

# An Act

HOUSE BILL 24-1442

BY REPRESENTATIVE(S) Lindstedt, Clifford, Duran, Froelich, Hamrick, Lieder, Lindsay, Lukens, Mauro, Ortiz;  
also SENATOR(S) Fenberg, Mullica, Priola.

CONCERNING MODIFICATIONS TO THE CAPITOL BUILDING ADVISORY COMMITTEE.

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

**SECTION 1.** In Colorado Revised Statutes, 24-82-108, **amend** (1), (2)(a)(I) introductory portion, (2)(a)(I)(D), (2)(d), (2)(e), (3), and (4); and **add** (3.5) as follows:

**24-82-108. State capitol building advisory committee - creation - duties - legislative declaration - repeal.** (1) **Legislative declaration.** THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) It is the intent of the general assembly to ensure that the historic character and architectural integrity of the capitol building and grounds be preserved and promoted;

(b) ~~Because~~ The rose onyx, marble, granite, gold, oak woodwork,

*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.*

and brass fixtures and trim are deemed to be historic, AND it is the intent of the general assembly to ~~provide for~~ SPECIFY special procedures to be followed in any project affecting such items;

(c) ~~In order~~ To ensure that structural changes and innovations do not injure or dramatically change the state capitol building or the historic items contained within the building or other areas ~~set forth in paragraph (a) of subsection (3) of this section, there is hereby created~~ AS SPECIFIED IN THIS SECTION, IT IS NECESSARY TO CREATE the state capitol building advisory committee ~~which shall review plans to restore, redecorate, or reconstruct space within the state capitol building and make recommendations to the capital development committee based on such plans.~~ TO ADVISE THE GENERAL ASSEMBLY REGARDING THE PROTECTION OF THE CAPITOL BUILDING'S HISTORIC CHARACTER, INCLUDING ITS ART, MEMORIALS, FURNITURE, AND ARCHITECTURAL FIXTURES; AND

(d) IT IS ALSO NECESSARY FOR THE CAPITOL BUILDING ADVISORY COMMITTEE TO REVIEW, ADVISE, AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING PLANS TO RESTORE, REDECORATE, AND RECONSTRUCT HISTORIC AREAS WITHIN SPECIFIED BUILDINGS AND GROUNDS IN THE CAPITOL BUILDING ANNEX.

**(2) State capitol building advisory committee creation.**

(a) (I) THE STATE CAPITOL BUILDING ADVISORY COMMITTEE, REFERRED TO IN THIS SECTION AS THE ADVISORY COMMITTEE, IS HEREBY CREATED. The ~~state capitol building~~ advisory committee consists of the following twelve members:

(D) The following ex officio members WHO ARE VOTING MEMBERS OF THE ADVISORY COMMITTEE: The president of the state historical society or a designee of the president; and the executive director of the department of personnel or a designee of the executive director.

(d) At the annual meeting, the advisory committee members shall elect a ~~chairman~~ CHAIR from among its members to serve as ~~chairman~~ CHAIR for one year of such member's term.

(e) All members of the advisory committee ~~shall be~~ ARE volunteers and ~~shall~~ serve without per diem except as otherwise provided in section 2-2-326; ~~C.R.S.~~ except that members of the advisory committee ~~shall~~ MUST

be reimbursed for necessary and actual expenses incurred in the performance of their duties.

**(3) Duties of the advisory committee.** The advisory committee ~~shall have~~ HAS the following duties SPECIFIED IN SUBSECTIONS (3)(a) THROUGH (3)(i) OF THIS SECTION.

**(a) Plans to restore, redecorate, and reconstruct space in specified buildings and grounds.** (I) The advisory committee shall review, advise, and make recommendations to the capital development committee ~~with respect to~~ REGARDING plans to restore, redecorate, and reconstruct space within the public and ceremonial areas of the state capitol ~~buildings group~~ BUILDING, THE HISTORIC ELEMENTS OF THE INTERIOR AND EXTERIOR OF THE CAPITOL BUILDING ANNEX AND THE SURROUNDING GROUNDS OF THE CAPITOL BUILDING ANNEX, the legislative services building and the surrounding grounds of such building, and the surrounding grounds of the state capitol building bounded by Colfax avenue on the north, Grant street on the east, Fourteenth avenue on the south, and Broadway on the west, in the city and county of Denver. This ~~shall include but not be~~ INCLUDES BUT IS NOT limited to the corridors, rotundas, lobbies, entrance ways, stairways, restrooms, porticos, steps, and elevators.

(II) The committee ~~shall not have responsibility~~ IS NOT RESPONSIBLE for reviewing, advising, or making recommendations concerning the ~~outer office of the~~ executive suite and the areas used for office space, legislative chambers, and legislative committee meeting rooms, except as to structural modifications affecting the rose onyx, marble, granite, gold, oak woodwork, or brass fixtures and trim as ~~provided for in paragraph (b) of this subsection~~ (3) SPECIFIED IN SUBSECTION (3)(b) OF THIS SECTION.

**(b) Projects affecting capitol building rose onyx, marble, granite, gold, oak woodwork, and brass fixtures and trim.** (I) The advisory committee shall review all planned construction projects affecting the rose onyx, marble, granite, gold, oak woodwork, and brass fixtures and trim of the state capitol building, and shall submit a written report to the capital development committee containing the advisory committee's findings. ~~No such project affecting~~ AN AGENCY OR DEPARTMENT SHALL NOT BEGIN A PROJECT THAT AFFECTS the rose onyx, marble, granite, gold, oak woodwork, and brass fixtures and trim ~~shall be made~~ without review by ~~said~~ THE advisory committee and the consent of the capital development committee.

~~No~~ Alteration to the ~~above listed items shall be~~ ITEMS LISTED IN THIS SUBSECTION (3)(b) IS NOT permitted in any area of the state capitol building until ~~such~~ THE project is reviewed by the advisory committee and approved by the capital development committee.

(II) Notwithstanding the provisions of ~~this paragraph (b)~~ SUBSECTION (3)(b)(I) OF THIS SECTION, the department of personnel ~~shall have the authority to~~ MAY perform emergency repairs where the safety of persons or the well-being of the building would be jeopardized by delay. ~~Such emergency repairs shall be undertaken~~ THE DEPARTMENT OF PERSONNEL SHALL UNDERTAKE EMERGENCY REPAIRS in a manner to prevent or minimize any damage to the rose onyx, marble, granite, gold, oak woodwork, or brass fixtures and trim of the state capitol building.

~~(b.5) Repealed.~~

(c) **Long-range planning for specified buildings and grounds in the capitol building annex.** The advisory committee, in cooperation with the department of personnel and with the approval of the capital development committee, may engage in long-range planning for modifications and improvements to the ~~state capitol building and its surrounding grounds~~ SPACE WITHIN THE PUBLIC AND CEREMONIAL AREAS OF THE STATE CAPITOL BUILDING, THE HISTORIC ELEMENTS OF THE INTERIOR AND EXTERIOR OF THE CAPITOL BUILDING ANNEX AND THE SURROUNDING GROUNDS OF SUCH BUILDING, THE LEGISLATIVE SERVICES BUILDING AND THE SURROUNDING GROUNDS OF SUCH BUILDING, AND THE SURROUNDING GROUNDS OF THE STATE CAPITOL BUILDING BOUNDED BY COLFAX AVENUE ON THE NORTH, GRANT STREET ON THE EAST, FOURTEENTH AVENUE ON THE SOUTH, AND BROADWAY ON THE WEST, IN THE CITY AND COUNTY OF DENVER. THIS INCLUDES BUT IS NOT LIMITED TO THE CORRIDORS, ROTUNDAS, LOBBIES, ENTRANCE WAYS, STAIRWAYS, RESTROOMS, PORTICOS, STEPS, AND ELEVATORS.

(d) **Determination of items in the Colorado collection.** ~~The advisory committee shall identify all furniture original to the state capitol building and create an inventory of such furniture. Any costs associated with identifying and inventorying furniture original to the state capitol building shall be paid with moneys raised through private sources and shall not be paid from the general fund. The department of personnel is hereby granted the authority to collect and use such moneys raised by private~~

~~sources for the purpose of identifying and inventorying all furniture original to the state capitol building. The possession of all furniture original to the state capitol building shall be retained by the department of administration and shall be made available for use in the state capitol building. The furniture original to the state capitol building shall remain in the state capitol building at all times.~~ THE ADVISORY COMMITTEE SHALL DETERMINE, BASED ON CONSULTATION WITH AND THE RECOMMENDATIONS OF HISTORY COLORADO PURSUANT TO SUBSECTION (3.5) OF THIS SECTION, WHICH ART, MEMORIALS, ARCHITECTURAL FIXTURES, AND FURNITURE THAT IS ORIGINAL TO THE STATE CAPITOL BUILDING IS PART OF THE STATE'S COLLECTION OF HISTORIC MATERIALS KNOWN AS THE COLORADO COLLECTION.

(e) The advisory committee shall determine ~~which~~ WHETHER damaged pieces of furniture original to the state capitol building should be restored or renovated. ~~and shall make recommendations to the capital development committee regarding such furniture~~

**(f) Publications on the history of the capitol building.** (I) For the purpose of promoting historic interest in the state capitol building and for producing ~~moneys~~ MONEY to enhance preservation of original and historic elements of the state capitol building, the advisory committee ~~shall formulate a plan for publishing~~ HAS AUTHORITY OVER publications on the history of the state capitol building and ~~for developing~~ MAY AUTHORIZE other state capitol building memorabilia for sale to the public. ~~This plan shall be presented to the capital development committee no later than October 1, 1991.~~ All ~~moneys~~ MONEY received from the sale of such items ~~shall be~~ IS credited to a special account within the public buildings trust fund established by section 8 of the "Enabling Act of Colorado", which account is hereby established.

(II) The ADVISORY committee is authorized to accept gifts, grants, or donations of any kind from any private or public source to carry out the purposes of this ~~paragraph (f)~~ SUBSECTION (3)(f). All such gifts, grants, or donations shall be transmitted to the state treasurer who shall credit the same to the special account created ~~by this paragraph (f)~~ IN SUBSECTION (3)(f)(I) OF THIS SECTION within the public buildings trust fund.

(III) ~~Moneys~~ MONEY in the special account ~~are hereby~~ CREATED IN SUBSECTION (3)(f)(I) OF THIS SECTION IS continuously appropriated to the advisory committee for republishing and reissuing publications on the

history of the state capitol building and other state capitol building memorabilia, for restoring, repairing, and enhancing the state capitol building, THE HISTORIC ELEMENTS OF THE INTERIOR AND EXTERIOR OF THE CAPITOL BUILDING ANNEX, the legislative services building, and the grounds of ~~said~~ SUCH buildings, and for such other purposes as are necessary or incidental to accomplish the purposes of this ~~paragraph (f)~~ SUBSECTION (3)(f).

**(g) Proposals for use of state capitol building driveways.** The advisory committee shall evaluate proposals for uses of the state capitol BUILDING driveways in addition to those authorized in section 24-82-104. The advisory committee shall evaluate any proposals ~~which~~ THAT are received from the general assembly, the governor, or the city and county of Denver. ~~Such~~ IN ITS evaluation, THE ADVISORY COMMITTEE shall consider any potential threat to the safety of individuals who are in or around the state capitol building, any potential interference with the operations of the executive department ~~which~~ THAT are posed by any proposed additional use, and the relevant provisions of any current master plan for the state capitol building and surrounding area. Notwithstanding the provisions of section 24-82-104 (2), if the advisory committee determines THAT the proposed use ~~to be~~ IS reasonable, the ~~proposal shall be directed~~ ADVISORY COMMITTEE SHALL DIRECT THE PROPOSAL to the capital development committee and the governor for approval. No additional use of the state capitol BUILDING driveways ~~shall be~~ IS effective without the approval of the capital development committee and the governor.

**(h) Proposals for a gift or loan of art and memorials.** (I) Except as provided in ~~subparagraph (II) of this paragraph (h)~~ SUBSECTION (3)(h)(II) OF THIS SECTION, all proposals involving the gift or loan of objects of art and memorials to be placed on a permanent or temporary basis in the state capitol building or on its surrounding grounds and proposals for fund-raising efforts to place objects of art or memorials in the state capitol building or on its surrounding grounds shall be submitted to the advisory committee for evaluation. The advisory committee shall develop criteria and a procedure for such evaluations, which ~~procedure~~ shall include consulting with knowledgeable advisors to assist in evaluating each object of art or memorial individually. The advisory committee shall evaluate all ~~such~~ proposals SUBMITTED TO THE ADVISORY COMMITTEE and present recommendations resulting from ~~such~~ THE evaluations as follows:

(A) Proposals INVOLVING THE GIFT OR LOAN OF OBJECTS OF ART AND MEMORIALS pertaining to all public areas of the state capitol building, including but not limited to the corridors, rotunda, lobbies, entrance ways, stairways, restrooms, porticos, steps, and elevators ~~shall~~ MUST be submitted to the capital development committee for approval. No such proposal shall ~~be permitted to~~ proceed without the prior approval of the capital development committee.

(B) Proposals INVOLVING THE GIFT OR LOAN OF OBJECTS OF ART AND MEMORIALS pertaining to the surrounding grounds of the capitol building bounded by Colfax avenue on the north, Grant street on the east, Fourteenth avenue on the south, and Broadway on the west, in the city and county of Denver, ~~shall~~ MUST be submitted to the capital development committee and the governor for approval. No such proposal shall ~~be permitted to~~ proceed without the prior approval of the capital development committee and the governor.

(II) The provisions of this ~~paragraph (h) shall~~ SUBSECTION (3)(h) DO not apply to proposals pertaining to the outer office of the executive suite and those areas of the first floor used as office space by the executive department.

(III) The advisory committee is authorized to direct the removal of any objects of art or memorials that are placed in the state capitol building or on its surrounding grounds that have not been submitted to the advisory committee for evaluation and approval pursuant to the criteria and procedure developed by the advisory committee pursuant to ~~subparagraph (f) of this paragraph (h)~~ SUBSECTION (3)(h)(I) OF THIS SECTION. This ~~subparagraph (III) shall~~ SUBSECTION (3)(h)(III) DOES not apply to objects of art or memorials placed prior to the formation of the advisory committee.

(i) **Duties of former fallen heroes memorial commission.** (I) The advisory committee ~~shall be~~ IS responsible for any remaining duties of the former fallen heroes memorial commission as it existed in section 24-80-1402 prior to its repeal. The advisory committee shall perform any remaining duties with the assistance of the department of personnel and a Colorado 501(c)(3) organization created for the purpose of raising funds for the construction of the fallen heroes memorial.

(II) This subsection (3)(i) is repealed, effective July 1 of the year

following the receipt by the revisor of statutes of certification from the executive director of the department of personnel that the appropriate memorials have been constructed.

**(3.5) Items original to the state capitol building.** (a) AT THE DIRECTION AND UNDER THE SUPERVISION OF THE ADVISORY COMMITTEE, HISTORY COLORADO, IN COOPERATION WITH THE LEGISLATIVE COUNCIL STAFF, SHALL INVENTORY ALL ART, MEMORIALS, ARCHITECTURAL FIXTURES, AND FURNITURE THAT IS ORIGINAL TO THE STATE CAPITOL BUILDING AND MAKE RECOMMENDATIONS TO THE ADVISORY COMMITTEE REGARDING WHICH ITEMS ARE APPROPRIATE FOR INCLUSION IN THE STATE'S COLLECTION OF HISTORIC MATERIALS KNOWN AS THE COLORADO COLLECTION. THE ADVISORY COMMITTEE SHALL DETERMINE, PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION, WHICH INVENTORIED ITEMS ORIGINAL TO THE CAPITOL BUILDING ARE PART OF THE COLORADO COLLECTION.

(b) HISTORY COLORADO HOLDS IN TRUST FOR THE PEOPLE OF COLORADO ANY ITEMS ORIGINAL TO THE CAPITOL BUILDING THAT ARE INCLUDED AS PART OF THE COLORADO COLLECTION PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION, HOWEVER, THE ADVISORY COMMITTEE RETAINS AUTHORITY OVER THE COLLECTION ON BEHALF OF THE GENERAL ASSEMBLY AND IN ACCORDANCE WITH THE POLICIES AND REQUIREMENTS OF THE STATE REGISTER OF HISTORIC PROPERTIES CREATED IN SECTION 24-80.1-103.

(c) THE ART, MEMORIALS, ARCHITECTURAL FIXTURES, AND FURNITURE THAT IS ORIGINAL TO THE STATE CAPITOL BUILDING, REGARDLESS OF WHETHER IT IS PART OF THE COLORADO COLLECTION PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION, MUST REMAIN IN THE STATE CAPITOL BUILDING AT ALL TIMES; EXCEPT THAT SUCH ITEMS ORIGINAL TO THE CAPITOL BUILDING MAY BE TEMPORARILY REMOVED FROM THE CAPITOL BUILDING FOR CONSERVATION FROM TIME TO TIME WITH THE APPROVAL OF THE ADVISORY COMMITTEE.

**(4) Staff support.** The advisory committee may call upon the staff of the legislative council, THE OFFICE OF LEGISLATIVE LEGAL SERVICES, and the department of personnel to provide any necessary assistance in carrying out the committee's duties. Proposed plans to restore, redecorate, or reconstruct the building, or make alterations affecting the rose onyx, marble, granite, gold, oak woodwork, and brass fixtures or trim in the



building ~~shall~~ MUST be submitted in writing to the staff of the legislative council and the department of personnel at least thirty days before such work is scheduled to begin.

**SECTION 2. 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; 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 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Steve Fenberg  
PRESIDENT OF  
THE SENATE

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Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

\_\_\_\_\_  
Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

\_\_\_\_\_  
Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO