

CHAPTER 83

GOVERNMENT - STATE

HOUSE BILL 24-1412

BY REPRESENTATIVE(S) Bird and Taggart, Sirota, Clifford, McCluskie;
also SENATOR(S) Bridges and Kirkmeyer, Zenzinger, Priola.

AN ACT

**CONCERNING CLARIFICATION OF THE SCOPE OF THE AUTHORITY OF THE ADJUTANT GENERAL TO
DISBURSE STATE MONEY FOR CAPITAL ASSET-RELATED PURPOSES.**

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

SECTION 1. In Colorado Revised Statutes, 28-3-106, **amend** (1)(q) and (1)(r) as follows:

28-3-106. Powers and duties of adjutant general. (1) The adjutant general has the following powers and duties:

(q) The adjutant general shall have charge of the campgrounds and military reservations of the state and shall be responsible for the protection and safety thereof, and ~~he or she~~ THE ADJUTANT GENERAL shall promulgate regulations for the maintenance of order thereon, for the enforcement of traffic rules, and for all other lawful regulations as may be ordered for the operation, care, and preservation of existing facilities and installations on all state military reservations. ~~He or she~~ THE ADJUTANT GENERAL shall keep in repair all state buildings and other improvements thereon ~~He or she~~ AND may make such sound improvements thereon as the good of the service requires. SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY, THE ADJUTANT GENERAL MAY DISBURSE STATE MONEY, INCLUDING BUT NOT LIMITED TO MONEY IN THE REAL ESTATE CASH FUND AND THE CAPITAL CONSTRUCTION FUND, IN ACCORDANCE WITH THIS SECTION.

(r) The adjutant general, by and with the advice and approval of the governor, is authorized to rent, hire, purchase, take the conveyance of, and hold in trust for the use of the state of Colorado such buildings, lands, tenements, and appurtenances thereof as may be from time to time deemed necessary for use by the National Guard. All ~~such expenditures shall be paid out of the military fund,~~ but all titles

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.

shall be taken in the name of the governor of the state of Colorado for the use of the National Guard. ANY PURCHASE OF SUCH BUILDINGS OR OTHER REAL PROPERTY OR ANY CAPITAL CONSTRUCTION PERFORMED ON REAL PROPERTY PURCHASED OR HELD BY THE STATE OF COLORADO FOR THE USE OF THE NATIONAL GUARD IS SUBJECT TO THE PROVISIONS OF PART 13 OF ARTICLE 3 OF TITLE 2 CONCERNING CAPITAL DEVELOPMENT. Prior to acquiring any real property pursuant to the provisions of this paragraph (r) SUBSECTION (1)(r), the adjutant general shall submit a report to the capital development committee which describes the anticipated use of such real property, the maintenance costs related to such real property, the current value of such real property, any conditions or limitations which may restrict the use of such real property, and any potential liability to the state which could result from acquiring such real property. The capital development committee shall review any such report which is submitted to the capital development committee and shall provide recommendations to the adjutant general concerning the proposed real property acquisition within thirty days after the date of receipt of such report. The adjutant general shall not complete any such real property acquisition without considering any recommendations of the capital development committee which are provided within such thirty-day period. SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY, THE ADJUTANT GENERAL MAY DISBURSE STATE MONEY, INCLUDING BUT NOT LIMITED TO MONEY IN THE REAL ESTATE CASH FUND AND THE CAPITAL CONSTRUCTION FUND, IN ACCORDANCE WITH THIS SECTION.

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.

Approved: April 18, 2024