

## CHAPTER 66

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**EDUCATION - UNIVERSITIES AND COLLEGES**


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**HOUSE BILL 09-1079**

BY REPRESENTATIVE(S) Vaad, Marostica, Gerou, Kerr J., Massey, Middleton, Nikkel, Pommer, Riesberg, Ryden, Scanlan, Schafer S., Summers, Todd, Waller;  
also SENATOR(S) Renfroe, Williams.

**AN ACT**

**CONCERNING ANNEXING ADJACENT MUNICIPALITIES TO EXISTING JUNIOR COLLEGE DISTRICTS.**

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

**SECTION 1.** 23-71-128, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**23-71-128. Additions to district - procedure.** (2) IF THE TOWN OF BERTHOUD DESIRES TO BE ANNEXED TO ITS EXISTING JUNIOR COLLEGE DISTRICT, IT MAY DO SO BY THE FOLLOWING PROCEDURE:

(a) BY OBTAINING APPROVAL OF THE EXISTING JUNIOR COLLEGE DISTRICT. APPROVAL SHALL ONLY BE GIVEN UPON A MAJORITY VOTE OF THE ELIGIBLE ELECTORS OF THE EXISTING JUNIOR COLLEGE DISTRICT AS EXPRESSED BY A MAJORITY POLLED AT THE TIME OF THE REGULAR ELECTION HELD IN THE JUNIOR COLLEGE DISTRICT. THE ELECTION SHALL BE CALLED ONLY UPON THE AFFIRMATIVE VOTE OF THE BOARD OF TRUSTEES.

(b) BY THE TOWN OF BERTHOUD VOTING ON THE QUESTION OF ANNEXATION AT A REGULAR ELECTION. THE ELECTION SHALL ONLY BE CALLED UPON THE AFFIRMATIVE VOTE OF THE GOVERNING BODY OF THE MUNICIPALITY, AND THE ANNEXATION SHALL BE EFFECTED BY A MAJORITY VOTE OF THE ELIGIBLE ELECTORS OF THE MUNICIPALITY.

**SECTION 2. Act subject to petition - effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 5, 2009,

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

if adjournment sine die is on May 6, 2009); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 25, 2009