

CHAPTER 177

GOVERNMENT - STATE

SENATE BILL 17-257

BY SENATOR(S) Moreno, Lambert, Lundberg, Donovan, Fenberg, Fields, Kerr, Merrifield, Williams A., Grantham;
also REPRESENTATIVE(S) Rankin, Hamner, Young, Esgar, Ginal, Herod, Lebsock, Lontine, McLachlan, Rosenthal, Salazar,
Valdez, Duran.

AN ACT

CONCERNING THE CREATION OF THE COMMUNITY MUSEUMS CASH FUND FOR THE ADMINISTRATION OF REVENUES GENERATED BY COMMUNITY MUSEUMS OPERATED BY THE STATE HISTORICAL SOCIETY, 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, 24-80-209, **amend** (2); and **add** (3) as follows:

24-80-209. Title to property - disbursement of revenues - enterprise services cash fund - community museums cash fund - definition. (2) All noncustodial revenues received by the society other than limited gaming revenues deposited in the state historical fund pursuant to section 12-47.1-1201, ~~C.R.S.~~, AND REVENUES DEPOSITED IN THE COMMUNITY MUSEUMS CASH FUND PURSUANT TO SUBSECTION (3) OF THIS SECTION, whether from commissions, sale of goods and services, admissions, membership and user charges, service fees, operation or rental of concessions or facilities, or from any other state source shall be deposited in the enterprise services cash fund, which fund is hereby created in the state treasury. Moneys in the fund are subject to annual appropriation by the general assembly for the direct and indirect costs of carrying out the activities of the society. The state treasurer shall credit all interest derived from the deposit and investment of moneys in the fund to the fund. Any moneys not appropriated remain in the fund and shall not be transferred or revert to the general fund or any other fund at the end of any fiscal year. Moneys in the enterprise services cash fund and any other historical society custodial accounts shall be held by the state treasurer as custodian separate and apart from other funds and may be withdrawn from ~~his~~ THE TREASURER'S custody for the purposes and under the control of the society, only upon the issuance of vouchers signed by the president or vice-president and treasurer or secretary of

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

the society and upon warrants drawn against such funds by the controller.

(3) ALL NONCUSTODIAL REVENUES RECEIVED BY THE SOCIETY THAT WERE EARNED BY A COMMUNITY MUSEUM, WHETHER FROM COMMISSIONS, SALE OF GOODS AND SERVICES, ADMISSIONS, MEMBERSHIP AND USER CHARGES, SERVICE FEES, OPERATION OR RENTAL OF CONCESSIONS OR FACILITIES, OR FROM ANY OTHER STATE SOURCE SHALL BE DEPOSITED IN THE COMMUNITY MUSEUMS CASH FUND, WHICH FUND IS HEREBY CREATED IN THE STATE TREASURY. MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS OF CARRYING OUT THE ACTIVITIES OF THE COMMUNITY MUSEUMS. THE STATE TREASURER SHALL CREDIT ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND TO THE FUND. ANY MONEYS NOT APPROPRIATED REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND OR ANY OTHER FUND AT THE END OF ANY FISCAL YEAR. MONEYS IN THE COMMUNITY MUSEUMS CASH FUND SHALL BE HELD BY THE STATE TREASURER AS CUSTODIAN SEPARATE AND APART FROM OTHER FUNDS AND MAY BE WITHDRAWN FROM THE TREASURER'S CUSTODY FOR THE PURPOSES AND UNDER THE CONTROL OF THE SOCIETY, ONLY UPON THE ISSUANCE OF VOUCHERS SIGNED BY THE PRESIDENT OR VICE-PRESIDENT AND TREASURER OR SECRETARY OF THE SOCIETY AND UPON WARRANTS DRAWN AGAINST SUCH FUNDS BY THE CONTROLLER. FOR PURPOSES OF THIS SECTION, "COMMUNITY MUSEUM" MEANS ANY REAL PROPERTY OTHER THAN THE STATE MUSEUM LOCATED AT 1200 BROADWAY IN DENVER THAT IS OWNED AND OPERATED BY THE HISTORICAL SOCIETY AND THAT IS OPEN FOR PUBLIC ADMISSION OR EVENTS.

SECTION 2. Appropriation - adjustments to 2017 long bill. (1) To implement this act, the cash funds appropriation made in the annual general appropriation act for the 2017-18 state fiscal year to the department of higher education for community museums from the enterprise services cash fund created in section 24-80-209 (2), C.R.S., is decreased by \$847,000.

(2) (a) For the 2017-18 state fiscal year, \$847,000 is appropriated to the department of higher education. This appropriation is from the community museums cash fund created in section 24-80-209 (3), C.R.S. To implement this act, the department may use this appropriation for community museums.

(b) If the available revenue in the community museums cash fund is less than the amount appropriated in subsection (2)(a) of this section, then an amount equal to the unused balance of the appropriation is appropriated from the enterprise services cash fund created in section 24-80-209 (2), C.R.S., to the department of higher education for community museums. The total amount expended by the department under subsection (2)(a) of this section or this subsection (2)(b) shall not exceed \$847,000.

SECTION 3. 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 28, 2017