

**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.**



SENATE BILL 23-278

BY SENATOR(S) Simpson and Mullica, Hinrichsen, Bridges, Buckner, Gonzales, Sullivan;  
also REPRESENTATIVE(S) Lindsay and Story, Catlin, Bacon, Bird, Duran, English, Froelich, Hamrick, Herod, Jodeh, Lynch, Mabrey, Michaelson Jenet, Ricks, Sharbini, Sirota, Taggart, Titone, Valdez, Velasco, Willford, Young, McCluskie.

CONCERNING A MODIFICATION TO THE REQUIREMENT THAT A PORTION OF EVERY CAPITAL CONSTRUCTION APPROPRIATION BE ALLOCATED FOR THE ACQUISITION OF WORKS OF ART.

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

**SECTION 1.** In Colorado Revised Statutes, 24-48.5-312, **amend** (3)(a)(I)(A); and **add** (3)(a)(IV) as follows:

**24-48.5-312. Art in public places program - allocations from capital construction costs - guidelines - fund created - definitions.**  
(3) (a) (I) (A) Except as provided in ~~subparagraph (III) of this paragraph~~ **(a) SUBSECTIONS (3)(a)(III) AND (3)(a)(IV) OF THIS SECTION,** each appropriation for a capital construction project must include as a nondeductible item an allocation of not less than one percent of the state

*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.*

funded portion of the total construction costs to be used for the acquisition of works of art.

(IV) FOR PURPOSES OF THIS SECTION, THE STATE FUNDED PORTION OF THE TOTAL CONSTRUCTION COSTS FOR A CAPITAL CONSTRUCTION PROJECT INCLUDES APPROPRIATIONS FROM THE REVENUE LOSS RESTORATION CASH FUND CREATED IN SECTION 24-75-227 (2)(a) TO A STATE AGENCY OR INSTITUTION OF HIGHER EDUCATION FOR THE CAPITAL CONSTRUCTION PROJECT. FOR APPROPRIATIONS MADE FOR THE 2022-23 FISCAL YEAR ONLY, A STATE AGENCY OR INSTITUTION OF HIGHER EDUCATION THAT RECEIVED AN APPROPRIATION FOR A CAPITAL CONSTRUCTION PROJECT IS NOT REQUIRED TO ALLOCATE NOT LESS THAN ONE PERCENT OF THE STATE FUNDED PORTION OF THE TOTAL COSTS OF A CAPITAL CONSTRUCTION PROJECT FOR THE ACQUISITION OF WORKS OF ART IN ACCORDANCE WITH SUBSECTION (3)(a)(I)(A) OF THIS SECTION. A STATE AGENCY OR AN INSTITUTION OF HIGHER EDUCATION THAT OPTS NOT TO ALLOCATE A PORTION OF THE TOTAL CONSTRUCTION COSTS FOR THE ACQUISITION OF WORKS OF ART IN ACCORDANCE WITH SUBSECTION (3)(a)(I)(A) OF THIS SECTION MAY USE THE MONEY THAT WOULD OTHERWISE BE ALLOCATED FOR SUCH PURPOSES FOR ANY OTHER COSTS ASSOCIATED WITH THE CAPITAL CONSTRUCTION PROJECT.

**SECTION 2. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

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Steve Fenberg  
PRESIDENT OF  
THE SENATE

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

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Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO