

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 11-1237

BY REPRESENTATIVE(S) Swerdfeger, Barker, Coram, Fields, Fischer, Gardner B., Hamner, Kerr J., Labuda, Lee, Liston, Pace, Schafer S., Todd, Vigil, Wilson, Nikkel;
also SENATOR(S) Bacon, Aguilar, Brophy, Giron, Heath, King K., King S., Newell, Nicholson, Schwartz.

CONCERNING THE CREATION OF THE CHARGEABLE QUARTERS AND BILLETING CASH FUND.

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

SECTION 1. Part 1 of article 3 of title 28, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

28-3-109. Chargeable quarters and billeting cash fund - creation. THERE IS HEREBY CREATED IN THE STATE TREASURY THE CHARGEABLE QUARTERS AND BILLETING CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND", WHICH SHALL CONSIST OF ANY MONEYS GENERATED THROUGH THE PUBLIC OR PRIVATE USE OF THE COLORADO ARMY NATIONAL GUARD FACILITIES MANAGED PURSUANT TO SECTION 28-3-106 (1) (q). THE MONEYS IN THE FUND SHALL BE INVESTED BY THE STATE TREASURER AS PROVIDED IN SECTIONS 24-36-109, 24-36-112, AND 24-36-113, C.R.S. ANY UNEXPENDED AND UNENCUMBERED MONEYS

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT REVERT OR BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR BE TRANSFERRED TO ANY OTHER FUND. ANY INTEREST OR INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED TO THE GENERAL FUND. THE MONEYS IN THE FUND SHALL BE CONTINUOUSLY APPROPRIATED AND SHALL BE USED TO DEFRAY THE COSTS ASSOCIATED WITH OPERATING NATIONAL GUARD TRAINING FACILITIES AND ASSOCIATED QUARTERS AND BILLETING FACILITIES. SUCH COSTS SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, REPAIR, REPLACEMENT, AND SALARIES INVOLVED IN THE USE OF THE NATIONAL GUARD TRAINING FACILITIES AS WELL AS THE MAINTENANCE AND OPERATION OF THE NATIONAL GUARD TRAINING FACILITIES.

SECTION 2. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless

approved by the people at the general election to be held in November 2012 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO