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HOUSE BILL 17-1144

BY REPRESENTATIVE(S) Esgar, Becker J., Hansen, Arndt, Becker K., Beckman, Hamner, Kennedy, Rankin, Valdez, Young; also SENATOR(S) Baumgardner, Kefalas, Sonnenberg.

CONCERNING AMENDMENTS TO THE AUTOMATIC CASH FUND FUNDING MECHANISM FOR PAYMENT OF FUTURE COSTS ATTRIBUTABLE TO CERTAIN OF THE STATE'S CAPITAL ASSETS.

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

SECTION 1. In Colorado Revised Statutes, 24-30-1310, **amend** (1)(d) and (2)(a) as follows:

24-30-1310. Funding for capital construction, controlled maintenance, or capital renewal - definitions. (1) As used in this section, unless the context otherwise requires:

(d) "Cash fund" does not include the lottery fund created in section 24-35-210 or the limited gaming fund created in section 12-47.1-701 (1), C.R.S. NOR DOES IT INCLUDE MONEY ALLOCATED TO THE DIVISION OF PARKS AND WILDLIFE FROM LOTTERY PROCEEDS AS SPECIFIED IN SECTION 3 OF ARTICLE XXVII OF THE STATE CONSTITUTION.

(2) For every appropriation in the capital construction section of the 2015-16 annual general appropriation act and every appropriation in the capital construction section of each annual general appropriation act thereafter, not including appropriations for information technology projects, additional funding must be set aside as follows:

(a) If the funding source for the appropriation is from a cash fund, the state agency shall annually calculate an amount equal to the recorded depreciation of the capital asset OR CAPITAL ASSETS acquired, repaired, improved, replaced, renovated, or constructed with the appropriation based on the depreciation period, THE GENERAL ASSEMBLY SHALL INCLUDE AN ANNUAL DEPRECIATION-LEASE EQUIVALENT PAYMENT LINE ITEM PAYABLE FROM THE CASH FUND IN THE OPERATING SECTION OF THE ANNUAL GENERAL APPROPRIATION ACT FOR THE STATE AGENCY, and on June 30 the state controller shall credit such amount from the cash fund that was the source of the funding for the appropriation to a capital reserve account established by the state agency in such cash fund as specified in section 24-75-403 (2).

SECTION 2. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to every appropriation in the capital construction section of the 2018-19 annual general appropriation act and

every appropriation in the capital construction section of each annual general appropriation act thereafter, not including appropriations for information technology projects.

Crisanta Duran
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PRESIDENT OF
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SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO