

NOTE: The governor signed this measure on 6/10/2016.

An Act

HOUSE BILL 16-1460

BY REPRESENTATIVE(S) Becker K. and Vigil, Brown, Rosenthal, Hullinghorst;
also SENATOR(S) Baumgardner, Kefalas, Sonnenberg, Cooke, Crowder, Scott.

CONCERNING THE AUTHORITY OF THE COMMISSIONER OF AGRICULTURE TO DISPOSE OF AND ACQUIRE SPECIFIED REAL PROPERTY IN FURTHERANCE OF THE DEPARTMENT OF AGRICULTURE'S OFFICE CONSOLIDATION.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) In 2013, the General Assembly granted the department of agriculture the authority to enter into lease-purchase agreements for the acquisition of a department headquarters in Broomfield, Colorado, for the department of agriculture to consolidate most of the department's divisions, except for the Colorado state fair;

(b) Since the 2013 legislation was enacted, the department of agriculture has moved into its new headquarters at 305 Interlocken

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

Parkway, in Broomfield, Colorado. The department still uses property at 5000 Packing House Road, in Denver, Colorado, for the department's warehouse and storage facility. It is the department of agriculture's understanding that the City and County of Denver is interested in this real property for a planned project of the National Western Center partnership.

(c) The department has not yet consolidated its current inspection and consumer services division facility from its location in the Highlands neighborhood of metro Denver because the lab areas necessary for that division could not be constructed at the new headquarters division; and

(d) The department now seeks approval to sell the property where the department's warehouse and storage facility is located and use the proceeds of that sale to help fund the purchase of vacant land behind the headquarters building in Broomfield, Colorado. It is the department's future plan to use the vacant land in Broomfield to build a lab area to house the inspection and consumer services division facility, subject to the normal capital construction request process.

SECTION 2. Authority for a sale and an acquisition of real property. (1) The state of Colorado, acting by and through the Commissioner of Agriculture and in consultation with the office of the state architect, is authorized to execute a real property sale, at fair market value, for property held by the department of agriculture at 5000 Packing House Road, Denver, Colorado. The proceeds of the sale must be credited to the agriculture management fund as specified in section 35-1-106.9, Colorado Revised Statutes, and such proceeds must be used to acquire the property described in subsection (2) of this section, subject to appropriation.

(2) (a) The state of Colorado, acting by and through the Commissioner of Agriculture and in consultation with the office of the state architect, is authorized to acquire real property located in the Interlocken area at 300 Technology Drive, Broomfield, Colorado, parcel number 157533413004, for the future home of the inspection and consumer services division facility.

(b) Any future capital construction project for a new building to house the inspection and consumer services division facility must be prioritized for funding by the office of state planning and budgeting in its submission to the capital development committee made pursuant to section

24-37-304 (1) (c.3) (I) (C), Colorado Revised Statutes, recommended for funding by the capital development committee pursuant to section 2-3-1305, Colorado Revised Statutes, and included in the governor's annual executive budget proposed to the general assembly pursuant to section 24-37-301, Colorado Revised Statutes.

SECTION 3. In Colorado Revised Statutes, **amend** 35-1-106.9 as follows:

35-1-106.9. Agriculture management fund - creation. There is hereby created in the state treasury the agriculture management fund. The fund shall consist of moneys transferred pursuant to section 38-13-116.7 (3), C.R.S., ~~and~~ any moneys realized from the sale of the inspection and consumer services division facility AND OTHER REAL PROPERTY ASSOCIATED WITH THAT FACILITY THAT ARE ALL LOCATED IN THE HIGHLANDS NEIGHBORHOOD OF DENVER, COLORADO, AND ANY MONEYS REALIZED FROM THE SALE OF THE WAREHOUSE AND STORAGE FACILITY LOCATED AT 5000 PACKING HOUSE ROAD, DENVER, COLORADO. The department shall use such moneys to fund agricultural efforts approved by the commissioner, including, but not limited to, funding additional department employees necessary to implement and manage approved programs. Moneys may be used for direct assistance or grant assistance for conservation districts created pursuant to article 70 of this title. Moneys in the fund may be used for expenses related to the department's office consolidation as authorized by House Bill 13-1234, enacted in 2013, AND AS AUTHORIZED BY HOUSE BILL 16-1460, ENACTED IN 2016. Moneys in the fund are subject to annual appropriation to the department. Any moneys not expended or encumbered from any appropriation at the end of any fiscal year shall remain available for expenditure in the next fiscal year without further appropriation. All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund and shall not be transferred or credited to the general fund or any other fund.

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.

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Bill L. Cadman
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO