

**NOTE: This bill has been prepared for the signatures 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 12-1348

BY REPRESENTATIVE(S) Ferrandino, McNulty, Kerr A., Kerr J., Todd, Waller, Wilson, Young;  
also SENATOR(S) Morse, Cadman, Aguilar, Boyd, King S.

CONCERNING THE POWERS OF THE LEGISLATIVE DEPARTMENT WITH RESPECT TO CAPITOL BUILDINGS GROUP SPACE, AND, IN CONNECTION THEREWITH, PROVIDING FOR THE DESIGNATION OF SPACE FOR THE MEMBERS OF THE GENERAL ASSEMBLY, LEGISLATIVE STAFF, AND LEGISLATIVE STAFF AGENCIES AND THE FURNISHING AND EQUIPPING THEREOF, AND GRANTING THE CONTROL OF LEGISLATIVE SPACES TO THE LEGISLATIVE DEPARTMENT.

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

**SECTION 1.** In Colorado Revised Statutes, **amend** 2-2-321 as follows:

**2-2-321. Designation and assignment of space in capitol buildings group and on the grounds thereof.** (1) (a) The general assembly, by joint resolution, shall designate and assign such space in the capitol building (except for space on the first floor, which shall be designated and assigned by the executive department for the use of elected officials) and on the grounds surrounding the capitol which is necessary for

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

the use of the legislative department, including, but not limited to, parking space on the grounds and streets surrounding the capitol building, ALL AREAS OF THE SUBBASEMENT OF THE CAPITOL BUILDING, AND ACCESS TO ALL TUNNELS PROVIDING ACCESS TO THE SUBBASEMENTS OF THE CAPITOL BUILDING, THE LEGISLATIVE SERVICES BUILDING, AND THE STATE OFFICE BUILDING AT 1525 SHERMAN STREET.

(b) NOTWITHSTANDING ANY LAW, RULE, OR PROVISION OF ANY TENANT HANDBOOK FOR THE CAPITOL COMPLEX FACILITIES TO THE CONTRARY, THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL CREATED IN SECTION 2-3-301 (1) MAY GRANT ANY MEMBER OR EMPLOYEE OF THE GENERAL ASSEMBLY ACCESS TO ANY OR ALL OF THE TUNNELS PROVIDING ACCESS TO THE SUBBASEMENTS OF THE CAPITOL BUILDING, THE LEGISLATIVE SERVICES BUILDING, AND THE STATE OFFICE BUILDING AT 1525 SHERMAN STREET UNLESS, AFTER CONSULTATION WITH THE DEPARTMENT OF PERSONNEL AND THE COLORADO STATE PATROL, THE EXECUTIVE COMMITTEE DETERMINES THAT DENIAL OF ACCESS IS NECESSARY TO ADDRESS IMMEDIATE CONCERNS ABOUT BUILDING SECURITY AND OCCUPANT PROTECTION.

(c) NOTWITHSTANDING ANY LAW OR RULE TO THE CONTRARY, AFTER THE ATTORNEY GENERAL AND THE STAFF OF THE ATTORNEY GENERAL VACATE THE STATE OFFICE BUILDING AT 1525 SHERMAN STREET, THE DEPARTMENT OF PERSONNEL SHALL DESIGNATE PARKING SPACE IN THE STATE PARKING LOT AT LINCOLN STREET AND EAST COLFAX AVENUE TO THE GENERAL ASSEMBLY BASED UPON APPROXIMATELY THE SAME PROPORTION AS THE PROPORTION OF SPACE IN THE STATE OFFICE BUILDING AT 1525 SHERMAN STREET DESIGNATED AND ASSIGNED BY THE GENERAL ASSEMBLY TO THE TOTAL AMOUNT OF SPACE IN THAT STATE OFFICE BUILDING. THE GENERAL ASSEMBLY, BY JOINT RESOLUTION, SHALL ASSIGN PARKING SPACE ALLOCATED TO THE GENERAL ASSEMBLY PURSUANT TO THIS PARAGRAPH (c).

(2) (a) In addition, the general assembly shall designate and assign such space in the ~~state museum building~~ LEGISLATIVE SERVICES BUILDING at Fourteenth avenue and Sherman street, INCLUDING, BUT NOT LIMITED TO, ALL AREAS OF THE SUBBASEMENT OF THE LEGISLATIVE SERVICES BUILDING, AND ON NO MORE THAN TWO FLOORS OF THE STATE OFFICE BUILDING AT 1525 SHERMAN STREET AFTER THE ATTORNEY GENERAL AND THE STAFF OF THE ATTORNEY GENERAL VACATE SAID STATE OFFICE BUILDING and may provide for the furnishing and equipping thereof as may be necessary for the

use of the legislative department.

(b) (I) IF ANY OF THE SPACE REFERRED TO IN PARAGRAPH (a) OF THIS SUBSECTION (2) IS ASSIGNED TO THE SENATE OR HOUSE OF REPRESENTATIVES, THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL CREATED IN SECTION 2-3-301 (1) SHALL DETERMINE THE ALLOCATION OF THE SPACE BETWEEN THE TWO HOUSES.

(II) ANY SPACE ALLOCATED TO THE SENATE SHALL BE ASSIGNED BY THE PRESIDENT OF THE SENATE AND THE MAJORITY AND MINORITY LEADERS OF THE SENATE IN AN EQUITABLE MANNER AMONG THE MAJOR POLITICAL PARTIES WITH WHICH MEMBERS OF THE SENATE ARE AFFILIATED.

(III) ANY SPACE ALLOCATED TO THE HOUSE OF REPRESENTATIVES SHALL BE ASSIGNED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE MAJORITY AND MINORITY LEADERS OF THE HOUSE OF REPRESENTATIVES IN AN EQUITABLE MANNER AMONG THE MAJOR POLITICAL PARTIES WITH WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE AFFILIATED.

**SECTION 2.** In Colorado Revised Statutes, **amend** 24-82-101 as follows:

**24-82-101. Control of legislative space in the capitol, the legislative services building, and the state office building at 1525 Sherman street - responsibility of department of personnel for supervision of maintenance in capitol buildings group - exception.**

(1) IN ACCORDANCE WITH THE PROVISIONS OF SECTION 2-2-321, C.R.S., CONCERNING SPACE FOR THE LEGISLATIVE DEPARTMENT, SUBJECT TO APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY AND SUBJECT TO THE PROVISIONS OF SECTION 24-82-108, CONCERNING PRESERVATION OF THE STATE CAPITOL BUILDING, the ~~department of personnel~~ LEGISLATIVE DEPARTMENT, ACTING THROUGH THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL:

(a) Shall have control of LEGISLATIVE SPACES IN the capitol, ~~and~~ THE legislative services building, AND THE STATE OFFICE BUILDING AT 1525 SHERMAN STREET, and THE grounds ~~and any other property the state may acquire adjacent thereto~~, ADJACENT TO THE CAPITOL WITHIN THE AREA BOUNDED ON THE NORTH BY EAST COLFAX AVENUE, ON THE WEST BY

LINCOLN STREET, ON THE SOUTH BY FOURTEENTH AVENUE, AND ON THE EAST BY GRANT STREET, AS SHOWN ON THE OFFICIAL MAPS OF THE CITY AND COUNTY OF DENVER, THE STATE-OWNED GROUNDS ADJACENT TO THE LEGISLATIVE SERVICES BUILDING AT FOURTEENTH AVENUE AND SHERMAN STREET, AND THE TUNNELS CONNECTING THE SUBBASEMENTS OF THE CAPITOL, THE LEGISLATIVE SERVICES BUILDING, AND THE STATE OFFICE BUILDING AT 1525 SHERMAN STREET, together with all furniture, fixtures, furnishings, and equipment and all exhibits placed in and about said buildings; ~~including~~ AND

(b) SHALL BE RESPONSIBLE FOR THE SUPERVISION OF THE PROVISION OF MAINTENANCE FOR LEGISLATIVE SPACES IN THE CAPITOL, THE LEGISLATIVE SERVICES BUILDING, AND THE STATE OFFICE BUILDING AT 1525 SHERMAN STREET, AND THE GROUNDS AND TUNNELS SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (1) IF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL ADOPTS A RESOLUTION ASSUMING SUCH RESPONSIBILITY. THE EXECUTIVE COMMITTEE SHALL DELIVER A COPY OF ANY RESOLUTION IT ADOPTS PURSUANT TO THIS PARAGRAPH (b) TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL.

(2) EXCEPT AS OTHERWISE PROVIDED IN SECTION 2-2-321, C.R.S., THE DEPARTMENT OF PERSONNEL SHALL HAVE CONTROL OF EXECUTIVE SPACE IN THE CAPITOL AND THE GROUNDS AND ANY OTHER PROPERTY THE STATE MAY ACQUIRE ADJACENT TO THE CAPITOL OTHER THAN THE GROUNDS AND TUNNELS SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION, TOGETHER WITH ALL FURNITURE, FIXTURES, FURNISHINGS, AND EQUIPMENT AND ALL EXHIBITS PLACED IN AND ABOUT SUCH SPACE OR PROPERTY, SUBJECT TO APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY AND SUBJECT TO THE PROVISIONS OF SECTION 24-82-108, CONCERNING PRESERVATION OF THE STATE CAPITOL BUILDING. EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION, THE DEPARTMENT OF PERSONNEL SHALL BE RESPONSIBLE FOR THE supervision of the provision of maintenance for the state capitol buildings group, and including assignment of all executive space owned and rented in the capitol buildings group, subject to ~~legislative appropriation~~ APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY, AND subject to the provisions of section 2-2-321, C.R.S., concerning space for the legislative department, and subject to the provisions of section 24-82-108, concerning preservation of the state capitol building.

**SECTION 3. Act subject to petition - effective date.** This act takes 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 8, 2012, if adjournment sine die is on May 9, 2012); 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 will not take effect unless

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

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Frank McNulty  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO