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### Amending the Definitions of Capital Construction and Controlled Maintenance

Colorado General Assembly

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## CHAPTER 112

## GOVERNMENT — STATE

## STATE BUILDINGS

SENATE BILL NO. 113. BY SENATORS Kadlecak, Barnhill, Beno, L. Fowler, Hatcher, Hughes, Bishop, MacManus, McCormick, Powers, Stockton, Strickland, Woodard, and Zakheim;  
also REPRESENTATIVES Kirscht, Shoemaker, Jones, and Lucero.

## AN ACT

AMENDING THE DEFINITIONS OF CAPITAL CONSTRUCTION AND CONTROLLED MAINTENANCE,

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

Section 1. 24-30-1301 (1) (b) and (1) (c), Colorado Revised Statutes 1973, as amended, are amended to read:

**24-30-1301. Definitions.** (1) (b) Purchase, construction, or demolition of buildings or other physical facilities, including utilities, or remodeling or renovation of existing buildings or other physical facilities, including utilities, to make physical changes necessitated by changes in the program, to meet standards required by applicable codes, to correct other conditions hazardous to the health and safety of persons which are not covered by codes, to effect conservation of energy resources, to effect cost savings for staffing, operations, or maintenance of the facility, or to improve appearance; ~~where the cost will be fifteen thousand dollars or more, including the value of materials and labor, either state-supplied or supplied by contracts;~~

(c) Site improvement or development; ~~wherein the cost will be five thousand dollars or more, including the value of materials and labor either state-supplied or supplied by contract, but not including the value of inmate labor;~~

Section 2. 24-30-1301 (2), Colorado Revised Statutes 1973, as amended, is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

**24-30-1301. Definitions.** (2) (a) "Controlled maintenance" means:

(I) Corrective repairs or replacement used for existing state-owned, general-funded buildings and other physical facilities, including, but not limited to, utilities and site improvements, which are suitable for retention

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

and use for at least five years, and replacement and repair of the fixed equipment necessary for the operation of such facilities, when such work is not funded in an agency's operating budget to be accomplished by the agency's physical plant staff;

(II) That controlled maintenance funds may not be used for:

(A) Corrective repairs or replacement for buildings and other physical facilities and replacement or repair of the fixed and movable equipment necessary for the operation of physical facilities, when such work is funded in an agency's operating budget to be accomplished by the agency's physical plant staff; for the repair and replacement of fixed and movable equipment necessary for the conduct of programs (such repair and replacement is funded as capital outlay); for rented or leased facilities, or facilities constructed and maintained by self-liquidating property funds. Minor maintenance items shall not be accumulated to create a controlled maintenance project, nor shall minor maintenance work be accomplished as a part of a controlled maintenance project unless the work is directly related;

(B) Any work properly categorized as capital construction or capital outlay.

(b) "Controlled maintenance" may include the purchase of the services of architects, engineers, and other consultants to investigate conditions and prepare recommendations for the correction thereof, to prepare plans and specifications, and to supervise the execution of such controlled maintenance projects as provided by appropriation by the general assembly.

Section 3. 24-75-301 (1) (b) and (1) (c), Colorado Revised Statutes 1973, as amended, are amended to read:

**24-75-301. Definitions.** (1) (b) Purchase, construction, or demolition of buildings or other physical facilities, including utilities, or remodeling or renovation of existing buildings or other physical facilities, including utilities, to make physical changes necessitated by changes in the program, to meet standards required by applicable codes, to correct other conditions hazardous to the health and safety of persons which are not covered by codes, to effect conservation of energy resources, to effect cost savings for staffing, operations, or maintenance of the facility, or to improve appearance; where the cost will be fifteen thousand dollars or more, including the value of materials and labor, either state-supplied or supplied by contracts;

(c) Site improvement or development; wherein the cost will be five thousand dollars or more, including the value of materials and labor either state-supplied or supplied by contract, but not including the value of inmate labor;

Section 4. **Effective date.** This act shall take effect July 1, 1980.

Section 5. **Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 1, 1980