

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 20-1042.01 Esther van Mourik x4215

SENATE BILL 20-174

SENATE SPONSORSHIP

Donovan,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING A CHANGE IN MANAGEMENT RESPONSIBILITY OF CERTAIN**
102 **EXISTING DISPLAY SPACE IN THE COLORADO CONVENTION**
103 **CENTER AVAILABLE FOR THE PROMOTION OF THE STATE.**

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://leg.colorado.gov>.)

Current law grants the department of personnel the authority to manage existing display space in the Colorado convention center that is available for the promotion of the state. The bill instead grants the management responsibility to the office of economic development.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-83-101, **add** (2)
3 as follows:

4 **24-83-101. Legislative declaration.** (2) THE GENERAL ASSEMBLY
5 FURTHER FINDS, DETERMINES, AND DECLARES THAT:

6 (a) SECTIONS 24-83-105 (1)(b) AND 24-83-106, AS THOSE
7 SECTIONS EXISTED BEFORE THE EFFECTIVE DATE OF THIS SUBSECTION (2),
8 GRANTED THE DEPARTMENT OF PERSONNEL THE AUTHORITY TO MANAGE
9 THE DISPLAY SPACE IN THE CONVENTION CENTER AND TO ESTABLISH A FEE
10 SCHEDULE FOR THE USE OF THE DISPLAY SPACE;

11 (b) THE DEPARTMENT OF LAW AND THE DEPARTMENT OF
12 PERSONNEL SEARCHED EXTENSIVELY FOR THE CONTRACT DESCRIBED IN
13 THIS ARTICLE 83 BUT WERE UNABLE TO LOCATE IT AND WERE UNABLE TO
14 DETERMINE WHETHER A CONTRACT WAS EVER EXECUTED;

15 (c) ON JULY 27, 2015, THE DEPARTMENT OF PERSONNEL ENTERED
16 INTO A MEMORANDUM OF UNDERSTANDING WITH THE COLORADO
17 CONVENTION CENTER, WHICH DOCUMENTS THE RELATIONSHIP BETWEEN
18 THE STATE AND THE COLORADO CONVENTION CENTER BUILDING MANAGER
19 FOR USE OF THE DISPLAY SPACE AS DOCUMENTED IN RULES OF THE
20 DEPARTMENT OF PERSONNEL SET FORTH IN 1 CCR 103-4, EFFECTIVE MAY
21 30, 1992; AND

22 (d) THE DEPARTMENT OF PERSONNEL WISHES TO TRANSFER THE
23 MANAGEMENT OF THE DISPLAY SPACE AT THE COLORADO CONVENTION
24 CENTER TO THE OFFICE OF ECONOMIC DEVELOPMENT.

25 **SECTION 2.** In Colorado Revised Statutes, 24-83-105, **amend**
26 (1)(b); and **add** (2) as follows:

1 **24-83-105. Other contractual provisions.** (1) The contract shall
2 include the following provisions:

3 (b) (I) PRIOR TO THE EFFECTIVE DATE OF SUBSECTION (2) OF THIS
4 SECTION, provisions by which the city and county of Denver agrees to
5 make suitable display space, as defined by rules and regulations
6 promulgated by the executive director of the department of personnel
7 available in the convention center on a time-share basis to counties,
8 municipalities, and state agencies and private nonprofit or commercial
9 organizations whose purpose is the promotion of tourism, OUTDOOR
10 RECREATION, and of Colorado businesses and products, in order that the
11 entire state may share in the advertising opportunities provided by the
12 convention center. The contract shall also include provisions which assure
13 that appropriate space will be made available for the promotion of
14 tourism, OUTDOOR RECREATION, education, business, and agricultural
15 efforts and activities outside the metropolitan area. Entities using the
16 display space shall make their own determination as to whether union or
17 nonunion labor or volunteers shall setup, service, or dismantle any
18 displays; except that entities using the display space shall conform to any
19 contracts executed before June 1, 1991.

20 (II) THE DEPARTMENT OF PERSONNEL SHALL REPEAL ANY RULES
21 PROMULGATED AS REQUIRED PURSUANT TO SUBSECTION (1)(b)(I) OF THIS
22 SECTION. ANY RIGHTS AND RESPONSIBILITIES OF THE STATE SET FORTH IN
23 THE MEMORANDUM OF UNDERSTANDING DATED JULY 27, 2015, BETWEEN
24 THE DEPARTMENT OF PERSONNEL AND THE COLORADO CONVENTION
25 CENTER MUST BE ASSIGNED TO THE OFFICE OF ECONOMIC DEVELOPMENT.

26 (2) (a) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
27 (2), THE OFFICE OF ECONOMIC DEVELOPMENT SHALL MANAGE THE DISPLAY

1 SPACE. THE DISPLAY SPACE MUST BE LOCATED IN ONE OF THE MAJOR
2 CORRIDORS AT THE COLORADO CONVENTION CENTER AND MUST TOTAL AT
3 LEAST ONE THOUSAND SQUARE FEET. THE OFFICE SHALL ENSURE THAT THE
4 DISPLAY SPACE IS OFFERED ON A TIME-SHARE BASIS TO COUNTIES,
5 MUNICIPALITIES, AND STATE AGENCIES AND PRIVATE NONPROFIT OR
6 COMMERCIAL ORGANIZATIONS WHOSE PURPOSE IS THE PROMOTION OF
7 TOURISM, OUTDOOR RECREATION, AND OF COLORADO BUSINESSES AND
8 PRODUCTS, SO THAT THE ENTIRE STATE MAY SHARE IN THE ADVERTISING
9 OPPORTUNITIES PROVIDED BY THE COLORADO CONVENTION CENTER AND
10 SO THAT THE DISPLAY SPACE IS USED FOR THE PROMOTION OF TOURISM,
11 OUTDOOR RECREATION, EDUCATION, BUSINESS, AND AGRICULTURAL
12 EFFORTS AND ACTIVITIES IN THE STATE, INCLUDING IN RURAL AREAS.

13 (b) THE OFFICE OF ECONOMIC DEVELOPMENT MAY DEVELOP ANY
14 GUIDELINES REGARDING THE USE OF THE DISPLAY SPACE.

15 (c) THE OFFICE OF ECONOMIC DEVELOPMENT MAY CONVENE AN
16 ADVISORY GROUP OF INTERESTED STAKEHOLDERS TO HELP MANAGE THE
17 DISPLAY SPACE.

18 **SECTION 3.** In Colorado Revised Statutes, **amend** 24-83-106 as
19 follows:

20 **24-83-106. Office of economic development - authority to**
21 **manage space - fund created.** (1) AT THE SOLE DISCRETION OF THE
22 OFFICE OF ECONOMIC DEVELOPMENT AND IF IT IS WARRANTED BY MARKET
23 DEMAND, ~~the department~~ OFFICE OF ECONOMIC DEVELOPMENT shall
24 establish a graduated fee schedule for the use of the display space in the
25 convention center in a manner ~~which will enable~~ THAT ENABLES a wide
26 variety of organizations to use the display space and ~~which~~ THAT takes
27 into account the different types, sizes, and financial ability of such

1 organizations; except that no fees ~~shall~~ MAY be assessed against any
2 counties, municipalities, or state agencies for the use of ~~such~~ THE display
3 space. ~~The department shall collect only such fees as are necessary to pay~~
4 ~~for the expenses of the department which are not covered by other~~
5 ~~moneys available to the department.~~ The FEE revenue from such fees shall
6 MUST be credited to the convention center fund, which fund is hereby
7 created. In addition to fees, the ~~department~~ OFFICE OF ECONOMIC
8 DEVELOPMENT is authorized to accept any other ~~moneys~~ MONEY OR
9 IN-KIND BENEFITS available to the ~~department~~ OFFICE OF ECONOMIC
10 DEVELOPMENT for the purpose of utilizing the display space. ~~which~~ Other
11 ~~moneys shall include, but shall not be limited to,~~ MONEY INCLUDES
12 donations by public or private entities, loans from the state treasury, or
13 other gifts, grants, or loans, ~~Such moneys shall~~ OR OTHER IN-KIND
14 BENEFITS INCLUDING JOB CREATION OR CAPITAL INVESTMENT. ANY
15 MONEY MUST be credited to the convention center fund. All interest
16 derived from the deposit and investment of ~~moneys~~ MONEY in the fund
17 ~~shall be~~ IS credited to the fund.

18 (2) All ~~moneys~~ MONEY in the convention center fund ~~shall be~~ IS
19 subject to annual appropriation by the general assembly to the ~~department~~
20 OFFICE OF ECONOMIC DEVELOPMENT and ~~shall~~ MAY only be used for the
21 purchase of equipment, the production of programs, the costs of
22 managing, scheduling, and promoting the display space, and any other
23 reasonable and necessary expenses related to the utilization of such
24 display space or any other duties of the ~~department~~ OFFICE OF ECONOMIC
25 DEVELOPMENT pursuant to this section OR OTHER USES APPROVED BY THE
26 GENERAL ASSEMBLY IN THE APPROPRIATION.

27 (3) The ~~executive director of the department~~ OFFICE OF ECONOMIC

1 DEVELOPMENT may contract with any public or private entity to manage,
2 schedule, or promote the display space.

3 **SECTION 4. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2020 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.