

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0472.01 Nicole Myers x4326

SENATE BILL 23-306

---

SENATE SPONSORSHIP

Moreno and Simpson,

HOUSE SPONSORSHIP

(None),

---

Senate Committees  
Appropriations

House Committees

---

A BILL FOR AN ACT

101 CONCERNING STATE CAPITAL ASSETS, AND, IN CONNECTION  
102 THEREWITH, DETERMINING OFFICE SPACE FOR THE LEGISLATIVE  
103 DEPARTMENT IN THE CAPITOL COMPLEX, SPECIFYING  
104 ADDITIONAL SOURCES OF FUNDING AND MODIFYING THE TIMING  
105 OF THE FUNDING FOR CERTAIN CAPITAL CONSTRUCTION  
106 PROJECTS FOR STATE-OWNED BUILDINGS, AND MAKING AN  
107 APPROPRIATION.

---

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>.)*

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

Current law requires the office of legislative legal services to have suitable office space in the state capitol building. The bill modifies this requirement by allowing the office space for the office of legislative legal services to be in the state capitol complex and within one-quarter mile of the state capitol building.

For every appropriation from the general fund, the capital construction fund, or the controlled maintenance trust fund in the capital construction section of the annual general appropriation act, the general assembly is currently required to provide funding for annual depreciation-lease equivalent payments. The bill requires the general assembly to also provide funding for annual depreciation-lease equivalent payments for appropriations from the revenue loss restoration cash fund in the capital construction section of the annual general appropriation act. In addition, for the 2023-24 fiscal year through the 2028-29 fiscal year, the bill requires the state controller to transfer the money for the annual depreciation-lease equivalent payments for the applicable fiscal year on July 1 rather than on June 30.

Current law allows the state treasurer, upon the request of the capital development committee, to make a transfer from the general fund to the capitol complex master plan implementation fund in an amount equal to \$20 million less the amount transferred to the national western center trust fund. On July 1, 2023, and each July 1 thereafter through July 1, 2028, the bill requires the state treasurer to transfer the amount transferred to the capitol complex master plan implementation fund to the capitol complex renovation fund.

Current law specifies that the legislative department has control of and is responsible for supervising the maintenance of legislative spaces in certain buildings in the capitol complex and the grounds adjacent to the capitol building. These legislative spaces currently include 2 floors of the capitol building annex at 1375 Sherman street. The bill repeals the specific designation of 2 floors in the capitol building annex as legislative space and requires the executive committee of the legislative council, the director of the division of capital assets, the secretary of the senate, the chief clerk of the house of representatives, the director of the office of legislative legal services, the director of research of the legislative council, and the state auditor to determine, prior to the beginning of the 2025 legislative session, which areas in the capitol building annex are legislative space.

In addition, the bill requires the general assembly to vacate the legislative space at the state office building at 1525 Sherman street within one year after the completion of the renovation of the capitol building annex at 1375 Sherman street and specifies that thereafter, such space in the office building at 1525 Sherman street will be executive space.

---

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

2           **SECTION 1.** In Colorado Revised Statutes, 2-3-507, **amend** (1)  
3 as follows:

4           **2-3-507. Office space in or near capitol - office hours -**  
5 **appropriations.** (1) The office shall be provided with suitable office  
6 space in the state capitol COMPLEX THAT IS WITHIN ONE-QUARTER MILE OF  
7 THE CAPITOL BUILDING, so situated as to be convenient for the members  
8 of the general assembly. Throughout the year, the office shall be kept  
9 open during the hours prevailing in other LEGISLATIVE STAFF offices in OR  
10 NEAR the state capitol, and at such other times in order to efficiently serve  
11 the general assembly.

12           **SECTION 2.** In Colorado Revised Statutes, 24-30-1310, **amend**  
13 (2) as follows:

14           **24-30-1310. Funding for capital construction, controlled**  
15 **maintenance, or capital renewal - definitions.** (2) Except for the  
16 2020-21 annual general appropriation act, for every appropriation in the  
17 capital construction section of the 2015-16 annual general appropriation  
18 act and every appropriation in the capital construction section of each  
19 annual general appropriation act thereafter, not including appropriations  
20 for information technology projects, additional funding must be set aside  
21 as follows:

22           (a) (I) If the funding source for the appropriation is from a cash  
23 fund, the state agency shall annually calculate an amount equal to the  
24 recorded depreciation of the capital asset or capital assets acquired,  
25 repaired, improved, replaced, renovated, or constructed with the  
26 appropriation based on the depreciation period, the general assembly shall

1 include an annual depreciation-lease equivalent payment line item  
2 payable from the cash fund in the operating section of the annual general  
3 appropriation act for the state agency, and, except as otherwise provided  
4 in subsection (2)(a)(II) of this section, on June 30 the state controller shall  
5 credit such amount from the cash fund that was the source of the funding  
6 for the appropriation to a capital reserve account established by the state  
7 agency in such cash fund as specified in section 24-75-403 (2).

8 (II) (A) On September 1, 2022, the state treasurer shall transfer  
9 any amounts credited on June 30, 2022, to state agency capital reserve  
10 accounts pursuant to subsection (2)(a)(I) of this section to the capitol  
11 complex renovation fund created in section 24-30-1313.

12 (B) On June 30, 2023, ~~and on each June 30 thereafter through~~  
13 ~~June 30, 2029~~, the state controller shall credit the amount calculated  
14 pursuant to subsection (2)(a)(I) of this section from the cash fund that was  
15 the source of the funding for the appropriation to the capitol complex  
16 renovation fund created in section 24-30-1313.

17 (C) ON JULY 1, 2023, AND ON EACH JULY 1 THEREAFTER THROUGH  
18 JULY 1, 2028, THE STATE CONTROLLER SHALL CREDIT THE AMOUNT  
19 CALCULATED PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION FROM  
20 THE CASH FUND THAT WAS THE SOURCE OF THE FUNDING FOR THE  
21 APPROPRIATION TO THE CAPITOL COMPLEX RENOVATION FUND CREATED  
22 IN SECTION 24-30-1313.

23 (b) (I) If the funding source for the appropriation is from the  
24 general fund, the capital construction fund, THE REVENUE LOSS  
25 RESTORATION CASH FUND, or the controlled maintenance trust fund, the  
26 general assembly shall include an annual depreciation-lease equivalent  
27 payment line item payable from the general fund in the operating section

1 of the annual general appropriation act for each state agency, including  
2 the department of higher education. Except as otherwise provided in  
3 subsection (2)(b)(II) of this section, on June 30 the state controller shall  
4 credit the annual depreciation-lease equivalent payment line item to the  
5 capital construction fund; except that, of such payment, an amount equal  
6 to one percent of the project cost will be deducted from the payment and  
7 credited to the principal of the controlled maintenance trust fund.

8 (II) (A) On September 1, 2022, the state treasurer shall transfer  
9 any amounts credited on June 30, 2022, to the capital construction fund  
10 and the controlled maintenance trust fund pursuant to subsection (2)(b)(I)  
11 of this section to the capitol complex renovation fund created in section  
12 24-30-1313.

13 (B) On June 30, 2023, ~~and on each June 30 thereafter through~~  
14 ~~June 30, 2029~~, the state controller shall credit the annual  
15 depreciation-lease equivalent payment calculated pursuant to subsection  
16 (2)(b)(I) of this section to the capitol complex renovation fund created in  
17 section 24-30-1313.

18 (C) ON JULY 1, 2023, AND ON EACH JULY 1 THEREAFTER THROUGH  
19 JULY 1, 2028, THE STATE CONTROLLER SHALL CREDIT THE ANNUAL  
20 DEPRECIATION-LEASE EQUIVALENT PAYMENT CALCULATED PURSUANT TO  
21 SUBSECTION (2)(b)(I) OF THIS SECTION TO THE CAPITOL COMPLEX  
22 RENOVATION FUND CREATED IN SECTION 24-30-1313.

23 (c) If the funding source for the appropriation is a financing  
24 arrangement, including a financed purchase of an asset or certificate of  
25 participation agreement allowed pursuant to section 24-82-802, and the  
26 source of the funding for the financing payment is:

27 (I) (A) From a cash fund, then the state agency shall annually

1 calculate an amount equal to one percent of the project cost and the  
2 general assembly shall include an annual controlled maintenance line item  
3 payable from the cash fund in the operating section of the annual general  
4 appropriation act for each state agency equal to such amount. Except as  
5 otherwise provided in subsection (2)(c)(I)(B) of this section, on June 30  
6 the state controller shall credit such amount to a capital reserve account  
7 established by the state agency in the cash fund as specified in section  
8 24-75-403 (2).

9 (B) On September 1, 2022, the state treasurer shall transfer any  
10 amounts credited on June 30, 2022, to state agency capital reserve  
11 accounts pursuant to subsection (2)(c)(I)(A) of this section to the capitol  
12 complex renovation fund created in section 24-30-1313. On June 30,  
13 2023, ~~and on each June 30 thereafter through June 30, 2029~~ ON JULY 1,  
14 2023, AND ON EACH JULY 1 THEREAFTER THROUGH JULY 1, 2028, the state  
15 controller shall credit the amount calculated pursuant to subsection  
16 (2)(c)(I)(A) of this section to the capitol complex renovation fund created  
17 in section 24-30-1313;

18 (II) (A) From the general fund, the capital construction fund, or  
19 the controlled maintenance trust fund, then the general assembly shall  
20 include an annual controlled maintenance line item payable from the  
21 general fund in the operating section of the annual general appropriation  
22 act for each state agency, including the department of higher education,  
23 equal to one percent of the project cost, as calculated by the state agency  
24 or the state institution of higher education, which calculation the state  
25 institution of higher education shall report to the department of higher  
26 education. Except as otherwise provided in subsection (2)(c)(II)(B) of this  
27 section, on June 30 the state controller shall credit such amount to the

1 controlled maintenance trust fund.

2 (B) On September 1, 2022, the state treasurer shall transfer any  
3 amounts credited on June 30, 2022, to the controlled maintenance trust  
4 fund pursuant to subsection (2)(c)(II)(B) of this section to the capitol  
5 complex renovation fund created in section 24-30-1313. On June 30,  
6 2023, ~~and on each June 30 thereafter through June 30, 2029~~ ON JULY 1,  
7 2023, AND ON EACH JULY 1 THEREAFTER THROUGH JULY 1, 2028, the state  
8 controller shall credit the amount calculated pursuant to subsection  
9 (2)(c)(II)(A) of this section to the capitol complex renovation fund  
10 created in section 24-30-1313;

11 (d) If the funding source for the appropriation is a combination of  
12 the funding sources described in subsections (2)(a), (2)(b), and (2)(c) of  
13 this section, then the annual set aside must be made in proportion to the  
14 funding source.

15 **SECTION 3.** In Colorado Revised Statutes, 24-30-1313, **amend**  
16 (1) and (4)(b) as follows:

17 **24-30-1313. Capitol complex renovation fund - created -**  
18 **repeal.** (1) The capitol complex renovation fund, referred to in this  
19 section as the "fund", is created in the state treasury. The fund consists of  
20 money credited to the fund pursuant to section 24-30-1310 (2), money  
21 transferred to the fund pursuant to ~~section 24-75-307 (4)~~ SECTIONS  
22 24-75-307 (2.5) AND (4), and any other money that the general assembly  
23 may appropriate or transfer to the fund.

24 (4) (b) Of the total amount of money appropriated to the ~~fund~~  
25 DEPARTMENT OF PERSONNEL pursuant to this section, up to twenty-three  
26 million dollars shall be available for the general assembly to use for  
27 improvement projects in legislative spaces in the capitol complex,

1 INCLUDING THE RENOVATION OF THE SPACE IN THE CAPITOL BUILDING  
2 ANNEX AT 1375 SHERMAN STREET THAT IS DESIGNATED AS LEGISLATIVE  
3 SPACE PURSUANT TO SECTION 24-82-101 (4)(a), subject to approval of the  
4 executive committee of the legislative council.

5 **SECTION 4.** In Colorado Revised Statutes, 24-75-307, **add** (2.5)  
6 as follows:

7 **24-75-307. Capitol complex master plan implementation fund**  
8 **- creation - transfers for fund.** (2.5) ON JULY 1, 2023, AND ON EACH  
9 JULY 1 THEREAFTER THROUGH JULY 1, 2028, THE STATE TREASURER  
10 SHALL TRANSFER ANY AMOUNT TRANSFERRED TO THE CAPITOL COMPLEX  
11 MASTER PLAN IMPLEMENTATION FUND PURSUANT TO SUBSECTION (2) OF  
12 THIS SECTION FROM THE CAPITOL COMPLEX MASTER PLAN  
13 IMPLEMENTATION FUND TO THE CAPITOL COMPLEX RENOVATION FUND  
14 CREATED IN SECTION 24-30-1313.

15 **SECTION 5.** In Colorado Revised Statutes, 24-82-101, **amend**  
16 (1)(a); and **add** (4) as follows:

17 **24-82-101. Control of legislative space in the capitol, the**  
18 **legislative services building, and the state office building at 1525**  
19 **Sherman street - responsibility of department of personnel for**  
20 **supervision of maintenance in capitol buildings group - exception -**  
21 **capitol complex master plan.** (1) In accordance with the provisions of  
22 section 2-2-321 concerning space for the legislative department, subject  
23 to appropriations made by the general assembly and subject to the  
24 provisions of section 24-82-108, concerning preservation of the state  
25 capitol building, the legislative department, acting through the executive  
26 committee of the legislative council:

27 (a) Shall have control of legislative spaces in the capitol; the



1 legislative services building; the state office building at 1525 Sherman  
2 street, ~~two floors of~~ SUBJECT TO THE PROVISIONS OF SUBSECTION (4)(b) OF  
3 THIS SECTION; the capitol building annex at 1375 Sherman street, SUBJECT  
4 TO THE PROVISIONS OF SUBSECTION (4)(a) OF THIS SECTION; and the  
5 grounds adjacent to the capitol within the area bounded on the north by  
6 east Colfax avenue, on the west by Lincoln street, on the south by  
7 Fourteenth avenue, and on the east by Grant street, as shown on the  
8 official maps of the city and county of Denver, the state-owned grounds  
9 adjacent to the legislative services building at Fourteenth avenue and  
10 Sherman street, and the tunnels connecting the subbasements of the  
11 capitol, the legislative services building, and the state office building at  
12 1525 Sherman street, together with all furniture, fixtures, furnishings, and  
13 equipment and all exhibits placed in and about said buildings; and

14 (4) (a) THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL,  
15 THE DIRECTOR OF THE DIVISION OF CAPITAL ASSETS IN THE DEPARTMENT  
16 OF PERSONNEL OR THE DIRECTOR'S DESIGNEE, THE SECRETARY OF THE  
17 SENATE OR THE SECRETARY'S DESIGNEE, THE CHIEF CLERK OF THE HOUSE  
18 OF REPRESENTATIVES OR THE CHIEF CLERK'S DESIGNEE, THE DIRECTOR OF  
19 THE OFFICE OF LEGISLATIVE LEGAL SERVICES OR THE DIRECTOR'S  
20 DESIGNEE, THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL OR  
21 THE DIRECTOR'S DESIGNEE, AND THE STATE AUDITOR OR THE AUDITOR'S  
22 DESIGNEE SHALL, AFTER CONSULTATION AND DISCUSSION, DETERMINE  
23 WHICH AREAS IN THE CAPITOL BUILDING ANNEX AT 1375 SHERMAN STREET  
24 ARE LEGISLATIVE SPACE. THE PARTIES SHALL DETERMINE THE  
25 LEGISLATIVE SPACE IN THE CAPITOL BUILDING ANNEX AT 1375 SHERMAN  
26 PRIOR TO THE START OF THE FIRST REGULAR SESSION OF THE  
27 SEVENTY-FIFTH GENERAL ASSEMBLY. THE GENERAL ASSEMBLY MAY

1 ENACT LEGISLATION DURING THE FIRST REGULAR SESSION OF THE  
2 SEVENTY-FIFTH GENERAL ASSEMBLY TO CODIFY WHICH AREAS IN THE  
3 CAPITOL BUILDING ANNEX ARE DESIGNATED AS LEGISLATIVE SPACE.

4 (b) WITHIN ONE YEAR AFTER THE DATE THAT THE DIVISION OF  
5 CAPITOL ASSETS IN THE DEPARTMENT OF PERSONNEL DETERMINES, WITH  
6 THE AGREEMENT OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE  
7 COUNCIL, THAT THE WORK TO CONVERT THE SPACE, AS DETERMINED  
8 PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION, IN THE CAPITOL  
9 BUILDING ANNEX AT 1375 SHERMAN STREET TO LEGISLATIVE SPACE IS  
10 COMPLETE, THE LEGISLATIVE SPACE AT THE STATE OFFICE BUILDING AT  
11 1525 SHERMAN STREET SHALL CEASE TO BE LEGISLATIVE SPACE AND  
12 SHALL BECOME EXECUTIVE SPACE.

13 **SECTION 6. Capital construction appropriation.** For the  
14 2023-24 state fiscal year, \$20,479,729 is appropriated to the department  
15 of personnel. This appropriation is from the capitol complex renovation  
16 fund created in section 24-30-1313 (1), C.R.S. To implement this act, the  
17 department may use this appropriation for capital construction related to  
18 capitol complex renovation projects pursuant to section 24-30-1313 (5),  
19 C.R.S.

20 **SECTION 7. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, or safety.