

SENATE COMMITTEE OF REFERENCE REPORT

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January 29, 2026

Chair of Committee

Date

Committee on Local Government & Housing.

After consideration on the merits, the Committee recommends the following:

SB26-001 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, after line 1 insert:

2       **"SECTION 1.** In Colorado Revised Statutes, 30-35-202, **add**  
3 (1)(d) as follows:

4       **30-35-202. Power to sell public works - sell or lease property.**

5       (1) The governing body shall have the following additional  
6 powers:

7           (d) NOTWITHSTANDING SUBSECTIONS (1)(a) AND (1)(b) OF THIS  
8 SECTION, TO SELL AND DISPOSE OF, BY ORDINANCE, ANY PUBLIC BUILDING  
9 OR REAL PROPERTY OWNED BY A COUNTY THAT IS HELD FOR GOVERNMENT  
10 PURPOSES, OTHER THAN PARK PURPOSES, IF THE SALE AND DISPOSITION OF  
11 THE PUBLIC BUILDING OR REAL PROPERTY IS FOR THE PURPOSE OF  
12 PROVIDING PROPERTY TO BE USED FOR THE DEVELOPMENT OF AFFORDABLE  
13 HOUSING OR HOUSING IDENTIFIED IN A HOUSING NEEDS ASSESSMENT  
14 CONDUCTED PURSUANT TO SECTIONS 24-32-3703 OR 24-32-3704. THE  
15 GOVERNING BODY SHALL DETERMINE THE TERMS AND CONDITIONS OF THE  
16 SALE AND DISPOSITION AT A REGULAR OR SPECIAL MEETING.

17       **SECTION 2.** In Colorado Revised Statutes, 31-15-713, **add**  
18 (1)(d) as follows:

19           **31-15-713. Power to sell public works - real property.**

20           (1) The governing body of each municipality has the power:

21           (d) NOTWITHSTANDING SUBSECTIONS (1)(a) AND (1)(b) OF THIS  
22 SECTION, TO SELL AND DISPOSE OF, BY ORDINANCE, ANY PUBLIC BUILDING  
23 OR REAL PROPERTY OWNED BY A MUNICIPALITY THAT IS HELD FOR  
24 GOVERNMENT PURPOSES, OTHER THAN PARK PURPOSES, IF THE SALE AND  
25 DISPOSITION OF THE PUBLIC BUILDING OR REAL PROPERTY IS FOR THE  
26 PURPOSE OF PROVIDING PROPERTY TO BE USED FOR THE DEVELOPMENT OF  
27 AFFORDABLE HOUSING OR HOUSING IDENTIFIED IN A HOUSING NEEDS  
28 ASSESSMENT CONDUCTED PURSUANT TO SECTIONS 24-32-3703 OR 24-32-

1 3704. THE GOVERNING BODY SHALL DETERMINE THE TERMS AND  
2 CONDITIONS OF THE SALE AND DISPOSITION AT A REGULAR OR SPECIAL  
3 MEETING.

4 **SECTION 3.** In Colorado Revised Statutes, **amend** 31-15-801 as  
5 follows:

6 **31-15-801. Agreements - ordinance - financing.**

7 In order to provide necessary land, buildings, equipment, and other  
8 property for governmental or proprietary purposes, INCLUDING FOR THE  
9 DEVELOPMENT OF AFFORDABLE HOUSING OR HOUSING IDENTIFIED IN A  
10 HOUSING NEEDS ASSESSMENT CONDUCTED PURSUANT TO SECTIONS  
11 24-32-3703 OR 24-32-3704, or for financing of forest health projects, as  
12 defined in section 37-95-103 (4.9), any municipality is authorized to enter  
13 into long-term rental or leasehold agreements. ~~but in no event shall this~~  
14 ~~be construed as authorizing the use by any municipality of leasehold~~  
15 ~~agreements to finance residential housing.~~ Such agreements may include  
16 an option to purchase and acquire title to such leased or rented property  
17 within a period not exceeding the useful life of such property and in no  
18 case exceeding thirty years. Each such agreement and the terms thereof  
19 shall be concluded by an ordinance duly enacted by the municipality. No  
20 such ordinance shall take effect before thirty days after its passage and  
21 publication. The governing body of any municipality is authorized to  
22 provide for the payment of said rentals from a general levy imposed upon  
23 both personal and real property included within the boundaries of the  
24 municipality; by imposing rates, tolls, and service charges for the use of  
25 such property or any part thereof by others; from any other available  
26 municipal income; or from any one or more of the said sources. The  
27 obligation to pay such rentals shall not constitute an indebtedness of said  
28 municipality within the meaning of the constitutional limitations on  
29 contracting of indebtedness by municipalities.

30 **SECTION 4.** In Colorado Revised Statutes, 29-1-204.5, **amend**  
31 (7.5)(c); and **add** (7.5)(d) as follows:

32 **29-1-204.5. Establishment of multijurisdictional housing  
33 authorities.**

34 (c) The questions proposed to the registered electors ~~under~~  
35 ~~paragraphs (a) and (b) of this subsection~~ PURSUANT TO SUBSECTIONS  
36 (7.5)(a) AND (7.5)(b) OF THIS SECTION shall be submitted at a general  
37 election, BIENNIAL LOCAL ELECTION, or any election to be held on the first  
38 Tuesday in November of an odd-numbered year. The action shall not take  
39 effect unless a majority of the registered electors voting thereon at the  
40 election vote in favor thereof. The election shall be conducted in  
41 substantially the same manner as county elections and the county clerk  
42 and recorder of each county in which the election is conducted shall assist  
43 the authority in conducting the election. The authority shall pay the costs

1 incurred by each county in conducting such an election. No moneys  
2 MONEY of the authority may be used to urge or oppose passage of an  
3 election required under this section.

4 (d) THE CONTRACT ESTABLISHING THE AUTHORITY MAY BE  
5 CONDITIONED UPON VOTER APPROVAL BY THE INDIVIDUAL CONTRACTING  
6 JURISDICTION AS SUCH TERMS MAY BE DEFINED IN THE CONTRACT. THE  
7 QUESTION OF ESTABLISHING THE AUTHORITY MAY BE COMBINED WITH A  
8 QUESTION ABOUT A TAX, IMPACT FEE, MULTIPLE-FISCAL YEAR DEBT, OR  
9 OTHER FINANCIAL OBLIGATION REQUIRED BY SUBSECTIONS (7.5)(a) OR  
10 (7.5)(b) OF THIS SECTION.".

11 Rerumber succeeding sections accordingly.

12 Page 2, line 8, after "HOUSING," insert "HOUSING PROGRAMS,".

13 Page 3, after line 23 insert:

14 "SECTION 7. In Colorado Revised Statutes, 39-26-708, add  
15 (1)(a)(III) and (2)(a)(III) as follows:

16 **39-26-708. Construction and building materials - legislative  
17 declaration - definition.**

18 (1) There shall be exempt from taxation under part 1 of this article  
19 26 all sales of construction and building materials to contractors and  
20 subcontractors for use in the building, erection, alteration, or repair of  
21 structures, highways, roads, streets, and other public works owned and  
22 used by:

23 (a) (III) AS USED IN THIS SUBSECTION (1)(a), "GOVERNMENTAL  
24 CAPACITIES" INCLUDES THE BUILDING, ERECTION, ALTERATION, OR REPAIR  
25 OF STRUCTURES FOR WORKFORCE HOUSING PROJECTS UNDERTAKEN BY  
26 COUNTIES;

27 (2) There shall be exempt from taxation under part 2 of this article  
28 26 the storage, use, or consumption by a contractor or subcontractor of  
29 construction and building materials for use in the building, erection,  
30 alteration, or repair of structures, highways, roads, streets, and other  
31 public works owned and used by:

32 (a) (III) AS USED IN THIS SUBSECTION (2)(a), "GOVERNMENTAL  
33 CAPACITIES" INCLUDES THE BUILDING, ERECTION, ALTERATION, OR REPAIR  
34 OF STRUCTURES FOR WORKFORCE HOUSING PROJECTS UNDERTAKEN BY  
35 COUNTIES;".

36 Rerumber succeeding section accordingly.

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