

HB1253_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture, Water & Natural Resources.

HB26-1253 be amended as follows:

1 Amend printed bill, page 3, lines 18 through 20, strike "TO THE TRACT OF
2 LAND THAT IS THE SUBJECT OF THE DISCONNECTION APPLICATION." and
3 substitute "BY AN AFFECTED SPECIAL DISTRICT OR ANY INTERFERENCE
4 WITH THE IMPLEMENTATION OF AN URBAN RENEWAL PLAN OF ANY
5 AFFECTED URBAN RENEWAL AUTHORITY."

6 Page 4, line 2, strike "COMMISSIONERS" and substitute "AUTHORITY".

7 Page 4, line 20, strike "THAT COVERS" and substitute "WITH AN URBAN
8 RENEWAL AREA DESCRIBED IN AN URBAN RENEWAL PLAN THAT INCLUDES".

9 Page 4, after line 21 insert:

10 "SECTION 2. In Colorado Revised Statutes, amend 31-12-601
11 as follows:

12 **31-12-601. Petition to disconnect territory.**

13 (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS
14 SECTION, when a tract or contiguous tracts of land, aggregating twenty or
15 more acres in area, are embraced within the municipal limits of any city,
16 which are upon or contiguous to the border ~~thereof~~ OF THE CITY, the
17 owners of ~~said~~ THE tracts of land may petition the district court for the
18 county in which ~~such~~ THE land, or any part thereof, is situated to have the
19 ~~same~~ LAND disconnected from ~~said~~ THE city.

20 (2) THE PROCESS FOR DISCONNECTION FROM A CITY AS PROVIDED
21 IN THIS PART 6 IS NOT AVAILABLE FOR ANY TRACT OF LAND THAT IS
22 INCLUDED WITHIN THE BOUNDARIES OF:

23 (a) AN URBAN RENEWAL AREA DESCRIBED IN AN URBAN RENEWAL
24 PLAN APPROVED PURSUANT TO PART 1 OF ARTICLE 25 OF THIS TITLE 31; OR

25 (b) A SPECIAL DISTRICT THAT, BY ITS SERVICE PLAN OR PURSUANT
26 TO AN INTERGOVERNMENTAL AGREEMENT, IS OR WILL BE EXPECTED TO
27 PROVIDE SERVICE TO THE TRACT OF LAND.

28 **SECTION 3.** In Colorado Revised Statutes, 31-12-602, amend
29 (1) introductory portion and (1)(f); and add (1)(g) as follows:

30 **31-12-602. Contents of petition.**

31 (1) The petition ~~shall~~ MUST contain the following:

32 (f) An allegation that all taxes or assessments lawfully due upon
33 the land up to the time of the filing of the petition have been fully paid;

34 AND

35 (g) AN ALLEGATION THAT THE TRACTS OF LAND ARE NOT LOCATED
36 WITHIN THE BOUNDARIES OF AN URBAN RENEWAL AREA DESCRIBED IN AN
37 URBAN RENEWAL PLAN APPROVED PURSUANT TO PART 1 OF ARTICLE 25 OF

1 THIS TITLE 31 OR A SPECIAL DISTRICT THAT, BY ITS SERVICE PLAN OR
2 PURSUANT TO AN INTERGOVERNMENTAL AGREEMENT, IS OR WILL BE
3 EXPECTED TO PROVIDE SERVICE TO THE TRACT OF LAND.

4 **SECTION 4.** In Colorado Revised Statutes, **amend** 31-12-603 as
5 follows:

6 **31-12-603. Hearing - decree - proviso.**

7 (1) Upon the filing of such petition in the district court, the judge
8 thereof shall set a date for a hearing, not less than forty days nor more
9 than sixty days thereafter. ~~It is the duty of~~ The clerk of ~~said~~ THE court to
10 ~~cause~~ SHALL SERVE a copy of ~~such~~ THE petition and a notice of the date
11 and the time set for such hearing ~~to be served~~ upon the mayor of the city
12 ~~The same shall be served~~ at least thirty days prior to the hearing of such
13 petition. ~~by the court~~ Upon the hearing and proof of the facts set forth in
14 ~~said~~ THE petition, ~~it~~ THE COURT shall ~~be determined~~ DETERMINE whether
15 ~~said~~ THE tracts of land should be disconnected from ~~such~~ THE city, and the
16 court shall enter an order or decree accordingly.

17 (2) ~~When a city has maintained streets, lights, and other public~~
18 ~~utilities for a period of three years through or adjoining said tracts of land,~~
19 The owners ~~shall~~ ARE not ~~be~~ entitled to disconnect the land under the
20 provisions of this part 6 WHEN:

21 (a) THE CITY HAS MAINTAINED STREETS, LIGHTS, AND OTHER
22 PUBLIC UTILITIES FOR A PERIOD OF THREE YEARS THROUGH OR ADJOINING
23 THE TRACTS OF LAND; OR

24 (b) THE TRACTS OF LAND ARE INCLUDED WITHIN THE BOUNDARIES
25 OF:

26 (I) AN URBAN RENEWAL AREA DESCRIBED IN AN URBAN RENEWAL
27 PLAN APPROVED PURSUANT TO PART 1 OF ARTICLE 25 OF THIS TITLE 31; OR

28 (II) A SPECIAL DISTRICT THAT, BY ITS SERVICE PLAN OR PURSUANT
29 TO AN INTERGOVERNMENTAL AGREEMENT, IS OR WILL BE EXPECTED TO
30 PROVIDE SERVICE TO THE TRACT OF LAND.

31 ~~(2)~~ (3) If an area has been annexed to a city for a period of two
32 years and then successful action is undertaken to disconnect ~~such~~ THE
33 area, the disconnected land shall be made subject to the applicable
34 county's zoning resolution and map and other land development
35 regulations within ninety days after the effective date of the disconnection
36 as described in section 31-12-501 (5)."

37 Renumber succeeding sections accordingly.

38 Page 5, line 7, strike "STATUTORY".

39 Page 7, line 22, strike "statutory" and substitute "city or".

1 Strike "THE COMMISSIONERS OF" on: **Page 3**, lines 5, 14, 23, and 26 and
2 27.

3 Strike "AUTHORITY CREATED" and substitute "AREA DESCRIBED IN AN
4 URBAN RENEWAL PLAN APPROVED" on: **Page 5**, line 10; **Page 6**, line 2;
5 and **Page 7**, line 2.

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