



**Colorado
Legislative
Council
Staff**

HB16-1272

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0454
Prime Sponsor(s): Rep. Kraft-Tharp
Sen. Tate

Date: February 29, 2016
Bill Status: House Local Government
Fiscal Analyst: Josh Abram (303-866-3561)

BILL TOPIC: DISCONNECTION OF LAND FROM A MUNICIPALITY

Summary of Legislation

Under current law, if the owner of a tract of land within or adjacent to a municipality desires to have the tract disconnected from the municipality, the owner files an application for disconnection with the governing board of the municipality. If the governing board determines that disconnecting the land does not negatively impact the municipality, the board can disconnect the land via ordinance.

This bill requires that a governing board that receives a disconnection application:

- notify the board of county commissioners of the affected county that an application has been received; and
- if requested by the board of county commissioners, meet with the board to discuss any negative impacts to the county that would result from the disconnection.

Once a municipality receives an application to disconnect, the governing board must enact an ordinance to disconnect if the governing board finds that:

- the best interests of the municipality will not be negatively impacted by the disconnection;
- the tract of land contains in the aggregate an area of 20 or more acres and is located on or adjacent to the border of the municipality;
- no part of the land has been duly platted into lots and blocks as part of or addition to the municipality;
- all taxes and liens on the property have been paid as of the filing date of the application; and,
- the board of county commissioners of the affected county has been notified and any negative impacts resulting from the disconnection have been addressed.

Local Government Impact

The bill modifies the procedures and conditions for disconnecting land from a municipality. The bill will slightly increase the workload of municipal and county staff should a county desire to discuss the negative impacts of a disconnection application. Municipal staff may also have a slightly increased workload to research the bill's modified criteria for approving a disconnection application, and to prepare recommendations for municipal governing boards.

Effective Date

The bill takes effect August 10, 2016, if the General Assembly adjourns on May 11, 2016, as scheduled, and no referendum petition is filed, and applies to disconnection applications submitted on or after that date.

State and Local Government Contacts

Counties Local Affairs Municipalities

Research Note Available

An LCS Research Note for HB16-1272 is available online and through the iLegislate app. Research notes provide additional policy and background information about the bill and summarize action taken by the General Assembly concerning the bill.