

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation, Housing & Local Government.

HB25-1093 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, 29-20-104.2, **amend**
4 (2)(a) as follows:

5 **29-20-104.2. Anti-growth law - preemption - legislative**
6 **declaration - definitions.** (2) As used in this section, unless the context
7 otherwise requires:

8 (a) "Anti-growth law" means a GENERALLY APPLICABLE land use
9 law that explicitly limits either the growth of the population in the
10 governmental entity's jurisdiction or the number of development permits
11 or building permit applications for residential development or the
12 residential component of any mixed use development submitted to,
13 reviewed by, approved by, or issued by a governmental entity for any
14 calendar or fiscal year OR THAT, IN CENSUS URBAN AREAS AS DEFINED BY
15 THE UNITED STATES CENSUS BUREAU, EXPLICITLY DECREASES THE
16 PERMITTED RESIDENTIAL DENSITY OR USES OF LAND TO LESS DENSITY OR
17 FEWER USES THAN WERE ALLOWED UNDER ITS PREVIOUS USAGE WITHOUT
18 ENSURING A CORRESPONDING INCREASE OF RESIDENTIAL DENSITY OR USES
19 ELSEWHERE IN THE JURISDICTION. As used in this subsection (2)(a), "land
20 use law" means any statute, resolution, ordinance, code, rule, regulation,
21 plan, policy, procedure, standard, initiative, guideline, requirement, or law
22 that regulates the use or division of property or any interest in property.

23 **SECTION 2.** In Colorado Revised Statutes, 29-20-203, **add** (3)
24 as follows:

25 **29-20-203. Conditions on land-use approvals.**

26 (3) NOTWITHSTANDING ANY OTHER LAW, AT ANY TIME BEFORE AN
27 ELECTION IS ORDERED PURSUANT TO SECTION 31-11-104, A MUNICIPALITY
28 MAY SEEK A JUDICIAL DETERMINATION AS TO THE LEGALITY OF A
29 PROPOSED LAND USE ORDINANCE THAT RESTRICTS OR LIMITS THE
30 DEVELOPMENT OR USE OF LAND SUBMITTED TO THE LEGISLATIVE BODY
31 PURSUANT TO SECTION 31-11-104 WITH REGARD TO ANY PROVISION OF
32 THE UNITED STATES CONSTITUTION OR THE STATE CONSTITUTION, THIS
33 SECTION, ARTICLE 68 OF TITLE 24, OR SECTION 29-20-104.2. THE OWNERS
34 OF PROPERTY SPECIFICALLY SUBJECT TO THE PROPOSED ORDINANCE AND
35 PERSONS DESIGNATED AS REPRESENTING THE PETITION PROPONENTS
36 PURSUANT TO SECTION 31-11-106 (2) SHALL BE ENTITLED TO INTERVENE
37 IN THE PROCEEDING. THE TIME PERIOD TO ADOPT AN INITIATED ORDINANCE
38 OR CALL AN ELECTION PURSUANT TO SECTION 31-11-104 (1) SHALL BE
39 TOLLED DURING THE PENDENCY OF ANY ACTION FILED PURSUANT TO THIS
40 SUBSECTION (3) INCLUDING ANY APPEAL.

1 **SECTION 3. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly; except
4 that, if a referendum petition is filed pursuant to section 1 (3) of article V
5 of the state constitution against this act or an item, section, or part of this
6 act within such period, then the act, item, section, or part will not take
7 effect unless approved by the people at the general election to be held in
8 November 2026 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.".

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