

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 14, 2023
Date

Committee on Local Government & Housing.

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

SB23-057 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

1 Amend printed bill, page 2, line 2, strike "**repeal**" and substitute
2 "**amend**".

3 Page 2, line 4, strike "**treasurer.**" and substitute "**treasurer - repeal.**".

4 Page 2, strike lines 6 through 11 and substitute:

5 "(o) (I) For services in collecting drainage district assessments ON
6 OR BEFORE DECEMBER 31, 2025, such amount as the board of directors of
7 the district may allow, but not less than twenty-five dollars nor more than
8 one hundred dollars per annum. THIS SUBSECTION (1)(o)(I) IS REPEALED,
9 EFFECTIVE JULY 1, 2026.

10 (II) FOR SERVICES IN COLLECTING DRAINAGE DISTRICT
11 ASSESSMENTS ON AND AFTER JANUARY 1, 2026, TWENTY-FIVE
12 HUNDREDTHS OF ONE PERCENT UPON ALL MONEY RECEIVED BY THE
13 COUNTY TREASURER FOR ASSESSMENTS LEVIED BY THE DRAINAGE
14 DISTRICT;

15 (p) (I) For services in collecting irrigation district assessments ON
16 OR BEFORE DECEMBER 31, 2025, such amount as the board of directors of
17 the district may allow, but not less than twenty-five dollars nor more than
18 one hundred dollars per annum. THIS SUBSECTION (1)(p)(I) IS REPEALED,
19 EFFECTIVE JULY 1, 2026.

20 (II) FOR SERVICES IN COLLECTING IRRIGATION DISTRICT
21 ASSESSMENTS ON AND AFTER JANUARY 1, 2026, TWENTY-FIVE
22 HUNDREDTHS OF ONE PERCENT UPON ALL MONEY RECEIVED BY THE
23 COUNTY TREASURER FOR ASSESSMENTS LEVIED BY THE IRRIGATION
24 DISTRICT;"

1 Page 3, line 21, strike "taxes." and substitute "assessments."

2 Page 3, strike lines 25 through 27.

3 Page 4, strike lines 1 and 2 and substitute "~~shall be liable upon his official~~
4 ~~bond and to indictment and criminal prosecution for malfeasance,~~
5 ~~misfeasance, or failure to perform any duty prescribed as that of the~~
6 ~~county treasurer or district treasurer, as is provided by law in other cases~~
7 ~~as that of the county treasurer. The treasurer shall~~ DIRECTORS, MAY
8 collect,".

9 Page 5, after line 26 insert:

10 "SECTION 6. In Colorado Revised Statutes, 37-42-128, amend
11 (7) as follows:

12 **37-42-128. Collection of assessments.** (7) The county treasurer
13 shall receive in the county treasurer's official capacity all district
14 assessments collected and paid to the county treasurer, and the county
15 treasurer is responsible for the safekeeping, disbursement, and payment
16 of such assessments as well as other money collected by the county
17 treasurer. The county treasurer shall receive for the collection of such
18 assessments such amount ~~as the board of directors may allow~~, as provided
19 in section 30-1-102; except that the treasurer shall receive five dollars per
20 tract assessed pursuant to section 37-42-125 (3) for loans issued to
21 landowners pursuant to section 37-42-113 (5), and this five dollars shall
22 be assessed against each participating tract. Any assessment collected and
23 paid to the county treasurer for districts that are defunct or have not been
24 in operation for five or more years shall be transferred by the county
25 treasurer to the county general fund."

26 Renumber succeeding sections accordingly.

27 Page 9, line 21, strike "shall" and substitute "shall MAY".

28 Strike "TAXES" and substitute "ASSESSMENTS" on: **Page 4**, line 4; **Page 5**,
29 line 25; and **Page 9**, line 22.

30 Strike "taxes" and substitute "~~taxes~~ ASSESSMENTS" on: **Page 4**, line 9; and
31 **Page 5**, lines 11 and 21.

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