

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1002.01 Thomas Morris x4218

SENATE BILL 18-194

SENATE SPONSORSHIP

Coram,

HOUSE SPONSORSHIP

Roberts and Willett,

Senate Committees

Finance

House Committees

A BILL FOR AN ACT

101 CONCERNING CONTRIBUTIONS TO THE COLORADO NATURAL
102 RESOURCES FOUNDATION FUND.

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>.)

Current law allows the department of natural resources to receive or reject gifts and devises of money or property.

The bill allows the department of natural resources and each of its divisions to receive or reject gifts, grants, donations, and devises of money or property.

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

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 24-33-108 as
3 follows:

4 **24-33-108. Gifts, grants, donations, and devises to the**
5 **department.** (1) The department of natural resources ~~is~~ **AND EACH OF ITS**
6 **DIVISIONS ARE** authorized to receive or reject gifts, GRANTS, DONATIONS,
7 and devises of money or property and, subject to the terms of any gift,
8 GRANT, DONATION, or devise and to the provisions of any applicable law,
9 to hold ~~such funds~~ **THE MONEY** or property in trust or invest, sell, or
10 exchange the same and use either principal or interest or the proceeds of
11 sale or the exchanged property received for the benefit of the department
12 **OR THE APPLICABLE DIVISION** and the public. ~~as specified in this section.~~

13 (2) The department of natural resources **AND EACH OF ITS**
14 **DIVISIONS** may cooperate with and assist any donor, ~~or~~ foundation, or
15 similar organization intending to make gifts, GRANTS, DONATIONS, ~~and~~ **OR**
16 **devises** of money ~~and~~ **OR** property ~~for donation to or use by the~~
17 ~~department in the provision and maintenance of parks, recreational areas,~~
18 ~~or scenic or natural areas and for related uses~~ **OR ITS DIVISIONS.** The
19 acceptance of any gift, GRANT, DONATION, or devise ~~shall~~ **DOES** not
20 commit the state to any expenditure of state funds.

21 (3) Any money **OR PROPERTY** received ~~as gifts~~ under this section
22 and any money received from the investment of ~~such~~ **THE** money or
23 property ~~received under this section and any interest therefrom~~ must be
24 credited to a special fund known as the Colorado natural resources
25 foundation fund. The fund and any gifts, GRANTS, DONATIONS, or **devises**
26 received by the department of natural resources **OR ITS DIVISIONS** pursuant

1 to this section ~~shall~~ MUST not diminish any appropriations made to the
2 department. ~~Money in the fund shall not be expended in such a manner~~
3 ~~as to commit expenditures from the general fund or any cash fund that is~~
4 ~~designated for regulatory purposes within the division of water resources.~~
5 The use of gifts, GRANTS, DONATIONS, and devises ~~are~~ IS subject to audit
6 by the state auditor or the state auditor's designee, the cost of which shall
7 be borne by the department.

8 (4) Repealed.

9 **SECTION 2. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2018 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.