

CHAPTER 130

GOVERNMENT - STATE

SENATE BILL 23-250

BY SENATOR(S) Mullica and Kirkmeyer, Bridges, Buckner, Cutter, Fields, Ginal, Hansen, Liston, Moreno, Pelton B., Pelton R., Priola, Rich, Roberts, Sullivan, Will, Zenzinger, Fenberg;
also REPRESENTATIVE(S) Bird and Catlin, Dickson, Jodeh, Kipp, Lindsay, Sirota, Taggart, Valdez, McCluskie.

AN ACT

CONCERNING A 2023-24 STATE FISCAL YEAR TRANSFER FROM THE SEVERANCE TAX OPERATIONAL FUND TO THE CAPITAL CONSTRUCTION FUND FOR USE BY STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION IN ENERGY IMPACTED COUNTIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 39-29-109.3, **amend** (1) introductory portion; and **add** (10) as follows:

39-29-109.3. Severance tax operational fund - core reserve - grant program reserve - definitions - repeal. (1) The executive director of the department of natural resources shall submit with the department's budget request for each fiscal year a list and description of the programs the executive director recommends to be funded from the severance tax operational fund created in section 39-29-109 (2)(b), referred to in this section as the "operational fund". EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (10) OF THIS SECTION, the general assembly may appropriate money from the total money available in the operational fund to fund recommended programs as follows:

(10) (a) ON JULY 1, 2023, THE STATE TREASURER SHALL TRANSFER TEN MILLION DOLLARS FROM THE OPERATIONAL FUND TO THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302 (1)(a) FOR USE BY STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION IN ENERGY IMPACTED COUNTIES FOR ENERGY-RELATED PROGRAMS OR PROJECTS.

(b) THIS SUBSECTION (10) IS REPEALED, EFFECTIVE JULY 1, 2026.

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.

SECTION 2. In Colorado Revised Statutes, 24-75-302, **amend** (13) as follows:

24-75-302. Capital construction fund - capital assessment fees - calculation - information technology capital account. (13) The fund includes money transferred pursuant to ~~section~~ SECTIONS 24-33.5-706 (4.7) AND 39-29-109.3 (10).

SECTION 3. Capital construction appropriation. (1) For the 2023-24 state fiscal year, \$9,108,609 is appropriated to Colorado Mesa university. This appropriation consists of \$6,000,000 from the capital construction fund created in section 24-75-302 (1)(a), C.R.S., and \$3,108,609 cash funds from Colorado Mesa university institutional reserves and donations. To implement this act, the university may use this appropriation for capital construction related to the campus-wide geothermal-exchange loop. Any money appropriated in this subsection (1) not expended prior to July 1, 2024 is further appropriated to Colorado Mesa university for the 2024-25 and 2025-26 state fiscal years for the same purpose.

(2) For the FY 2023-24 state fiscal year, \$4,000,000 is appropriated to Western Colorado university. This appropriation is from the capital construction fund created in section 24-75-302 (1)(a), C.R.S. To implement this act, the university may use this appropriation for capital construction related to the petroleum geology program teaching and laboratory space expansion and the natural and environmental sciences department expansion. Any money appropriated in this subsection (2) not expended prior to July 1, 2024 is further appropriated to Western Colorado university for the 2024-25 and 2025-26 state fiscal years for the same purpose.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: April 28, 2023