

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 21, 2022

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

HB22-1385 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 2, line 4, strike "Operating" and substitute "The
2 department of personnel, in accordance with section 24-30-202 (12),
3 operates".
- 4 Page 2, line 5, strike "system" and substitute "system, which".
- 5 Page 3, lines 1 and 2, strike "for up to nine years".
- 6 Page 3, line 3, strike "project. The total".
- 7 Page 3, strike lines 4 through 7 and substitute "project in an amount up to
8 nine million seven hundred eighty-seven thousand dollars (\$9,787,000)
9 plus reasonable and necessary administrative, monitoring, and closing
10 costs and interest, including capitalized interest and credit enhancement
11 costs such as a debt service reserve fund or bond insurance."
- 12 Page 3, after line 7 insert:
13
14 "(b) The anticipated annual state-funded payments for the
15 principal and interest components of the amount payable under the
16 financed purchase of an asset or certificate of participation agreement
17 entered into pursuant to subsection (1)(a) of this section shall not exceed
18 one million six hundred thousand dollars."
- 19 Reletter succeeding paragraph accordingly.
- 20 Page 3, after line 9 insert:
21 "(d) The state, acting by and through the state treasurer, at the
22 state treasurer's sole discretion, may enter into the financed purchase of

1 an asset or certificate of participation agreement authorized by subsection
2 (1)(a) of this section with any for-profit or nonprofit corporation, trust, or
3 commercial bank as a trustee as the lessor."

4 Page 3, line 14, after "thereunder." insert "Payments under any financed
5 purchase of an asset or certificate of participation agreement must be
6 made subject to annual appropriation by the general assembly, as
7 applicable, from the general fund or from any other legally available
8 source of money."

9 Page 4, line 18, after "agreement." insert "The instruments may be issued,
10 distributed, or sold only by the lessor or any person designated by the
11 lessor and not by the state. The instruments do not create a relationship
12 between the purchasers of the instruments and the state or create any
13 obligation on the part of the state to the purchasers."

14 Page 4, line 21, strike "state." and substitute "state and such instruments
15 are not multiple fiscal-year direct or indirect debt or other financial
16 obligations of the state within the meaning of section 20 (4) of article X
17 of the state constitution."

18 Page 4, after line 26 insert:

19 "(d) Interest paid under a financed purchase of an asset or
20 certificate of participation agreement authorized pursuant to subsection
21 (1)(a) of this section, including interest represented by the instruments, is
22 exempt from Colorado income tax."

23 Page 5, line 18, strike "OFFICE" and substitute "OFFICE, THE DEPARTMENT
24 OF PERSONNEL,".

25 Page 5, line 19, after "OFFICE" insert "AND THE DEPARTMENT OF
26 PERSONNEL".

27 Page 5, line 23, after "OFFICE" insert "AND THE DEPARTMENT OF
28 PERSONNEL".

29 Page 5, line 24, after "OFFICE" insert "AND THE DEPARTMENT OF
30 PERSONNEL".

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