

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 13-0716.02 Jason Gelender x4330

HOUSE BILL 13-1208

HOUSE SPONSORSHIP

Duran,

SENATE SPONSORSHIP

Newell,

House Committees

Finance
Appropriations

Senate Committees

Local Government

A BILL FOR AN ACT

101 **CONCERNING CREATIVE DISTRICTS, AND, IN CONNECTION THEREWITH,**
102 **AUTHORIZING THE CREATIVE INDUSTRIES DIVISION OF THE**
103 **COLORADO OFFICE OF ECONOMIC DEVELOPMENT TO OFFER**
104 **INCENTIVES IN THE FORM OF NEED-BASED FUNDING FOR**
105 **INFRASTRUCTURE DEVELOPMENT IN STATE-CERTIFIED**
106 **CREATIVE DISTRICTS AND TO PROVIDE SUCH FUNDING FROM ANY**
107 **MONEYS APPROPRIATED TO THE CREATIVE INDUSTRIES CASH**
108 **FUND FOR THAT PURPOSE.**

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

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
3rd Reading Unamended
April 8, 2013

SENATE
2nd Reading Unamended
April 5, 2013

HOUSE
3rd Reading Unamended
March 19, 2013

HOUSE
Amended 2nd Reading
March 18, 2013

applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries.>)

The bill authorizes the creative industries division of the Colorado office of economic development to offer incentives in the form of need-based funding for infrastructure development in creative districts and to provide such funding from any moneys appropriated to the creative industries cash fund for that purpose.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-48.5-301, **amend**
3 (2) (a) introductory portion, (2) (a) (IV), and (2) (b) (III); and **add** (2) (b)
4 (IV) and (3) as follows:

5 **24-48.5-301. Creative industries division - creative industries**
6 **cash fund - creation - definition - repeal.** (2) (a) There is hereby
7 created in the state treasury the creative industries cash fund, referred to
8 in this section as the "fund". The fund ~~shall consist~~ CONSISTS of:

9 (IV) Moneys appropriated to the fund by the general assembly,
10 INCLUDING, BUT NOT LIMITED TO, MONEYS APPROPRIATED FOR THE
11 PURPOSE OF PROVIDING NEED-BASED FUNDING FOR INFRASTRUCTURE
12 DEVELOPMENT WITHIN CREATIVE DISTRICTS AS AUTHORIZED BY SECTION
13 24-48.5-314 (5) (b); and

14 (b) The moneys in the fund shall be annually appropriated to the
15 division for the operation of the division, and for the following:

16 (III) For the purchase of works of art pursuant to the art in public
17 places program, taking into consideration the artist's preliminary site visit,
18 the design fee, the total costs of construction and installation of the work
19 of art, jury expenses, and program administration in compliance with the
20 provisions of section 24-48.5-312 (6); AND

21 (IV) FOR NEED-BASED FUNDING FOR INFRASTRUCTURE

1 DEVELOPMENT IN CREATIVE DISTRICTS AS AUTHORIZED BY SECTION
2 24-48.5-314 (5) (b), TO THE EXTENT THAT THE GENERAL ASSEMBLY
3 APPROPRIATES MONEYS TO THE FUND FOR THAT PURPOSE.

4 (3) AS USED IN THIS PART 3, "INFRASTRUCTURE DEVELOPMENT"
5 INCLUDES, BUT IS NOT LIMITED TO:

6 (a) INSTALLATION AND MAINTENANCE OF TEMPORARY AND
7 PERMANENT ART IN PUBLIC SPACES;

8 (b) PROFESSIONAL SERVICES RELATED TO THE DEVELOPMENT OF
9 A CREATIVE DISTRICT, INCLUDING STRATEGIC PLAN DEVELOPMENT AND
10 ARCHITECTURAL, ENGINEERING, AND DESIGN SERVICES;

11 (c) SUPPORT OF NETWORKING, RESOURCE, AND PROFESSIONAL
12 DEVELOPMENT AND BRANDING AND MARKETING SKILL DEVELOPMENT
13 TRAINING; AND

14 (d) COMMUNITY ENGAGEMENT AND COALITION-BUILDING
15 STRATEGIES.

16 **SECTION 2.** In Colorado Revised Statutes, 24-48.5-314, **amend**
17 (5) (b) as follows:

18 **24-48.5-314. Creative districts - creation - certification -**
19 **powers of coordinator and division - legislative declaration -**
20 **definitions.** (5) (b) In addition to any powers explicitly granted to the
21 division under this section, the division shall have such additional powers
22 as are necessary to carry out the purposes of this section. Where
23 authorized by law, such powers may include offering incentives to
24 state-certified creative districts to encourage business development,
25 INCLUDING, BUT NOT LIMITED TO, INCENTIVES IN THE FORM OF
26 NEED-BASED FUNDING FOR INFRASTRUCTURE DEVELOPMENT IN
27 STATE-CERTIFIED CREATIVE DISTRICTS, exploring new incentives that are

1 directly related to creative enterprises, facilitating local access to state
2 economic development assistance, enhancing the visibility of
3 state-certified creative districts, providing state-certified creative districts
4 with technical assistance and planning aid, ensuring broad and equitable
5 program benefits, and fostering a supportive climate for the arts and
6 culture within the state; except that, notwithstanding any other provision
7 of this section, a creative district created pursuant to this section shall not
8 be eligible to receive any form of financial incentive that is derived from
9 moneys allocated to the local government limited gaming impact fund
10 created in section 12-47.1-1601 (1) (a), C.R.S., without the consent of the
11 applicable eligible local governmental entity or entities, as defined in
12 section 12-47.1-1601 (4) (b), C.R.S., inside the territorial boundaries of
13 which the creative district is located.

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