

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT

UNEDITED  
UNREVISED  
REDRAFT  
3.8.17  
Double underlining  
denotes changes from  
prior draft

LLS NO. 17-0860.01 Gregg Fraser x4325

COMMITTEE BILL

Joint Budget Committee

**BILL TOPIC:** "Historical Society Community Museums Cash Fund"

**A BILL FOR AN ACT**

101 CONCERNING THE CREATION OF THE COMMUNITY MUSEUMS CASH  
102 FUND FOR THE ADMINISTRATION OF REVENUES GENERATED BY  
103 COMMUNITY MUSEUMS OPERATED BY THE STATE HISTORICAL  
104 SOCIETY, AND, IN CONNECTION THEREWITH, MAKING AN  
105 APPROPRIATION.

**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://leg.colorado.gov/>.)*

**Joint Budget Committee.** The state historical society operates a state museum and a number of separate community museums throughout

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

the state. Revenues generated by the community museums are currently deposited in the enterprise services cash fund, which is appropriated for the costs of carrying out the general activities of the historical society. The bill deposits revenues from the community museums in a new community museums cash fund which would be appropriated specifically for the activities of the community museums.

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1 *Be it enacted by the General Assembly of the State of Colorado:*  
2           **SECTION 1.** In Colorado Revised Statutes, 24-80-209, **amend**  
3 (2); and **add** (3) as follows:  
4           **24-80-209. Title to property - disbursement of revenues -**  
5 **enterprise services cash fund - community museums cash fund -**  
6 **definition.** (2) All noncustodial revenues received by the society other  
7 than limited gaming revenues deposited in the state historical fund  
8 pursuant to section 12-47.1-1201, ~~C.R.S.~~, AND REVENUES DEPOSITED IN  
9 THE COMMUNITY MUSEUMS CASH FUND PURSUANT TO SUBSECTION (3) OF  
10 THIS SECTION, whether from commissions, sale of goods and services,  
11 admissions, membership and user charges, service fees, operation or  
12 rental of concessions or facilities, or from any other state source shall be  
13 deposited in the enterprise services cash fund, which fund is hereby  
14 created in the state treasury. Moneys in the fund are subject to annual  
15 appropriation by the general assembly for the direct and indirect costs of  
16 carrying out the activities of the society. The state treasurer shall credit all  
17 interest derived from the deposit and investment of moneys in the fund to  
18 the fund. Any moneys not appropriated remain in the fund and shall not  
19 be transferred or revert to the general fund or any other fund at the end of  
20 any fiscal year. Moneys in the enterprise services cash fund and any other  
21 historical society custodial accounts shall be held by the state treasurer as  
22 custodian separate and apart from other funds and may be withdrawn

1 from ~~his~~ THE TREASURER'S custody for the purposes and under the control  
2 of the society, only upon the issuance of vouchers signed by the president  
3 or vice-president and treasurer or secretary of the society and upon  
4 warrants drawn against such funds by the controller.

5 (3) ALL NONCUSTODIAL REVENUES RECEIVED BY THE SOCIETY  
6 THAT WERE EARNED BY A COMMUNITY MUSEUM, WHETHER FROM  
7 COMMISSIONS, SALE OF GOODS AND SERVICES, ADMISSIONS, MEMBERSHIP  
8 AND USER CHARGES, SERVICE FEES, OPERATION OR RENTAL OF  
9 CONCESSIONS OR FACILITIES, OR FROM ANY OTHER STATE SOURCE SHALL  
10 BE DEPOSITED IN THE COMMUNITY MUSEUMS CASH FUND, WHICH FUND IS  
11 HEREBY CREATED IN THE STATE TREASURY. MONEYS IN THE FUND ARE  
12 SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE  
13 DIRECT AND INDIRECT COSTS OF CARRYING OUT THE ACTIVITIES OF THE  
14 COMMUNITY MUSEUMS. THE STATE TREASURER SHALL CREDIT ALL  
15 INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN  
16 THE FUND TO THE FUND. ANY MONEYS NOT APPROPRIATED REMAIN IN THE  
17 FUND AND SHALL NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND  
18 OR ANY OTHER FUND AT THE END OF ANY FISCAL YEAR. MONEYS IN THE  
19 COMMUNITY MUSEUMS CASH FUND SHALL BE HELD BY THE STATE  
20 TREASURER AS CUSTODIAN SEPARATE AND APART FROM OTHER FUNDS AND  
21 MAY BE WITHDRAWN FROM THE TREASURER'S CUSTODY FOR THE PURPOSES  
22 AND UNDER THE CONTROL OF THE SOCIETY, ONLY UPON THE ISSUANCE OF  
23 VOUCHERS SIGNED BY THE PRESIDENT OR VICE-PRESIDENT AND  
24 TREASURER OR SECRETARY OF THE SOCIETY AND UPON WARRANTS DRAWN  
25 AGAINST SUCH FUNDS BY THE CONTROLLER. FOR PURPOSES OF THIS  
26 SECTION, "COMMUNITY MUSEUM" MEANS ANY REAL PROPERTY OTHER  
27 THAN THE STATE MUSEUM LOCATED AT 1200 BROADWAY IN DENVER THAT

1 IS OWNED AND OPERATED BY THE HISTORICAL SOCIETY AND THAT IS OPEN  
2 FOR PUBLIC ADMISSION OR EVENTS.

3 **SECTION 2. Appropriation - adjustments to 2017 long bill.**

4 (1) To implement this act, the cash funds appropriation made in the  
5 annual general appropriation act for the 2017-18 state fiscal year to the  
6 department of higher education for community museums from the  
7 enterprise services cash fund created in section 24-80-209 (2) is  
8 decreased by \$847,000.

9 (2) (a) For the 2017-18 state fiscal year, \$847,000 is appropriated  
10 to the department of higher education. This appropriation is from the  
11 community museums cash fund created in section 24-80-209 (3). To  
12 implement this act, the department may use this appropriation for  
13 community museums.

14 (b) If the available revenue in the community museums cash fund  
15 is less than the amount appropriated in subsection (2)(a) of this section,  
16 then an amount equal to the unused balance of the appropriation is  
17 appropriated from the enterprise services cash fund created in section 24-  
18 80-209 (2) to the department of higher education for community  
19 museums. The total amount expended by the department under subsection  
20 (2)(a) of this section or this subsection (2)(b) shall not exceed \$847,000.

21 **SECTION 3. Safety clause.** The general assembly hereby finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, and safety.