

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

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

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/bills summaries>.)

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.

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.

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.