

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 16-0443.01 Nicole Myers x4326

**HOUSE BILL 16-1043**

**HOUSE SPONSORSHIP**

**Brown**, Becker K., Vigil

**SENATE SPONSORSHIP**

**Baumgardner**, Kefalas, Sonnenberg

**House Committees**

State, Veterans, & Military Affairs

**Senate Committees**

State, Veterans, & Military Affairs

**A BILL FOR AN ACT**

101 **CONCERNING THE JOINT TECHNOLOGY COMMITTEE'S AUTHORITY TO**  
102 **APPROVE THE REQUEST FOR A WAIVER OF CERTAIN DEADLINES**  
103 **AFTER MONEYS FOR A PROJECT HAVE BEEN APPROPRIATED.**

**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://www.leg.state.co.us/billsummaries>.)*

**Capital Development Committee.** Pursuant to current law, when a state agency or institution of higher education (agency) enters into a professional services contract, the contract must be executed and encumbered within 6 months after the appropriation for the project becomes law. For a project where a professional services contract is not

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
March 1, 2016

SENATE  
2nd Reading Unamended  
February 29, 2016

HOUSE  
3rd Reading Unamended  
January 26, 2016

HOUSE  
Amended 2nd Reading  
January 25, 2016

required, the agency must enter into the contract within 6 months after the appropriation for the project becomes law. If an agency determines that it cannot meet the 6-month deadline for a project, the agency may request that the capital development committee recommend to the controller that the deadline be waived for the project.

The bill allows agencies to request that the joint technology committee, when applicable, recommend to the controller that the 6-month deadline be waived when the agency cannot meet the 6-month deadline.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-1404, **amend**  
3 (7) (a); and **add** (7) (h) as follows:

4 **24-30-1404. Contracts.** (7) (a) Except as provided in paragraphs  
5 (b), (c), (e), (f), **and** (g), **AND** (h) of this subsection (7), any professional  
6 services contract entered into pursuant to the provisions of this part 14  
7 shall be executed and encumbered within six months after the date on  
8 which the appropriation that includes the project for which the  
9 professional services are required becomes law. If no professional  
10 services contract is required for a particular project, the contract with the  
11 contractor for the project shall be entered into within six months after the  
12 appropriation. If a state agency or state institution of higher education  
13 determines that the nature of a particular project is such that the deadlines  
14 imposed by this section cannot be met, the state agency or state institution  
15 of higher education may request the capital development committee  
16 to recommend to the controller that the deadline be waived for that  
17 project. The controller, in consultation with the capital development  
18 committee may grant a waiver from such deadlines. This subsection  
19 (7) shall not apply to projects under the supervision of the department of  
20 transportation. This subsection (7) shall not affect any priority established

1 pursuant to section 24-35-210 (11) in the general appropriation act for  
2 expenditures for projects to be financed from net lottery proceeds  
3 appropriated for capital construction.

4 (h) THE SIX MONTH DEADLINE IMPOSED BY PARAGRAPH (a) OF  
5 THIS SUBSECTION (7) DOES NOT APPLY TO INFORMATION TECHNOLOGY  
6 PROJECTS THAT ARE OVERSEEN BY THE JOINT TECHNOLOGY COMMITTEE  
7 PURSUANT TO PART 17 OF ARTICLE 3 OF TITLE 2, C.R.S. FOR THE PURPOSES  
8 OF THIS PARAGRAPH (h), "INFORMATION TECHNOLOGY" HAS THE SAME  
9 MEANING AS PROVIDED IN SECTION 2-3-1701 (2), C.R.S.

10 **SECTION 2. Act subject to petition - effective date.** This act  
11 takes effect at 12:01 a.m. on the day following the expiration of the  
12 ninety-day period after final adjournment of the general assembly (August  
13 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a  
14 referendum petition is filed pursuant to section 1 (3) of article V of the  
15 state constitution against this act or an item, section, or part of this act  
16 within such period, then the act, item, section, or part will not take effect  
17 unless approved by the people at the general election to be held in  
18 November 2016 and, in such case, will take effect on the date of the  
19 official declaration of the vote thereon by the governor.