

CHAPTER 21

NATURAL RESOURCES

SENATE BILL 19-070

BY SENATOR(S) Tate, Moreno, Zenzinger, Bridges, Coram, Crowder, Donovan, Fenberg, Ginal, Pettersen, Priola, Story;
also REPRESENTATIVE(S) Arndt, Hooton, McKean, Buentello, Snyder.

AN ACT

CONCERNING AN UPDATE TO STATUTORY LANGUAGE AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO RECEIVE DONATIONS TO BE CREDITED TO THE COLORADO NATURAL RESOURCES FOUNDATION FUND.

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

SECTION 1. Legislative declaration. The general assembly declares that the purpose of this act is to clarify statutory provisions relating to the Colorado department of natural resources. The general assembly further declares that clarifying these statutory provisions does not alter the scope or applicability of the remaining statutes.

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

24-33-108. Gifts, grants, and donations to the department - Colorado natural resources gifts, grants, and donations fund. (1) The department of natural resources is authorized to receive or reject gifts, ~~and devises~~ GRANTS, AND DONATIONS of money or property and, subject to the terms of any gift, ~~or devise~~ GRANT, OR DONATION and to the provisions of any applicable law, to hold ~~such funds~~ THE MONEY or property in trust or invest, sell, EXPEND, or exchange the ~~same~~ MONEY OR PROPERTY and use either principal or interest or the proceeds of sale or the exchanged property received for the benefit of the department and the public. ~~as specified in this section.~~

(2) The department of natural resources may cooperate with and assist any donor or foundation or similar organization intending to make gifts, ~~and devises of money and property for donation~~ GRANTS, OR DONATIONS to or FOR use by the department. ~~in the provision and maintenance of parks, recreational areas, or scenic or natural~~

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

~~areas and for related uses.~~ The acceptance of any gift, ~~or devise shall~~ GRANT, OR DONATION MUST not commit the state to any expenditure of state funds.

(3) Any money OR PROPERTY received ~~as gifts~~ under this section and any money received from the investment of ~~such~~ THE money or property received ~~under this section and any interest therefrom~~ must be credited to a special fund known as the Colorado natural resources ~~foundation~~ GIFTS, GRANTS, AND DONATIONS fund. The fund and any gifts, ~~or devises~~ GRANTS, OR DONATIONS received by the department of natural resources pursuant to this section ~~shall~~ MUST not diminish any appropriations made to the department. Money in the fund shall not be expended in such a manner as to commit expenditures from the general fund or any cash fund that is designated for regulatory purposes within the division of water resources. The use of gifts, ~~and devises are~~ GRANTS, AND DONATIONS IS subject to audit by the state auditor or the state auditor's designee, the cost of which AUDIT shall be borne by the department.

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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 7, 2019