

CHAPTER 130

**GOVERNMENT - SPECIAL DISTRICTS**

SENATE BILL 18-176

BY SENATOR(S) Coram, Baumgardner, Jahn, Martinez Humenik, Moreno, Priola, Scott, Sonnenberg;  
also REPRESENTATIVE(S) McLachlan and Catlin, Arndt, Becker K., Covarrubias, Esgar, Hamner, Humphrey, Pettersen,  
Roberts, Valdez, Young, Duran.

**AN ACT**

**CONCERNING CHANGES TO THE REQUIREMENTS FOR MEETING DATES FOR THE BOARD OF THE SOUTHWESTERN WATER CONSERVATION DISTRICT.**

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

**SECTION 1.** In Colorado Revised Statutes, **amend** 37-47-108 as follows:

**37-47-108. Principal office - meetings.** The board of directors of the district shall designate a place within the district where the principal office is to be maintained and may change such place from time to time. Regular ~~quarterly~~ meetings of said board shall be held at said office ~~on the fourth Tuesday in the months of January, April, July, and October~~ **AT LEAST ONCE EVERY THREE MONTHS.** The board is also empowered to hold such special meetings as may be required for the proper transaction of business. All special meetings of the board shall be held at locations which are within the boundaries of the district or which are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the meeting location does not exceed twenty miles from the district boundaries. The provisions of this section governing the location of meetings may be waived only if the proposed change of location of a meeting of the board appears on the agenda of a regular or special meeting of the board and if a resolution is adopted by the board stating the reason for which a meeting of the board is to be held in a location other than under the provisions of this section and further stating the date, time, and place of such meeting. Special meetings may be called by the president of the board or by any three directors. Meetings of the board shall be public, and proper minutes of the proceedings of said board shall be preserved and shall be open to the inspection of any elector of the district during business hours.

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*Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 2.** In Colorado Revised Statutes, 37-47-104, **amend** (1) and (2) as follows:

**37-47-104. Board of directors.** (1) The southwestern water conservation district shall be managed and controlled by a board of nine directors. The members of said board shall hold their office for staggered terms of three years, with three members appointed each year, and until their successors are appointed and qualified. One member of said board shall be selected from each of the respective counties in said water conservation district and, at the time of his OR HER appointment, shall have been a resident of said county or, if only a part of a county is included within the boundaries of said district, a resident of such included part for at least two years prior to the date of his OR HER appointment and shall be a freeholder who has paid taxes upon real estate in the county of his OR HER residence during the calendar year next preceding his OR HER appointment. ~~He~~ THE MEMBER shall be appointed by the board of county commissioners of the county in which ~~he~~ THE MEMBER resides. ~~He~~ THE MEMBER may be a member of the board of county commissioners of such county. The members of said board shall annually select one of their number to act as president and presiding officer until the ~~fourth Tuesday in January following his appointment~~ FIRST REGULAR BOARD MEETING OF THE NEXT CALENDAR YEAR.

(2)(a) Immediately upon organization the members of said board shall be divided by lot or chance into three classes. The term of office of the members of the first class shall expire on the third Tuesday in January, 1942; the term of office of the members of the second class shall expire on the third Tuesday in January, 1943; and the term of office of the members of the third class shall expire on the third Tuesday in January, 1944; except that, on and after March 11, 1943, terms of office shall expire on the fourth Tuesday in January, instead of the third Tuesday in January, as provided in this subsection (2).

(b) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS SECTION, ON AND AFTER SEPTEMBER 1, 2018, TERMS OF OFFICE EXPIRE ON THE DAY OF THE FIRST REGULAR BOARD MEETING HELD IN THE FOURTH CALENDAR YEAR FOLLOWING THE MEMBER'S APPOINTMENT. At the first meeting of the board of county commissioners held ~~after the second Tuesday~~ in January, and every three years thereafter, the boards of county commissioners of the counties of residence of the members whose terms expire shall appoint successors to take office on the ~~fourth Tuesday in January following~~ DATE OF THE FIRST REGULAR MEETING OF THE BOARD OF THE SOUTHWESTERN WATER CONSERVATION DISTRICT FOLLOWING SUCH APPOINTMENTS.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 12, 2018