

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0790.01 Jason Gelender x4330

SENATE BILL 16-100

SENATE SPONSORSHIP

Jahn,

HOUSE SPONSORSHIP

Pabon,

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

101 CONCERNING REQUIREMENTS THAT A COUNTY MUST MEET BEFORE
102 REDUCING THE MILL LEVY FOR ITS ROAD AND BRIDGE FUND.

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://www.leg.state.co.us/billsummaries>.)

Current law:

- ! Requires each county to annually adopt a road and bridge budget, which must show the aggregate amount estimated to be expended for county road and bridge construction, maintenance, and administration and the aggregate amount estimated to be paid from the county road and bridge fund

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

- to municipalities in the county; and
- ! Authorizes each county to levy a property tax, taking into account other available money, at a rate sufficient to fund the county road and bridge budget.

The bill prohibits a county from reducing the rate of the property tax unless it notifies all municipalities located within the county of its intent to do so, and either:

- ! A majority of the municipalities consent to the reduction; or
- ! The county annually makes an additional payment to each municipality that compensates the municipality fully for the reduction in the amount of tax revenues that it receives due to the rate reduction.

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

2 **SECTION 1.** In Colorado Revised Statutes, 43-2-203, **add** (3) as
3 follows:

4 **43-2-203. County road and bridge budget - tax levy.** (3) THE
5 BOARD OF COUNTY COMMISSIONERS OF A COUNTY MUST GIVE WRITTEN
6 NOTICE TO EACH MUNICIPALITY WITHIN THE COUNTY OF ITS INTENT TO
7 REDUCE THE RATE OF THE TAX AUTHORIZED TO BE LEVIED UNDER
8 SUBSECTION (2) OF THIS SECTION. NOTWITHSTANDING ANY OTHER
9 PROVISION OF THIS SECTION, THE BOARD OF COUNTY COMMISSIONERS OF
10 A COUNTY SHALL NOT REDUCE THE RATE OF THE TAX UNLESS:

11 (a) A MAJORITY OF THE MUNICIPALITIES IN THE COUNTY CONSENT
12 TO THE REDUCTION BY ENTERING INTO A MEMORANDUM OF
13 UNDERSTANDING WITH THE COUNTY; OR

14 (b) IN ADDITION TO THE TOTAL AMOUNT PAID TO THE
15 MUNICIPALITY UNDER SECTION 43-2-202, THE COUNTY ANNUALLY PAYS
16 TO EACH MUNICIPALITY IN THE COUNTY AN AMOUNT THAT MAKES THE
17 TOTAL ANNUAL PAYMENT TO THE MUNICIPALITY EQUAL TO THE TOTAL
18 AMOUNT THAT THE COUNTY WOULD HAVE PAID THE MUNICIPALITY UNDER

1 SECTION 43-2-202 IF THE COUNTY HAD NOT REDUCED THE RATE OF THE
2 TAX.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2016 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.