

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 14-0838.02 Nicole Myers x4326

HOUSE BILL 14-1203

HOUSE SPONSORSHIP

Duran, May, Gerou

SENATE SPONSORSHIP

Lambert, Hodge, Steadman

House Committees

Finance
Appropriations

Senate Committees

Appropriations

A BILL FOR AN ACT

101 CONCERNING FUNDING TO MAINTAIN THE INFRASTRUCTURE FOR THE
102 DIGITAL TRUNKED RADIO SYSTEM, AND, IN CONNECTION
103 THEREWITH, MAKING AN 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://www.leg.state.co.us/billsummaries>.)

Joint Budget Committee. The statewide digital trunked radio system provides interoperable radio communications that allow personnel from multiple agencies in different levels of government to rapidly share information and coordinate efforts in emergency situations. The general

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
2nd Reading Unamended
April 17, 2014

HOUSE
3rd Reading Unamended
April 7, 2014

HOUSE
Amended 2nd Reading
April 4, 2014

assembly established the public safety communications trust fund (trust fund) for the acquisition and maintenance of public safety communications systems, including the digital trunked radio system.

In each fiscal year beginning with the 2013-14 fiscal year through the 2024-25 fiscal year, the bill directs the general assembly to appropriate a total of \$3.5 million from the general fund and from the highway users tax fund (HUTF) to the trust fund. The moneys appropriated to the trust fund shall be used for the replacement of legacy radio equipment and hardware at radio tower sites.

In addition, in each fiscal year beginning with the 2017-18 fiscal year through the 2024-25 fiscal year, the bill directs the general assembly to transfer a total of \$3.7 million from the general fund and from the HUTF to the trust fund. The moneys appropriated to the trust fund shall be used for software upgrade assurance.

The bill requires the general assembly to determine the amount that will be appropriated from the general fund and from the HUTF for each purpose in each fiscal year. The bill also authorizes the general assembly to appropriate moneys from the HUTF to the trust fund for use by the state patrol to maintain infrastructure on the digital trunked radio system, including the replacement of legacy radio equipment and hardware at radio tower sites and software upgrade assurance.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-37.5-506, **add**
3 (2.5) as follows:

4 **24-37.5-506. Public safety communications trust fund -**
5 **creation.** (2.5) (a) (I) BEGINNING IN THE 2013-14 FISCAL YEAR AND IN
6 EACH FISCAL YEAR THEREAFTER THROUGH THE 2024-25 FISCAL YEAR, THE
7 GENERAL ASSEMBLY SHALL APPROPRIATE TO THE FUND A TOTAL OF THREE
8 MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND **OR**
9 **FROM ANY OTHER FUND. FOR EACH SUCH FISCAL YEAR, THE GENERAL**
10 **ASSEMBLY SHALL DETERMINE THE AMOUNT TO BE APPROPRIATED FROM**
11 **THE GENERAL FUND AND THE AMOUNT TO BE APPROPRIATED FROM ANY**
12 **OTHER FUND. THE OFFICE SHALL USE THE MONEYS APPROPRIATED TO THE**
13 **FUND PURSUANT TO THIS SUBPARAGRAPH (I) FOR THE REPLACEMENT OF**

1 LEGACY RADIO EQUIPMENT AND HARDWARE AT RADIO TOWER SITES.
2 (II) BEGINNING IN THE 2017-18 FISCAL YEAR AND IN EACH FISCAL
3 YEAR THEREAFTER THROUGH THE 2024-25 FISCAL YEAR, IN ADDITION TO
4 THE AMOUNT APPROPRIATED TO THE FUND PURSUANT TO SUBPARAGRAPH
5 (I) OF THIS PARAGRAPH (a), THE GENERAL ASSEMBLY SHALL APPROPRIATE
6 TO THE FUND THREE MILLION SEVEN HUNDRED THOUSAND DOLLARS FROM
7 THE GENERAL FUND OR FROM ANY OTHER FUND. FOR EACH SUCH FISCAL
8 YEAR, THE GENERAL ASSEMBLY SHALL DETERMINE THE AMOUNT TO BE
9 APPROPRIATED FROM THE GENERAL FUND AND THE AMOUNT TO BE
10 APPROPRIATED FROM ANY OTHER FUND. THE OFFICE SHALL USE THE
11 MONEYS APPROPRIATED TO THE FUND PURSUANT TO THIS SUBPARAGRAPH
12 (II) FOR SOFTWARE UPGRADE ASSURANCE.

13 (b) ON OR BEFORE NOVEMBER 1, 2014, AND ON OR BEFORE
14 NOVEMBER 1 OF EACH YEAR THEREAFTER THROUGH NOVEMBER 1, 2025,
15 THE OFFICE, IN CONSULTATION WITH THE DEPARTMENT OF CORRECTIONS,
16 THE DEPARTMENT OF NATURAL RESOURCES, THE DEPARTMENT OF PUBLIC
17 SAFETY, THE DEPARTMENT OF TRANSPORTATION, AND ANY OTHER STATE
18 DEPARTMENT DEEMED APPROPRIATE BY THE OFFICE, SHALL SUBMIT A
19 REPORT TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY
20 DETAILING THE USE OF THE MONEYS APPROPRIATED TO THE FUND
21 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2.5). THE REPORT
22 MUST INCLUDE THE FOLLOWING:

23 (I) COMPREHENSIVE DOCUMENTATION REGARDING THE PURPOSES
24 FOR WHICH THE MONEYS APPROPRIATED PURSUANT TO SUBPARAGRAPHS
25 (I) AND (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2.5) WERE USED
26 DURING THE PRIOR FISCAL YEAR AND ARE BEING USED DURING THE
27 CURRENT FISCAL YEAR AND THE ANTICIPATED USE OF THE MONEYS THAT

1 WILL BE APPROPRIATED IN FUTURE FISCAL YEARS;

2 (II) OF THE TOTAL AMOUNT EXPENDED DURING THE PRIOR FISCAL
3 YEAR FOR EACH OF THE PURPOSES SPECIFIED IN SUBPARAGRAPHS (I) AND
4 (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2.5), THE AMOUNT THAT WAS
5 APPROPRIATED FROM THE GENERAL FUND AND THE AMOUNT THAT WAS
6 APPROPRIATED FROM ANY OTHER FUND; AND

7 (III) FOR THE APPROPRIATION OR APPROPRIATIONS FOR THE NEXT
8 FISCAL YEAR, A RECOMMENDATION REGARDING THE AMOUNT TO BE
9 APPROPRIATED FROM THE GENERAL FUND AND THE AMOUNT TO BE
10 APPROPRIATED FROM ANY OTHER FUND FOR EACH OF THE PURPOSES
11 SPECIFIED IN SUBPARAGRAPHS (I) AND (II) OF PARAGRAPH (a) OF THIS
12 SUBSECTION (2.5).

13

14 **SECTION 2. Appropriation.** (1) In addition to any other
15 appropriation, for the fiscal year beginning July 1, 2013, there is hereby
16 appropriated, out of any moneys in the general fund not otherwise
17 appropriated, to the public safety communications trust fund created in
18 section 24-37.5-506 (1), Colorado Revised Statutes, the sum of
19 \$3,500,000, to be used for purposes consistent with the creation of the
20 fund.

21 (2) In addition to any other appropriation, there is hereby
22 appropriated, out of the public safety communications trust fund, to the
23 governor - lieutenant governor - state planning and budgeting, for the
24 fiscal year beginning July 1, 2013, the sum of \$3,500,000, or so much
25 thereof as may be necessary, to be allocated to the office of information
26 technology for the replacement of legacy radio equipment and hardware
27 at digital trunked radio system tower sites.

1 **SECTION 3. Appropriation.** (1) In addition to any other
2 appropriation, for the fiscal year beginning July 1, 2014, there is hereby
3 appropriated, out of any moneys in the general fund not otherwise
4 appropriated, to the public safety communications trust fund created in
5 section 24-37.5-506 (1), Colorado Revised Statutes, the sum of
6 \$3,500,000, to be used for purposes consistent with the creation of the
7 fund.

8 (2) In addition to any other appropriation, there is hereby
9 appropriated, out of the public safety communications trust fund, to the
10 governor - lieutenant governor - state planning and budgeting, for the
11 fiscal year beginning July 1, 2014, the sum of \$3,500,000, or so much
12 thereof as may be necessary, to be allocated to the office of information
13 technology for the replacement of legacy radio equipment and hardware
14 at digital trunked radio system tower sites.

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