



**FINAL  
FISCAL NOTE**

---

**Drafting Number:** LLS 12-0324**Date:** May 15, 2012**Prime Sponsor(s):** Rep. Brown  
Sen. Bacon**Bill Status:** Postponed Indefinitely**Fiscal Analyst:** Kori Donaldson (303-866-4976)

---

**TITLE:** CONCERNING THE CODIFICATION OF THE FIFTEEN-YEAR RULE FOR CONTROLLED MAINTENANCE FUNDING ELIGIBILITY FOR STATE FACILITIES.**Summary of Legislation**

Recommended by the Capital Development Committee (CDC), this bill codifies the 15-year eligibility rule for state controlled maintenance funding. The bill also would have codified the process through which a state department or public higher education institution could request a waiver of the 15-year rule. The bill would have created the Emergency Controlled Maintenance Account within the Capital Construction Fund, and allowed the Office of the State Architect (OSA) within the Department of Personnel and Administration to use the fund for emergency controlled maintenance. The OSA would have been required to annually provide a status report to the CDC showing spending for emergency controlled maintenance projects from that account. The bill was postponed indefinitely by the House Finance Committee on February 2, 2012.

**Background**

The OSA annually prioritizes a list of controlled maintenance projects to recommend to the General Assembly for funding. In general, state-owned buildings that are maintained with General Fund dollars are eligible for controlled maintenance funding after 15 years has elapsed from the date of purchase or substantial completion. State higher education academic facilities approved by the CDC on or after January 1, 2010, are also eligible for controlled maintenance funding even if they are not maintained with General Fund dollars. This eligibility is determined by the OSA with input from the CDC and the Governor's Office of State Planning and Budgeting.

**Assessment**

This bill was assessed as having no fiscal impact. It would have codified existing practice regarding how eligibility for state controlled maintenance funding is determined, the expenditure of funds by the OSA for emergency controlled maintenance projects, and the reporting of such expenditures to the CDC.

**Departments Contacted**

All Departments