

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0438.01 Jane Ritter x4342

HOUSE BILL 18-1048

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HOUSE SPONSORSHIP

McLachlan,

SENATE SPONSORSHIP

Coram,

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House Committees  
Finance

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE EXPENDITURE OF MONEY FROM THE HESPERUS  
102 ACCOUNT BY THE BOARD OF TRUSTEES OF FORT LEWIS  
103 COLLEGE.

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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 requires the general assembly to make an appropriation from the "Hesperus account" (account), which comprises the proceeds of or income from the property formerly known as the "Fort Lewis school", to the board of trustees for Fort Lewis college prior to spending. The bill eliminates the requirement that spending from the

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.

account is subject to an appropriation by the general assembly.

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

2           **SECTION 1.** In Colorado Revised Statutes, **amend** 23-52-114 as  
3 follows:

4           **23-52-114. Hesperus account created.** The proceeds of or  
5 income from the property formerly known as the "Fort Lewis school",  
6 granted by the United States to the state of Colorado, pursuant to an act  
7 of congress approved April 4, 1910 (36 Stat. 274), as modified by an act  
8 of congress approved May 18, 1916 (39 Stat. 128), ~~shall constitute~~  
9 CONSTITUTES a special account ~~which shall be~~ known as the "Hesperus  
10 account". ~~The income from said property and from the Hesperus account~~  
11 ~~shall be appropriated by the general assembly and used by the board of~~  
12 ~~trustees first for tuition waivers at Fort Lewis college for qualified Indian~~  
13 ~~pupils. Any moneys remaining after such use shall be applied~~ THE BOARD  
14 OF TRUSTEES SHALL APPLY ANY MONEY IN THE ACCOUNT to such public  
15 purpose as ~~may be determined by~~ the board of trustees ~~subject to~~  
16 ~~appropriation by the general assembly~~ DETERMINES NECESSARY.

17           **SECTION 2. Act subject to petition - effective date.** This act  
18 takes effect at 12:01 a.m. on the day following the expiration of the  
19 ninety-day period after final adjournment of the general assembly (August  
20 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
21 referendum petition is filed pursuant to section 1 (3) of article V of the  
22 state constitution against this act or an item, section, or part of this act  
23 within such period, then the act, item, section, or part will not take effect  
24 unless approved by the people at the general election to be held in

- 1 November 2018 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.