

CHAPTER 65

EDUCATION - POSTSECONDARY

HOUSE BILL 24-1131

BY REPRESENTATIVE(S) Lukens and Velasco, Bird, Hamrick, Hernandez, Herod, Lieder, Lindsay, Marshall, Martinez, McLachlan, Ortiz, Ricks, Snyder, Titone, Young, McCluskie;
also SENATOR(S) Roberts and Will, Buckner, Cutter, Exum, Jaquez Lewis, Michaelson Jenet, Priola, Winter F.

AN ACT**CONCERNING LOCAL COLLEGE DISTRICTS.**

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

SECTION 1. In Colorado Revised Statutes, 23-71-110, **amend** (3), (4), and (8) as follows:

23-71-110. Election of board - members and terms. (3) The board of trustees of each local college district ~~existing on or after July 1, 1984, and before July 1, 1986,~~ shall determine whether the board of trustees consists of five, seven, nine, or eleven members. ~~The board of trustees of each local college district created after July 1, 1986, consists of five, seven, nine, or eleven members as specified in the organization petition, except that the~~ A board of trustees may ~~subsequently~~ increase the number of board members **ONLY** as provided in subsection (8) of this section. The board of trustees of each local college district shall determine the number of vacancies existing and the length of term of each vacancy for the next and subsequent regular elections for board members. Except for the election of members who were appointed pursuant to subsection (8) of this section and section 23-71-121, the board of trustees shall ensure that there are no more than three vacancies at any regular election for a five-member board, no more than four vacancies at any regular election for a seven-member board, no more than five vacancies at any regular election for a nine-member board, and no more than six vacancies at any regular election for an eleven-member board and that each board member has a term of four years.

(4) A board of trustees may establish board member districts for its local college district if it determines that ~~such~~ **BOARD MEMBER** districts are in the best interests of the local college district. ~~Such~~ **THE** board member districts ~~shall~~ **MUST** be

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

established on the basis of nearly equal population or on the basis of geography and population if the local college district consists of more than one county. A NINE-MEMBER BOARD OF TRUSTEES WITH BOARD MEMBER DISTRICTS MAY DESIGNATE ONE OR TWO OF ITS BOARD MEMBER DISTRICTS AS AT-LARGE DISTRICTS THAT INCLUDE THE ENTIRE AREA OF THE LOCAL COLLEGE DISTRICT. AN ELEVEN-MEMBER BOARD OF TRUSTEES WITH BOARD MEMBER DISTRICTS MAY DESIGNATE UP TO THREE OF ITS BOARD MEMBER DISTRICTS AS AT-LARGE DISTRICTS THAT INCLUDE THE ENTIRE AREA OF THE LOCAL COLLEGE DISTRICT.

(8) A local college district that has a five-member board of trustees may increase the board membership to seven members at any time by the appointment of two new members. A local college district that has a seven-member board of trustees may increase the board members to nine or eleven members by the appointment of new members. ~~if one or more additional school districts is annexed into the local college district as provided in section 23-71-128. Each person appointed pursuant to this subsection (8) must be appointed at least one hundred twenty days prior to the next regular biennial local district college election and may serve as an appointee only until the election and until the appointed person, if he or she seeks election, or his or her successor has been elected and has qualified.~~ A LOCAL COLLEGE DISTRICT THAT HAS A NINE-MEMBER BOARD OF TRUSTEES MAY INCREASE THE BOARD MEMBERSHIP TO ELEVEN MEMBERS AT ANY TIME BY THE APPOINTMENT OF TWO NEW MEMBERS.

SECTION 2. In Colorado Revised Statutes, 23-71-128, **amend** (1) as follows:

23-71-128. Additions to district - procedure. (1) If a school district or group of districts that is adjacent to a local college district or located entirely within the boundaries of the local district college's service area, as determined by the Colorado commission on higher education, desires to be annexed to the existing local college district, it may do so by satisfying both of the following requirements:

(a) By obtaining approval of the existing local college district. The approval ~~shall~~ **be** is given only upon a majority vote of the eligible electors of the existing local college district as expressed by a majority polled at the time of ~~the~~ **A** regular ~~biennial school~~ **biennial** election held in the local college district. The election ~~shall be~~ **is** called only upon ~~the~~ **AN** affirmative vote of the board of trustees.

(b) ~~By~~ **The** school district desiring to be annexed ~~voting on the question of~~ **VOTES TO APPROVE THE** annexation at a regular ~~biennial school~~ **biennial** election. The election ~~shall be~~ **is** called only upon the affirmative vote of the school district board of education. If a single school district desires to be annexed, the annexation ~~shall be~~ **is** effected by a majority vote of the eligible electors of the district. If two or more school districts desire annexation as a group, the annexation ~~shall be~~ **is** effected only by a majority vote in favor thereof in each district desiring annexation. If there is not a majority vote in favor of the annexation in any district ~~comprising~~ **IN** the group, then the annexation ~~shall~~ **DOES NOT** occur for the group of districts, but any individual district in the group ~~which~~ **THAT** had a majority vote in favor of the annexation ~~shall be~~ **is** annexed to the local college district.

SECTION 3. In Colorado Revised Statutes, 24-32-729, **add** (3)(i) as follows:

24-32-729. Transformational affordable housing through local investments - grant program - investments eligible for funding - report - definitions - repeal. (3) (i) To MITIGATE THE SEVERE HOUSING CHALLENGES IN RURAL COMMUNITIES AND RURAL RESORT COMMUNITIES, A PROJECT IN A RURAL COMMUNITY OR RURAL RESORT COMMUNITY THAT IS SUBSIDIZED BY A GRANT AWARD MAY PRIORITIZE PROVIDING AFFORDABLE HOUSING FOR ENROLLED POSTSECONDARY STUDENTS, LOCAL COLLEGE DISTRICT EMPLOYEES, AND LOCAL GOVERNMENT EMPLOYEES IN BUILDINGS ON LAND OWNED AND CONTROLLED BY A LOCAL COLLEGE DISTRICT.

SECTION 4. 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; 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 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 11, 2024