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HOUSE BILL 26-1406

BY REPRESENTATIVE(S) Sirota and Taggart, Brown, Story, Valdez;
also SENATOR(S) Amabile and Kirkmeyer, Bridges.

CONCERNING THE REPEAL OF CERTAIN PROVISIONS REGARDING THE FUNDING
OF CAPITAL CONSTRUCTION, AND, IN CONNECTION THEREWITH,
REDUCING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **repeal** 24-30-1310.

SECTION 2. In Colorado Revised Statutes, 24-30-1313, **amend** (1)
and (7); **repeal** (6); and **add** (6.8) and (6.9) as follows:

24-30-1313. Capitol complex renovation fund - created - repeal.

(1) The capitol complex renovation fund, referred to in this section as the "fund", is created in the state treasury. The fund consists of ~~money credited to the fund pursuant to section 24-30-1310 (2), money transferred to the fund pursuant to sections 24-75-307 (2.5) and (4), and any other~~ money that the general assembly may appropriate or transfer to the fund.

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.

(6) ~~The state treasurer shall transfer all unexpended and unencumbered money in the fund on June 30, 2030, to the capital construction fund created in section 24-75-302.~~

(6.8) ON JUNE 30, 2026, THE STATE TREASURER SHALL TRANSFER FIFTEEN MILLION TWO HUNDRED SIXTY-THREE THOUSAND DOLLARS FROM THE FUND TO THE GENERAL FUND.

(6.9) THE STATE TREASURER SHALL TRANSFER THE UNEXPENDED AND UNENCUMBERED BALANCE OF THE FUND ON JUNE 30, 2027, TO THE GENERAL FUND.

(7) This section is repealed, effective ~~July 1, 2031~~ JULY 1, 2027.

SECTION 3. In Colorado Revised Statutes, **repeal** 24-30-1314.

SECTION 4. In Colorado Revised Statutes, 24-75-302, **amend** (1)(a) as follows:

24-75-302. Capital construction fund - capital assessment fees - calculation - information technology capital account - repeal.

(1)(a) The capital construction fund is created. The fund consists of money transferred to the fund by the general assembly. ~~and money credited to the fund pursuant to section 24-30-1310.~~ Money in the capital construction fund may be appropriated for capital construction, capital renewal, controlled maintenance, or state highway reconstruction, repair, and maintenance projects as requested pursuant to section 43-1-113 (2.5); except that any money transferred to the capital construction fund for state highway reconstruction, repair, and maintenance projects may only be appropriated for such projects. The appropriation for projects must be set forth in a single line item as a total sum. For state fiscal years commencing on or before July 1, 2024, all unappropriated balances in the fund at the close of any fiscal year must remain in the fund and may not revert to the general fund. For state fiscal years commencing on or after July 1, 2025, the state treasurer shall transfer any unappropriated balances in the fund or any otherwise unexpended and unencumbered money remaining in the fund at the end of a fiscal year to the general fund. All unexpended or unencumbered money from a capital construction fund appropriation to a state agency or state institution of higher education reverts, for state fiscal

years commencing on or before July 1, 2024, to the capital construction fund, and, for state fiscal years commencing on or after July 1, 2025, to the general fund at the end of the period for which the money is appropriated. Except as provided in sections 2-3-1304 (1)(a.5) and 24-30-1303.7 (1), no portion of the unexpended balance of a state agency's or state institution of higher education's capital construction fund appropriation may be used by the state agency or the state institution of higher education for any additional projects that are beyond the scope or design of the original project without further approval by the capital development committee of such additional project. Anticipation warrants or checks may be issued against the revenues of the fund as provided by law. Except as provided in subsections (1)(c) and (7) of this section, all interest earned from the investment of money in the capital construction fund must remain in the fund and become a part thereof.

SECTION 5. In Colorado Revised Statutes, 24-75-302.5, **amend** (2)(a) as follows:

24-75-302.5. Controlled maintenance - trust fund - legislative declaration.

(2)(a) There is hereby created the controlled maintenance trust fund, the principal of which shall consist of any general fund revenues appropriated or transferred thereto by law ~~moneys credited thereto pursuant to section 24-30-1310;~~ and proceeds of leveraged leasing agreements deposited thereto pursuant to section 24-82-1003 (3). For the 1996-97 fiscal year and fiscal years thereafter, the principal of the trust fund may constitute all or some portion of the state emergency reserve established pursuant to section 24-77-104 and may be expended in any given fiscal year as provided in said section. The principal of the trust fund shall not be expended or appropriated for any purpose other than use as part of the state emergency reserve. The state treasurer may in the state treasurer's discretion deposit, redeposit, invest, and reinvest ~~moneys~~ MONEY accrued or accruing to the controlled maintenance trust fund in the types of deposits and investments authorized in sections 24-36-109, 24-36-112, and 24-36-113.

SECTION 6. In Colorado Revised Statutes, **repeal** 24-75-307.

SECTION 7. Appropriation - adjustments to 2026 long bill.

(1) Except as provided in subsection (2) of this section, to implement this

act, appropriations made in the annual general appropriation act for the 2026-27 state fiscal year to the department of agriculture are adjusted as follows:

(a) The cash funds appropriation from the agricultural management fund created in section 35-1-106.9 (1), C.R.S., for annual depreciation-lease equivalent payment is decreased by \$203,337;

(b) The cash funds appropriation from the inspection and consumer services cash fund created in section 35-1-106.5 (1), C.R.S., for annual depreciation-lease equivalent payment is decreased by \$10,000; and

(c) The cash funds appropriation from various sources of cash funds for annual depreciation-lease equivalent payment is decreased by \$248,280.

(2) (a) If the cash funds appropriation from the agricultural management fund created in section 35-1-106.9 (1), C.R.S., made in the annual general appropriation act for the 2026-27 state fiscal year to the department of agriculture for annual depreciation-lease equivalent payment is less than the amount of the adjustment required in subsection (1)(a) of this section, the cash funds appropriation from the agricultural management fund created in section 35-1-106.9 (1), C.R.S., is decreased to \$0.

(b) If the cash funds appropriation from the inspection and consumer services cash fund created in section 35-1-106.5 (1), C.R.S., made in the annual general appropriation act for the 2026-27 state fiscal year to the department of agriculture for annual depreciation-lease equivalent payment is less than the amount of the adjustment required in subsection (1)(b) of this section, the cash funds appropriation from the inspection and consumer services cash fund created in section 35-1-106.5 (1), C.R.S., is decreased to \$0.

(c) If the cash funds appropriation from various sources of cash funds made in the annual general appropriation act for the 2026-27 state fiscal year to the department of agriculture for annual depreciation-lease equivalent payment is less than the amount of the adjustment required in subsection (1)(c) of this section, the cash funds appropriation from various sources of cash funds is decreased to \$0.

(d) If the annual general appropriation act for the 2026-27 state

fiscal year does not include an appropriation to the department of agriculture for annual depreciation-lease equivalent payment, then subsection (1) of this section does not require a reduction of an appropriation in the 2026-27 state fiscal year.

(3) Except as provided in subsection (4) of this section, to implement this act, the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of corrections for annual depreciation-lease equivalent payments is decreased by \$659,571.

(4) (a) If the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of corrections for annual depreciation-lease equivalent payments is an amount less than the amount of the adjustment required in subsection (3) of this section, the general fund appropriation is decreased to \$0.

(b) If the annual general appropriation act for the 2026-27 state fiscal year does not include an appropriation to the department of corrections for annual depreciation-lease equivalent payments, then subsection (3) of this section does not require a reduction of an appropriation in the annual general appropriation act for the 2026-27 state fiscal year.

(5) Except as provided in subsection (6) of this section, to implement this act, the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of higher education for annual depreciation-lease equivalent payment is decreased by \$13,100,234.

(6) (a) If the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of higher education for annual depreciation-lease equivalent payment is an amount less than the amount of the adjustment required in subsection (5) of this section, the general fund appropriation is decreased to \$0.

(b) If the annual general appropriation act for the 2026-27 state fiscal year does not include an appropriation to the department of higher education for annual depreciation-lease equivalent payment, then subsection (5) of this section does not require a reduction of an appropriation in the

annual general appropriation act for the 2026-27 state fiscal year.

(7) Except as provided in subsection (8) of this section, to implement this act, the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of human services for annual depreciation-lease equivalent payment is decreased by \$7,781,784.

(8) (a) If the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of human services for annual depreciation-lease equivalent payment is an amount less than the amount of the adjustment required in subsection (7) of this section, the general fund appropriation is decreased to \$0.

(b) If the annual general appropriation act for the 2026-27 state fiscal year does not include an appropriation to the department of human services for annual depreciation-lease equivalent payment, then subsection (7) of this section does not require a reduction of an appropriation in the annual general appropriation act for the 2026-27 state fiscal year.

(9) Except as provided in subsection (10) of this section, to implement this act, the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of military and veterans affairs for annual depreciation-lease equivalent payment is decreased by \$87,994.

(10) (a) If the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of military and veterans affairs for annual depreciation-lease equivalent payment is an amount less than the amount of the adjustment required in subsection (9) of this section, the general fund appropriation is decreased to \$0.

(b) If the annual general appropriation act for the 2026-27 state fiscal year does not include an appropriation to the department of military and veterans affairs for annual depreciation-lease equivalent payment, then subsection (9) of this section does not require a reduction of an appropriation in the annual general appropriation act for the 2026-27 state fiscal year.

(11) Except as provided in subsection (12) of this section, to implement this act, appropriations made in the annual general appropriation act for the 2026-27 state fiscal year to the department of natural resources are adjusted as follows:

(a) The general fund appropriation for annual depreciation-lease equivalent payment is decreased by \$651,475; and

(b) The cash funds appropriation from the parks and outdoor recreation cash fund created in section 33-10-111 (1), C.R.S., for annual depreciation-lease equivalent payment is decreased by \$143,912.

(12)(a) If the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of natural resources for annual depreciation-lease equivalent payment is an amount less than the amount of the adjustment required in subsection (11)(a) of this section, the general fund appropriation is decreased to \$0.

(b) If the cash funds appropriation from the parks and outdoor recreation cash fund created in section 33-10-111 (1), C.R.S., made in the annual general appropriation act for the 2026-27 state fiscal year to the department of natural resources for annual depreciation-lease equivalent payment is an amount less than the amount of the adjustment required in subsection (11)(b) of this section, the cash funds appropriation from the parks and outdoor recreation cash fund created in section 33-10-111 (1), C.R.S., is decreased to \$0.

(c) If the annual general appropriation act for the 2026-27 state fiscal year does not include an appropriation to the department of natural resources for annual depreciation-lease equivalent payment, then subsection (11) of this section does not require a reduction of an appropriation in the annual general appropriation act for the 2026-27 state fiscal year.

(13) Except as provided in subsection (14) of this section, to implement this act, the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of personnel for annual depreciation-lease equivalent payment is decreased by \$2,600,060.

(14)(a) If the general fund appropriation made in the annual general

appropriation act for the 2026-27 state fiscal year to the department of personnel for annual depreciation-lease equivalent payment is an amount less than the amount of the adjustment required in subsection (13) of this section, the general fund appropriation is decreased to \$0.

(b) If the annual general appropriation act for the 2026-27 state fiscal year does not include an appropriation to the department of personnel for annual depreciation-lease equivalent payment, then subsection (13) of this section does not require a reduction of an appropriation in the annual general appropriation act for the 2026-27 state fiscal year.

(15) Except as provided in subsection (16) of this section, to implement this act, appropriations made in the annual general appropriation act for the 2026-27 state fiscal year to the department of public health and environment are adjusted as follows:

(a) The general fund appropriation for annual depreciation-lease equivalent payments is decreased by \$380,068; and

(b) The cash funds appropriation from the newborn screening and genetic counseling cash funds created in section 25-4-1006 (1), C.R.S., for annual depreciation-lease equivalent payments is decreased by \$103,558.

(16)(a) If the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of public health and environment for annual depreciation-lease equivalent payments is an amount less than the amount of the adjustment required in subsection (15)(a) of this section, the general fund appropriation is decreased to \$0.

(b) If the cash funds appropriation from the newborn screening and genetic counseling cash funds created in section 25-4-1006 (1), C.R.S., made in the annual general appropriation act for the 2026-27 state fiscal year to the department of public health and environment for annual depreciation-lease equivalent payments is an amount less than the amount of the adjustment required in subsection (15)(b) of this section, the cash funds appropriation from the newborn screening and genetic counseling cash funds created in section 25-4-1006 (1), C.R.S., is decreased to \$0.

(c) If the annual general appropriation act for the 2026-27 state

fiscal year does not include an appropriation to the department of public health and environment for annual depreciation-lease equivalent payments, then subsection (15) of this section does not require a reduction of an appropriation in the annual general appropriation act for the 2026-27 state fiscal year.

(17) Except as provided in subsection (18) of this section, to implement this act, the cash funds appropriation from the highway users tax fund created in section 43-4-201 (1)(a), C.R.S., and appropriated pursuant to section 43-4-201 (3)(a)(I)(C), C.R.S., made in the annual general appropriation act for the 2026-27 state fiscal year to the department of public safety for annual depreciation-lease equivalent payment is decreased by \$67,700.

(18) (a) If the cash funds appropriation from the highway users tax fund created in section 43-4-201 (1)(a), C.R.S., and appropriated pursuant to section 43-4-201 (3)(a)(I)(C), C.R.S., made in the annual general appropriation act for the 2026-27 state fiscal year to the department of public safety for annual depreciation-lease equivalent payment is an amount less than the amount of the adjustment required in subsection (17) of this section, the cash funds appropriation from the highway users tax fund created in section 43-4-201 (1)(a), C.R.S., and appropriated pursuant to section 43-4-201 (3)(a)(I)(C), C.R.S., is decreased to \$0.

(b) If the annual general appropriation act for the 2026-27 state fiscal year does not include an appropriation to the department of public safety for annual depreciation-lease equivalent payment, then subsection (17) of this section does not require a reduction of an appropriation in the annual general appropriation act for the 2026-27 state fiscal year.

SECTION 8. Effective date. This act takes effect upon passage; except that section 7 of this act takes effect only if the annual general appropriation act for the 2026-27 state fiscal year becomes law, in which case section 7 takes effect upon the effective date of this act or of the annual general appropriation act for state fiscal year 2026-27, whichever is later.

SECTION 9. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO