

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

INTRODUCED

LLS NO. 26-0504.01 Caroline Martin x5902

HOUSE BILL 26-1202

HOUSE SPONSORSHIP

Rutinel and Sirota, Camacho, Clifford, Ricks

SENATE SPONSORSHIP

Amabile, Wallace

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING STRATEGIES TO MITIGATE HOMELESSNESS, AND, IN**
102 **CONNECTION THEREWITH, REQUIRING THE DEPARTMENT OF**
103 **LOCAL AFFAIRS TO PRESENT A PROPOSAL FOR A STATEWIDE**
104 **STRATEGY ON HOMELESSNESS PREVENTION AND RESOLUTION,**
105 **ALLOWING LOCAL GOVERNMENTS TO CREATE**
106 **MULTIJURISDICTIONAL HOMELESSNESS AUTHORITIES, AND**
107 **ALLOWING REAL ESTATE DOCUMENTARY FEES TO BE USED FOR**
108 **AFFORDABLE HOUSING.**

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

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

<http://leg.colorado.gov>.)

Section 1 of the bill requires the department of local affairs, as part of its SMART Act hearing in January of 2027, to submit and present a proposal for the development of a statewide strategy on homelessness prevention and resolution. The proposal must include a plan that sets forth a timeline, an estimated budget, and a process for developing and implementing a statewide strategy on homelessness prevention and resolution. The proposal must set forth the following components that must be included in the statewide strategy on homelessness prevention and resolution:

- Identification of gaps and barriers that impede access to operational services for individuals experiencing homelessness;
- Identification of state agency-provided housing resources, including utilization rates;
- Recommendations for collaboration between state and local partners to facilitate homelessness response;
- Recommendations for funding and policies that could be implemented at the state level to support homelessness prevention and resolution;
- Recommendations that have been proposed in coordination with continuum of care organizations to improve the implementation of the homeless management information system, data reporting, and coordinated entry systems;
- Updates on regional navigation campuses; and
- Updates on continuum of care organizations.

When developing the proposal, the department shall seek and incorporate feedback from a diverse array of stakeholders.

Section 2 creates a new type of special district, a multijurisdictional homelessness response authority (authority), which may be created when any combination of local governments enter into an intergovernmental agreement with one another to establish an authority. An authority must:

- Be used by the contracting local governments to reduce and prevent homelessness; and
- Have boundaries that contain the entirety of all the contracting local governments, but nothing more.

An authority has several discretionary powers that relate to its ability to coordinate and plan with departments and organizations to reduce and prevent homelessness, including but not limited to the power to provide for the levy of sales or sales and use taxes by the contracting local governments. If the intergovernmental agreement that creates an authority provides for the levy of a sales or sales and use tax by the contracting local governments within the boundaries of the authority:

- Each contracting local government shall submit to its registered electors a ballot question that relates to the tax and that requires any new tax revenue approved through the ballot question to be used solely for the planning, coordination, and implementation of regional strategies to reduce and prevent homelessness;
- The intergovernmental agreement must provide for a case in which the electors in some but not all of the contracting local governments approve the collection of the sales or sales and use tax at the general election; and
- The intergovernmental agreement must provide that all or part of the taxes levied are distributed to the authority.

An authority may seek, accept, and expend gifts, grants, or donations from private or public sources for the purposes of planning, coordinating, and implementing regional strategies to reduce and prevent homelessness, may issue revenue or general obligation bonds, and may pledge its revenue and revenue-raising powers for the payment of such bonds.

Section 3 allows a county to designate a portion of documentary filing fees, which are collected for filing documents associated with the grant or conveyance of real property, to be transferred to the county government or a housing authority for the purpose of developing, preserving, or acquiring affordable housing that:

- Is within the jurisdiction of the county government or housing authority;
- Is aligned with demonstrated community needs; and
- Will be available to individuals experiencing homelessness.

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

SECTION 1. In Colorado Revised Statutes, **add** part 39 to article 32 of title 24 as follows:

PART 39

STATEWIDE STRATEGY FOR HOMELESSNESS

PREVENTION AND RESOLUTION

24-32-3901. Legislative declaration.

(1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) HOMELESSNESS IS ON THE RISE IN COLORADO. THERE WERE

MORE THAN THIRTEEN THOUSAND INDIVIDUALS EXPERIENCING

1 HOMELESSNESS ON A SINGLE NIGHT IN JANUARY 2024. IN 2024, MORE
2 THAN FIFTY-TWO THOUSAND EIGHT HUNDRED INDIVIDUALS SOUGHT
3 HOUSING AND SERVICES RELATED TO HOMELESSNESS THROUGH THE
4 COLORADO HOMELESS MANAGEMENT INFORMATION SYSTEM'S PARTNER
5 AGENCIES.

6 (b) INDIVIDUALS EXPERIENCING HOMELESSNESS IN THE
7 SEVEN-COUNTY DENVER-METRO AREA CITED RELATIONSHIP PROBLEMS OR
8 BREAKUPS, INABILITY TO FIND OR MAINTAIN A JOB, FAMILY ISSUES,
9 INABILITY TO PAY RENTS OR MORTGAGES, AND COST OF HOUSING AS THE
10 TOP REASONS CONTRIBUTING TO HOMELESSNESS.

11 (c) AS OF 2024, COLORADO WAS THE EIGHTH LEAST AFFORDABLE
12 STATE IN THE NATION ACCORDING TO THE NATIONAL LOW INCOME
13 HOUSING COALITION. THE COALITION FOUND THAT, TO PAY FOR A
14 ONE-BEDROOM HOME, A COLORADO RENTER MUST EITHER MAKE
15 SIXTY-FIVE THOUSAND DOLLARS A YEAR OR WORK EIGHTY-FIVE HOURS A
16 WEEK MAKING MINIMUM WAGE. FORTY PERCENT OF INDIVIDUALS
17 EXPERIENCING HOMELESSNESS HAVE PAYING JOBS, AND ONLY ONE IN FOUR
18 INDIVIDUALS WHO QUALIFY FOR RENTAL SUBSIDIES RECEIVE THEM.

19 (d) ACCORDING TO THE COLORADO FUTURES CENTER, NEARLY
20 HALF OF COLORADO HOUSEHOLDS HAVE ANNUAL INCOMES BELOW
21 SEVENTY-FIVE THOUSAND DOLLARS. THESE HOUSEHOLDS MUST SPEND AN
22 OUTSIZED PORTION OF THEIR EARNINGS ON HOUSING, REPRESENTING OVER
23 FIVE BILLION DOLLARS IN FOREGONE SPENDING IN OTHER SECTORS OF
24 COLORADO'S ECONOMY.

25 (e) HOUSING INSTABILITY IS AT AN ALL-TIME HIGH, AND THERE IS
26 A DEFICIT OF AFFORDABLE HOMES IN COLORADO. FOR INDIVIDUALS IN
27 COLORADO EARNING THIRTY PERCENT OR LESS OF THE AREA MEDIAN

1 INCOME, THERE ARE ONLY TWENTY-SEVEN AVAILABLE HOMES THAT ARE
2 CONSIDERED AFFORDABLE FOR EVERY ONE HUNDRED HOMES NEEDED.

3 (f) COLORADO LACKS ADEQUATE STATEWIDE STRATEGIES
4 DESIGNED TO RESOLVE AND PREVENT HOMELESSNESS. COLORADO COULD
5 BENEFIT FROM IMPROVED INFRASTRUCTURE TO CONVENE STATE AGENCIES,
6 LOCAL GOVERNMENTS, CONTINUUMS OF CARE, NONPROFITS, AND OTHER
7 HOUSING ORGANIZATIONS TO IMPLEMENT HOMELESSNESS SOLUTIONS.

8 (g) BY DIRECTING THE DEPARTMENT OF LOCAL AFFAIRS TO
9 PRESENT A PLAN FOR A STATEWIDE STRATEGY ON HOMELESSNESS
10 PREVENTION AND RESOLUTION, THE GENERAL ASSEMBLY INTENDS TO
11 BRING TOGETHER DIVERSE ENTITIES THAT WILL WORK TO REDUCE AND
12 PREVENT HOMELESSNESS IN COLORADO.

13 **24-32-3902. Proposal for a statewide strategy on homelessness**
14 **prevention and resolution - definitions.**

15 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
16 REQUIRES:

17 (a) "CONTINUUM OF CARE ORGANIZATION" MEANS ONE OF THE
18 CONTINUUM OF CARE ORGANIZATIONS ESTABLISHED PURSUANT TO 24CFR
19 578, INCLUDING THE METRO DENVER HOMELESS INITIATIVE, THE
20 COLORADO BALANCE OF STATE CONTINUUM OF CARE, THE NORTHERN
21 COLORADO CONTINUUM OF CARE, AND THE PIKES PEAK CONTINUUM OF
22 CARE.

23 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF LOCAL AFFAIRS
24 CREATED IN SECTION 24-1-125.

25 (c) "OPERATIONAL SERVICE" HAS THE SAME MEANING AS SET
26 FORTH IN SECTION 39-22-548 (2)(h).

27 (2) IN JANUARY 2027, AS PART OF THE DEPARTMENT'S "SMART

1 ACT" HEARING REQUIRED BY SECTION 2-7-203, THE DEPARTMENT SHALL
2 SUBMIT AND PRESENT A PROPOSAL FOR THE DEVELOPMENT OF A
3 STATEWIDE STRATEGY ON HOMELESSNESS PREVENTION AND RESOLUTION.
4 THE PROPOSAL MUST INCLUDE A PLAN THAT SETS FORTH A TIMELINE, AN
5 ESTIMATED BUDGET, AND A PROCESS FOR DEVELOPING AND IMPLEMENTING
6 A STATEWIDE STRATEGY ON HOMELESSNESS PREVENTION AND
7 RESOLUTION. THE PROPOSAL MUST SET FORTH THE FOLLOWING
8 COMPONENTS THAT MUST BE INCLUDED IN THE STATEWIDE STRATEGY ON
9 HOMELESSNESS PREVENTION AND RESOLUTION:

10 (a) IDENTIFICATION OF GAPS AND BARRIERS THAT IMPEDE ACCESS
11 TO OPERATIONAL SERVICES FOR INDIVIDUALS EXPERIENCING
12 HOMELESSNESS;

13 (b) IDENTIFICATION OF STATE AGENCY-PROVIDED HOUSING
14 RESOURCES, INCLUDING UTILIZATION RATES;

15 (c) RECOMMENDATIONS FOR COLLABORATION BETWEEN STATE
16 AND LOCAL PARTNERS TO FACILITATE HOMELESSNESS RESPONSE;

17 (d) RECOMMENDATIONS FOR FUNDING AND POLICIES THAT COULD
18 BE IMPLEMENTED AT THE STATE LEVEL TO SUPPORT HOMELESSNESS
19 PREVENTION AND RESOLUTION;

20 (e) RECOMMENDATIONS THAT HAVE BEEN PROPOSED IN
21 COORDINATION WITH CONTINUUM OF CARE ORGANIZATIONS TO IMPROVE
22 THE IMPLEMENTATION OF THE HOMELESS MANAGEMENT INFORMATION
23 SYSTEM, DATA REPORTING, AND COORDINATED ENTRY SYSTEMS; AND

24 (f) UPDATES ON REGIONAL NAVIGATION CAMPUSES CREATED
25 PURSUANT TO SECTION 24-32-727.

26 (3) WHEN DEVELOPING THE PROPOSAL REQUIRED BY SUBSECTION
27 (2) OF THIS SECTION, THE DEPARTMENT SHALL SEEK AND INCORPORATE

1 FEEDBACK FROM A DIVERSE ARRAY OF STAKEHOLDERS.

2 **SECTION 2.** In Colorado Revised Statutes, **add** 29-1-204.7 as
3 follows:

4 **29-1-204.7. Establishment of multijurisdictional homelessness**
5 **response authorities - definitions.**

6 (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
7 OTHERWISE REQUIRES:

8 (a) "AUTHORITY" MEANS A MULTIJURISDICTIONAL HOMELESSNESS
9 RESPONSE AUTHORITY CREATED PURSUANT TO SUBSECTION (2) OF THIS
10 SECTION.

11 (b) "BOARD" MEANS THE BOARD OF DIRECTORS THAT GOVERNS AN
12 AUTHORITY IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION AND
13 IN WHICH ALL LEGISLATIVE POWER OF THE AUTHORITY IS VESTED.

14 (c) "CONTINUUM OF CARE ORGANIZATION" MEANS ONE OF THE
15 CONTINUUM OF CARE ORGANIZATIONS ESTABLISHED PURSUANT TO 24 CFR
16 578, INCLUDING THE METRO DENVER HOMELESS INITIATIVE, THE
17 COLORADO BALANCE OF STATE CONTINUUM OF CARE, THE NORTHERN
18 COLORADO CONTINUUM OF CARE, AND THE PIKES PEAK CONTINUUM OF
19 CARE.

20 (d) "CONTRACTING LOCAL GOVERNMENT" MEANS A LOCAL
21 GOVERNMENT THAT HAS ENTERED INTO AN INTERGOVERNMENTAL
22 AGREEMENT WITH OTHER LOCAL GOVERNMENTS TO FORM AN AUTHORITY
23 PURSUANT TO SUBSECTION (2) OF THIS SECTION.

24 (e) "INTERGOVERNMENTAL AGREEMENT" MEANS THE AGREEMENT
25 ENTERED INTO BY LOCAL GOVERNMENTS PURSUANT TO SUBSECTION (2) OF
26 THIS SECTION TO CREATE AN AUTHORITY.

27 (f) "LOCAL GOVERNMENT" MEANS A STATUTORY OR HOME RULE

1 CITY, TOWN, CITY AND COUNTY, OR COUNTY.

2 (2) **Creation.** ANY COMBINATION OF LOCAL GOVERNMENTS MAY,
3 BY ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH EACH
4 OTHER, ESTABLISH A SEPARATE GOVERNMENTAL ENTITY TO BE KNOWN AS
5 A MULTIJURISDICTIONAL HOMELESSNESS RESPONSE AUTHORITY. AN
6 AUTHORITY MUST:

7 (a) BE USED BY THE CONTRACTING LOCAL GOVERNMENTS TO
8 REDUCE AND PREVENT HOMELESSNESS; AND

9 (b) HAVE BOUNDARIES THAT CONTAIN THE ENTIRETY OF ALL THE
10 CONTRACTING LOCAL GOVERNMENTS, BUT NOTHING MORE.

11 (3) **Requirements for the intergovernmental agreement.** THE
12 INTERGOVERNMENTAL AGREEMENT ESTABLISHING AN AUTHORITY MUST
13 SPECIFY:

14 (a) THE NAME OF THE AUTHORITY AND THE FUNCTIONS OR
15 SERVICES RELATED TO THE AUTHORITY'S PURPOSE OF REDUCING AND
16 PREVENTING HOMELESSNESS;

17 (b) DETAILS REGARDING THE ESTABLISHMENT AND ORGANIZATION
18 OF A BOARD OF DIRECTORS, INCLUDING:

19 (I) THE NUMBER OF DIRECTORS, THEIR MANNER OF APPOINTMENT,
20 THEIR TERMS OF OFFICE, THEIR COMPENSATION, IF ANY, AND THE
21 PROCEDURE FOR FILLING VACANCIES ON THE BOARD;

22 (II) THE OFFICERS OF THE AUTHORITY, THE MANNER OF THEIR
23 SELECTION, AND THEIR DUTIES;

24 (III) THE VOTING REQUIREMENTS FOR ACTION BY THE BOARD;
25 EXCEPT THAT, UNLESS SPECIFICALLY OTHERWISE PROVIDED, A MAJORITY
26 OF DIRECTORS CONSTITUTES A QUORUM, AND A MAJORITY OF A QUORUM
27 IS NECESSARY FOR ANY ACTION TAKEN BY THE BOARD; AND

1 (IV) THE DUTIES OF THE BOARD, WHICH MUST INCLUDE THE
2 OBLIGATION TO COMPLY WITH PARTS 1, 5, AND 6 OF THIS ARTICLE 1;

3 (c) PROVISIONS FOR THE DISPOSITION, DIVISION, OR DISTRIBUTION
4 OF ANY PROPERTY OR ASSETS OF THE AUTHORITY;

5 (d) THE TERM OF THE INTERGOVERNMENTAL AGREEMENT, WHICH
6 MAY BE CONTINUED FOR A DEFINITE TERM OR UNTIL RESCINDED OR
7 TERMINATED, AND THE METHOD, IF ANY, BY WHICH IT MAY BE RESCINDED
8 OR TERMINATED; EXCEPT THAT SUCH AN INTERGOVERNMENTAL
9 AGREEMENT MAY NOT BE RESCINDED OR TERMINATED SO LONG AS THE
10 AUTHORITY HAS BONDS, NOTES, OR OTHER OBLIGATIONS OUTSTANDING
11 UNLESS PROVISION FOR FULL PAYMENT OF SUCH OBLIGATIONS, BY ESCROW
12 OR OTHERWISE, HAS BEEN MADE PURSUANT TO THE TERMS OF SUCH
13 OBLIGATIONS;

14 (e) ANY EXPECTED SOURCES OF REVENUE OF THE AUTHORITY; AND

15 (f) THE AUTHORITY'S PLAN REGARDING THE LEVY OF TAXES BY
16 LOCAL GOVERNMENTS FOR THE PURPOSES OF PLANNING, COORDINATING,
17 AND IMPLEMENTING REGIONAL STRATEGIES TO REDUCE AND PREVENT
18 HOMELESSNESS, IN ACCORDANCE WITH SUBSECTION (5) OF THIS SECTION.

19 (4) **General discretionary powers of the authority.** THE
20 GENERAL DISCRETIONARY POWERS OF THE AUTHORITY INCLUDE:

21 (a) TO PLAN, COORDINATE, AND IMPLEMENT REGIONAL STRATEGIES
22 TO REDUCE AND PREVENT HOMELESSNESS;

23 (b) TO COORDINATE AND PLAN WITH THE DEPARTMENT OF LOCAL
24 AFFAIRS AND THE CONTINUUM OF CARE ORGANIZATION THAT OPERATES
25 WITHIN THE BOUNDARIES OF THE AUTHORITY TO REDUCE AND PREVENT
26 HOMELESSNESS;

27 (c) TO, IF FEASIBLE AND AGREED UPON BY THE CONTRACTING

1 LOCAL GOVERNMENTS AND THE CONTINUUM OF CARE ORGANIZATION,
2 CONTRACT WITH THE CONTINUUM OF CARE ORGANIZATION THAT OPERATES
3 WITHIN THE BOUNDARIES OF THE AUTHORITY TO DESIGNATE THE
4 CONTINUUM OF CARE ORGANIZATION AS THE ADMINISTRATOR OF THE
5 AUTHORITY;

6 (d) TO MAKE AND ENTER INTO CONTRACTS WITH ANY PERSON,
7 INCLUDING, WITHOUT LIMITATION, CONTRACTS WITH STATE OR FEDERAL
8 AGENCIES, CONTINUUM OF CARE ORGANIZATIONS, PRIVATE ENTERPRISES,
9 AND NONPROFIT ORGANIZATIONS THAT ARE ALSO INVOLVED IN REDUCING
10 AND PREVENTING HOMELESSNESS, IRRESPECTIVE OF WHETHER SUCH
11 AGENCIES ARE PARTIES TO THE INTERGOVERNMENTAL AGREEMENT;

12 (e) TO EMPLOY AGENTS AND EMPLOYEES;

13 (f) TO ACQUIRE, HOLD, LEASE AS LESSOR OR LESSEE, SELL, OR
14 OTHERWISE DISPOSE OF ANY REAL OR PERSONAL PROPERTY, COMMODITY,
15 OR SERVICE;

16 (g) TO INCUR DEBTS, LIABILITIES, OR OBLIGATIONS;

17 (h) TO SUE AND BE SUED IN ITS OWN NAME;

18 (i) TO ADOPT, BY RESOLUTION, REGULATIONS RESPECTING THE
19 EXERCISE OF ITS POWERS AND THE CARRYING OUT OF ITS PURPOSES;

20 (j) TO PROVIDE FOR THE LEVY OF SALES OR SALES AND USE TAXES
21 BY CONTRACTING LOCAL GOVERNMENTS FOR THE PURPOSES OF PLANNING,
22 COORDINATING, AND IMPLEMENTING REGIONAL STRATEGIES TO REDUCE
23 AND PREVENT HOMELESSNESS IN ACCORDANCE WITH SUBSECTION (5) OF
24 THIS SECTION;

25 (k) TO EXERCISE ANY OTHER POWERS THAT ARE ESSENTIAL TO THE
26 PROVISION OF FUNCTIONS, SERVICES, OR FACILITIES BY THE AUTHORITY
27 AND THAT ARE SPECIFIED IN THE INTERGOVERNMENTAL AGREEMENT; AND

1 (1) TO PERFORM ANY ACTS AUTHORIZED BY THIS SECTION UNDER,
2 THROUGH, OR BY MEANS OF AN AGENT OR BY CONTRACTS WITH ANY
3 PERSON, FIRM, OR CORPORATION.

4 (5) **Levy of taxes.** IF THE INTERGOVERNMENTAL AGREEMENT THAT
5 CREATES AN AUTHORITY PROVIDES THAT THE CONTRACTING LOCAL
6 GOVERNMENTS SHALL LEVY SALES OR SALES AND USE TAXES TO BE USED
7 BY THE AUTHORITY TO PLAN, COORDINATE, AND IMPLEMENT REGIONAL
8 STRATEGIES TO REDUCE AND PREVENT HOMELESSNESS:

9 (a) EACH CONTRACTING LOCAL GOVERNMENT SHALL SUBMIT TO ITS
10 REGISTERED ELECTORS A BALLOT QUESTION THAT RELATES TO THE TAX,
11 THAT REQUIRES ANY NEW TAX REVENUE APPROVED THROUGH THE BALLOT
12 QUESTION TO BE USED SOLELY FOR THE PLANNING, COORDINATION, AND
13 IMPLEMENTATION OF REGIONAL STRATEGIES TO REDUCE AND PREVENT
14 HOMELESSNESS, AND THAT COMPLIES WITH SECTION 20 OF ARTICLE X OF
15 THE STATE CONSTITUTION;

16 (b) THE INTERGOVERNMENTAL AGREEMENT MUST INCLUDE
17 PROVISIONS THAT APPLY TO A CASE IN WHICH THE ELECTORS IN SOME BUT
18 NOT ALL OF THE CONTRACTING LOCAL GOVERNMENTS APPROVE THE
19 BALLOT QUESTION DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION;

20 (c) ANY SALES TAX LEVIED IN ACCORDANCE WITH THIS SUBSECTION
21 (5) IS IN ADDITION TO ANY OTHER SALES TAX IMPOSED PURSUANT TO LAW;
22 AND

23 (d) THE INTERGOVERNMENTAL AGREEMENT MUST PROVIDE THAT
24 ALL OR PART OF THE TAXES LEVIED IN ACCORDANCE WITH THIS SUBSECTION
25 (5) ARE DISTRIBUTED TO THE AUTHORITY.

26 (6) **Political subdivision of the state.** AN AUTHORITY IS A
27 POLITICAL SUBDIVISION AND A PUBLIC CORPORATION OF THE STATE,

1 SEPARATE FROM THE CONTRACTING LOCAL GOVERNMENTS, AND IS A
2 VALIDLY CREATED AND EXISTING POLITICAL SUBDIVISION AND PUBLIC
3 CORPORATION OF THE STATE, IRRESPECTIVE OF WHETHER A CONTRACTING
4 LOCAL GOVERNMENT WITHDRAWS, WHETHER VOLUNTARILY, BY
5 OPERATION OF LAW, OR OTHERWISE, FROM THE AUTHORITY SUBSEQUENT
6 TO ITS CREATION UNDER CIRCUMSTANCES NOT RESULTING IN THE
7 RESCISSION OR TERMINATION OF THE CONTRACT ESTABLISHING THE
8 AUTHORITY PURSUANT TO ITS TERMS. AN AUTHORITY HAS THE DUTIES,
9 PRIVILEGES, IMMUNITIES, RIGHTS, LIABILITIES, AND DISABILITIES OF A
10 PUBLIC BODY POLITIC AND CORPORATE.

11 (7) **Gifts, grants, and donations.** AN AUTHORITY MAY SEEK,
12 ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR
13 PUBLIC SOURCES FOR THE PURPOSES OF PLANNING, COORDINATING, AND
14 IMPLEMENTING REGIONAL STRATEGIES TO REDUCE AND PREVENT
15 HOMELESSNESS.

16 (8) **Bonds.** AN AUTHORITY MAY ISSUE REVENUE OR GENERAL
17 OBLIGATION BONDS AND MAY PLEDGE ITS REVENUE AND REVENUE-RAISING
18 POWERS FOR THE PAYMENT OF SUCH BONDS. SUCH BONDS MUST BE ISSUED
19 ON THE TERMS AND SUBJECT TO THE CONDITIONS SET FORTH IN SECTION
20 43-4-609. THE BONDS, NOTES, AND OTHER OBLIGATIONS OF AN AUTHORITY
21 ARE NOT DEBTS, LIABILITIES, OR OBLIGATIONS OF THE CONTRACTING LOCAL
22 GOVERNMENTS.

23 (9) **Exempt from state taxation.** AN AUTHORITY, THE PROPERTY
24 OF AN AUTHORITY, THE INCOME OR OTHER REVENUES OF AN AUTHORITY,
25 ANY BONDS ISSUED BY AN AUTHORITY, AND THE TRANSFER OF AND THE
26 INCOME FROM ANY BONDS ISSUED BY THE AUTHORITY ARE EXEMPT FROM
27 ALL TAXATION AND ASSESSMENTS IN THE STATE.

1 **(10) Fiscal year spending.**

2 (a) FOR THE PURPOSE OF DETERMINING AN AUTHORITY'S FISCAL
3 YEAR SPENDING LIMIT UNDER SECTION 20 (7)(b) OF ARTICLE X OF THE
4 STATE CONSTITUTION, THE INITIAL SPENDING BASE OF THE AUTHORITY IS
5 THE AMOUNT OF REVENUES COLLECTED BY THE AUTHORITY FROM SOURCES
6 NOT EXCLUDED FROM FISCAL YEAR SPENDING PURSUANT TO SECTION 20
7 (2)(e) OF ARTICLE X OF THE STATE CONSTITUTION DURING THE FIRST FULL
8 FISCAL YEAR FOR WHICH THE AUTHORITY COLLECTED REVENUES.

9 (b) AS USED IN THIS SUBSECTION (11), "FISCAL YEAR" MEANS ANY
10 YEAR-LONG PERIOD USED BY AN AUTHORITY FOR FISCAL ACCOUNTING
11 PURPOSES.

12 **(11) Local governments retain powers.** NOTHING IN THIS
13 SECTION LIMITS THE POWER OF CONTRACTING LOCAL GOVERNMENTS TO:

14 (a) ENTER INTO INTERGOVERNMENTAL COOPERATION OR
15 AGREEMENTS OR ESTABLISH SEPARATE LEGAL ENTITIES PURSUANT TO
16 SECTION 29-1-203, ARTICLE XX OF THE STATE CONSTITUTION, OR ANY
17 OTHER APPLICABLE LAW;

18 (b) CARRY OUT THEIR INDIVIDUAL POWERS UNDER APPLICABLE
19 STATUTORY OR CHARTER PROVISIONS; OR

20 (c) EXERCISE THE POWERS RESERVED TO CITIES AND TOWNS BY THE
21 STATE CONSTITUTION, INCLUDING THE POWER TO ACHIEVE ANY PURPOSE
22 OR FUNCTION DESCRIBED IN THIS SECTION.

23 **SECTION 3.** In Colorado Revised Statutes, 39-13-102, **add** (6)
24 as follows:

25 **39-13-102. Documentary fee imposed - amount - to whom**
26 **payable - legislative declaration - definition.**

27 (6) (a) A COUNTY MAY DESIGNATE A PORTION OF THE MONEY

1 COLLECTED FROM THE DOCUMENTARY FEE, OTHER THAN THE PORTION
2 THAT IS USED TO OFFSET ADMINISTRATIVE COSTS RELATED TO RECORDING
3 AND MAINTAINING REAL PROPERTY DEEDS AND INSTRUMENTS, TO BE
4 TRANSFERRED TO THE COUNTY GOVERNMENT OR A HOUSING AUTHORITY
5 FOR THE PURPOSE OF DEVELOPING, PRESERVING, OR ACQUIRING
6 AFFORDABLE HOUSING THAT:

7 (I) IS WITHIN THE JURISDICTION OF THE COUNTY GOVERNMENT OR
8 HOUSING AUTHORITY;

9 (II) IS ALIGNED WITH DEMONSTRATED COMMUNITY NEEDS; AND

10 (III) WILL BE AVAILABLE TO INDIVIDUALS EXPERIENCING
11 HOMELESSNESS.

12 (b) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

13 (I) AS THE VOLUME OF REAL ESTATE TRANSACTIONS HAS
14 INCREASED SIGNIFICANTLY, REAL ESTATE PRICES AND COSTS HAVE ALSO
15 INCREASED, IMPACTING THE AVAILABILITY AND AFFORDABILITY OF
16 HOUSING IN COLORADO; AND

17 (II) LOCAL GOVERNMENTS SHOULD BE PERMITTED TO USE THE
18 DOCUMENTARY FEE TO OFFSET THE ADMINISTRATIVE COSTS ASSOCIATED
19 WITH RECORDING AND MAINTAINING REAL PROPERTY DEEDS AND
20 INSTRUMENTS AND THE COSTS OF BUILDING AND MAINTAINING
21 AFFORDABLE HOUSING.

22 **SECTION 4. Severability.** If any provision of this act or the
23 application of this act to any person or circumstance is held invalid, the
24 invalidity does not affect other provisions or applications of the act that
25 can be given effect without the invalid provision or application, and to this
26 end the provisions of this act are declared to be severable.

27 **SECTION 5. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2026 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.