

CHAPTER 407

GOVERNMENT - STATE

SENATE BILL 18-267

BY SENATOR(S) Kefalas and Baumgardner, Sonnenberg, Lambert, Lundberg, Martinez Humenik, Tate;
 also REPRESENTATIVE(S) Becker J. and Hansen, Esgar, Coleman, Exum, Hamner, Herod, Hooton, Melton, Michaelson Jenet,
 Roberts, Valdez, Young, Duran.

AN ACT

CONCERNING THE CREATION OF THE JUSTICE CENTER MAINTENANCE FUND.

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

SECTION 1. In Colorado Revised Statutes, 13-32-101, **add (7)(b)(III) and (7)(d)** as follows:

13-32-101. Docket fees in civil actions - judicial stabilization cash fund - support registry fund created - definition - legislative declaration.

(7)(b)(III) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT IT IS NOT THE GENERAL ASSEMBLY'S INTENT THAT THE JUDICIAL DEPARTMENT ARTIFICIALLY RAISE THE FEES THAT ARE REQUIRED BY LAW TO BE DEPOSITED IN THE FUND IN ORDER TO INCREASE THE AMOUNT OF MONEY APPROPRIATED FROM THE FUND TO THE MAINTENANCE FUND CREATED IN SUBSECTION **(7)(d)** OF THIS SECTION.

(d)(I) THE JUSTICE CENTER MAINTENANCE FUND IS HEREBY CREATED IN THE STATE TREASURY AND REFERRED TO IN THIS SUBSECTION **(7)** AS THE "MAINTENANCE FUND". THE MAINTENANCE FUND CONSISTS OF MONEY ANNUALLY APPROPRIATED BY THE GENERAL ASSEMBLY TO THE MAINTENANCE FUND FROM THE JUSTICE CENTER CASH FUND AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE AMOUNT APPROPRIATED TO THE MAINTENANCE FUND FROM THE JUSTICE CENTER CASH FUND MUST BE EQUAL TO THE AMOUNT DESCRIBED IN SUBSECTION **(7)(d)(II)** OF THIS SECTION. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE MAINTENANCE FUND TO THE MAINTENANCE FUND. SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY AND SUBJECT TO CAPITAL DEVELOPMENT REVIEW OF ANY CONTROLLED MAINTENANCE NEEDS THAT THE COMMITTEE WOULD TYPICALLY REVIEW FOR STATE-FUNDED

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

PROJECTS, MONEY FROM THE MAINTENANCE FUND MAY BE EXPENDED FOR CONTROLLED MAINTENANCE NEEDS OF THE RALPH L. CARR COLORADO JUDICIAL CENTER.

(II) CURRENT AND PROJECTED APPROPRIATIONS TO THE MAINTENANCE FUND FROM THE JUSTICE CENTER CASH FUND SHOULD BE SUFFICIENT TO PAY FOR CURRENT AND PROJECTED CONTROLLED MAINTENANCE NEEDS FOR THE RALPH L. CARR COLORADO JUDICIAL CENTER AS OUTLINED IN THE REPORT REQUIRED IN SUBSECTION (7)(d)(IV) OF THIS SECTION, TAKING INTO ACCOUNT ANY PROJECTED INTEREST EARNINGS ON THE MAINTENANCE FUND.

(III) FOR PURPOSES OF THIS SUBSECTION (7)(d), "CONTROLLED MAINTENANCE" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-30-1301 (4); EXCEPT THAT IT MAY INCLUDE ANY MAINTENANCE NEEDS THAT WOULD ORDINARILY BE FUNDED IN THE JUDICIAL DEPARTMENT'S OPERATING BUDGET AND IT MAY INCLUDE INFORMATION TECHNOLOGY EQUIPMENT TO SUPPORT NETWORK OPERATIONS, SUCH AS SERVERS OR UNINTERRUPTIBLE POWER SUPPLY UNITS, OR TO REGULATE OR CONTROL BUILDING SYSTEMS, SUCH AS LIGHTING OR HVAC.

(IV) THE JUDICIAL DEPARTMENT SHALL PROVIDE A WRITTEN REPORT TO THE JOINT BUDGET COMMITTEE AND THE CAPITAL DEVELOPMENT COMMITTEE ON NOVEMBER 1, 2018, AND EACH NOVEMBER 1 THEREAFTER, THAT DOCUMENTS EXPENDITURES THAT HAVE BEEN MADE FROM THE MAINTENANCE FUND AND THAT DOCUMENTS PROJECTED FUTURE EXPENDITURES FROM THE MAINTENANCE FUND OVER A TWENTY-YEAR TERM, OR SUCH OTHER TERM AS REQUESTED BY THE CAPITAL DEVELOPMENT COMMITTEE AND THE JOINT BUDGET COMMITTEE. NOTWITHSTANDING SECTION 24-1-136 (11)(a), THE REPORTING REQUIREMENT SPECIFIED IN THIS SUBSECTION (7)(d)(IV) CONTINUES INDEFINITELY.

SECTION 2. In Colorado Revised Statutes, 24-75-402, **amend** (5)(ll); and **add** (5)(oo) and (5)(pp) as follows:

24-75-402. Cash funds - limit on uncommitted reserves - reduction in the amount of fees - exclusions - repeal. (5) Notwithstanding any provision of this section to the contrary, the following cash funds are excluded from the limitations specified in this section:

(ll) The technology advancement and emergency fund created in section 24-37.5-115; ~~and~~

(oo) THE JUSTICE CENTER CASH FUND CREATED IN SECTION 13-32-101 (7)(a); AND

(pp) THE JUSTICE CENTER MAINTENANCE FUND CREATED IN SECTION 13-32-101 (7)(d).

SECTION 3. Act subject to petition - effective date. 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 8, 2018, if adjournment sine die is on May 9, 2018); 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.

Approved: June 6, 2018