or employees in legal actions arising out of their official acts or decisions.

The office may also incur other expenditures covered by the fund that are consistent with the purposes of the bill, as determined by the governor, including expenditures to preserve and protect state sovereignty or federal funding streams that benefit the state.

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

SECTION 1. In Colorado Revised Statutes, 24-75-232, **amend** (8); and **add** (4)(d) and (5)(e) as follows:

24-75-232. "Infrastructure Investment and Jobs Act" cash fund - creation - allowable uses - report - legislative declaration - definitions - repeal. (4) (d) THE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF SUBSECTION (5)(e) OF THIS SECTION. THE OFFICE SHALL TRANSMIT ALL MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE FUND FOR USE FOR THE PURPOSES OF SUBSECTION (5)(e) OF THIS SECTION.

(5) (e) IN ADDITION TO THE USES SET FORTH IN SUBSECTIONS (5)(a) AND (5)(b) OF THIS SECTION, AND NOTWITHSTANDING SUBSECTION (1)(e) OF THIS SECTION, THE OFFICE MAY EXPEND THE MONEY IN THE FUND AT

THE GOVERNOR'S DISCRETION FOR THE FOLLOWING PURPOSES:

(I) HIRING AND EMPLOYING PERSONNEL OR RETAINING CONTRACTORS FOR PURPOSES RELATED TO FEDERAL GOVERNMENT ACTIONS THAT IMPACT FEDERAL DISBURSEMENTS, GRANTS, CONTRACTS, OR MONEY RECEIVED BY OR TRANSFERRED TO THE STATE;

(II) REIMBURSING THE DEPARTMENT OF LAW FOR COSTS ASSOCIATED WITH SPECIAL ASSISTANT ATTORNEYS GENERAL, PURSUANT TO SECTIONS 24-31-101 AND 24-31-111 (5), CONTRACTED WITH FOR THE PURPOSES OF:

(A) PROVIDING LEGAL SERVICES TO STATE OFFICERS OR EMPLOYEES RELATED TO LEGAL PROCEEDINGS, INQUIRIES, HEARINGS, OR INVESTIGATIONS INITIATED, PURSUED, OR THREATENED BY THE FEDERAL GOVERNMENT, INCLUDING CONGRESSIONAL INQUIRIES AND INVESTIGATIONS; OR

(B) PROVIDING LEGAL SERVICES FOR THE CRIMINAL DEFENSE OF STATE OFFICERS OR EMPLOYEES IN LEGAL ACTIONS ARISING OUT OF OFFICIAL ACTS OR DECISIONS; OR

(III) OTHER EXPENDITURES CONSISTENT WITH THE PURPOSES OF THIS SECTION, AS DETERMINED BY THE GOVERNOR, INCLUDING EXPENDITURES TO PRESERVE AND PROTECT STATE SOVEREIGNTY OR FEDERAL FUNDING STREAMS THAT BENEFIT THE STATE.

(8) This section is repealed, effective July 1, 2028. ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND UPON THE REPEAL OF THIS SECTION REVERTS TO THE GENERAL FUND.

SECTION 2. Appropriation. For the 2025-26 state fiscal year, $4,000,000 is appropriated to the office of the governor. This appropriation is from the "Infrastructure Investment and Jobs Act" cash fund created in section 24-75-232 (3), C.R.S. To implement this act, the office may use this appropriation for administration of governor's office and residence. Any money appropriated in this section not expended prior to July 1, 2026, is further appropriated to the office for the 2026-27 state fiscal year for the same purpose.

SECTION 3. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.