

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB26-1206 be amended as follows:

1 Amend reengrossed bill, page 4, strike lines 21 through 27 and substitute:

2 "SECTION 2. In Colorado Revised Statutes, **add** 29-4-233 as
3 follows:

4 **29-4-233. Intergovernmental agreement for housing revenue.**

5 (1) AN AUTHORITY AND A CITY MAY ENTER INTO AN
6 INTERGOVERNMENTAL AGREEMENT TO PROVIDE FOR THE IMPOSITION OF
7 A SALES TAX, SALES AND USE TAX, OR BOTH BY THE CITY UPON EVERY
8 TRANSACTION OR OTHER INCIDENT WITH RESPECT TO WHICH A SALES OR
9 USE TAX IS IMPOSED BY THE CITY. THE AUTHORITY SHALL USE THE
10 REVENUE RAISED BY THIS TAX TO EFFECT THE PLANNING, FINANCING,
11 ACQUISITION, CONSTRUCTION, RECONSTRUCTION, OR REPAIR,
12 MAINTENANCE, MANAGEMENT, AND OPERATION OF HOUSING PROJECTS OR
13 PROGRAMS PURSUANT TO THIS PART 2.

14 (2) AN INTERGOVERNMENTAL AGREEMENT ENTERED INTO
15 PURSUANT TO THIS SECTION MUST ADDRESS:

16 (a) THE TYPE OF TAX TO BE IMPOSED PURSUANT TO THIS SECTION
17 AND THE RATE OF THAT TAX;

18 (b) THE DURATION OF A TAX IMPOSED PURSUANT TO THIS SECTION
19 AND OF THE AGREEMENT, BOTH OF WHICH MAY BE CONTINUED FOR A
20 DEFINITE TERM OR UNTIL RESCINDED OR TERMINATED, AND THE METHOD,
21 IF ANY, BY WHICH EITHER MAY BE RESCINDED OR TERMINATED; EXCEPT
22 THAT NEITHER MAY BE RESCINDED OR TERMINATED SO LONG AS THE
23 AUTHORITY HAS BONDS, NOTES, OR OTHER OBLIGATIONS OUTSTANDING TO
24 WHICH THE AUTHORITY HAS PLEDGED REVENUE RAISED FROM THE TAX,
25 UNLESS PROVISION FOR FULL PAYMENT OF THESE OBLIGATIONS, BY
26 ESCROW OR OTHERWISE, HAS BEEN MADE PURSUANT TO THE TERMS OF THE
27 OBLIGATIONS;

28 (c) THE DISTRIBUTION OF ALL OR PART OF THE REVENUE RAISED
29 BY A TAX IMPOSED PURSUANT TO THIS SECTION TO THE AUTHORITY;

30 (d) THE IRREVOCABLE PLEDGE TO THE AUTHORITY OF ALL NEW
31 TAX REVENUES RAISED BY A TAX IMPOSED PURSUANT TO THIS SECTION FOR
32 THE PURPOSES SET FORTH IN THE APPROVED BALLOT QUESTION, EXCEPTING
33 ANY COSTS OF ELECTIONS RELATED TO THE TAX OR THE ADMINISTRATION
34 OR COLLECTION OF THE TAX;

35 (e) COMPLIANCE WITH SECTION 20 OF ARTICLE X OF THE STATE
36 CONSTITUTION;

37 (f) THE PAYMENT OF ANY COSTS OF ANY ELECTION RELATED TO A
38 TAX IMPOSED PURSUANT TO THIS SECTION;

39 (g) THE RETENTION BY THE CITY OF AN AMOUNT OF THE REVENUE
40 RAISED BY A TAX IMPOSED PURSUANT TO THIS SECTION NOT TO EXCEED

1 THE COST OF THE COLLECTION, ADMINISTRATION, AND ENFORCEMENT OF
2 THAT TAX; AND

3 (h) ANY OTHER PROVISIONS DEEMED NECESSARY BY THE
4 AUTHORITY AND THE CITY.

5 (3) (a) AN ACTION BY A CITY TO IMPOSE OR INCREASE ANY TAX OR
6 TO PLEDGE REVENUES PURSUANT TO THIS SECTION DOES NOT TAKE EFFECT
7 UNLESS FIRST SUBMITTED TO A VOTE OF THE REGISTERED ELECTORS OF
8 THE CITY TO THE EXTENT REQUIRED BY SECTION 20 OF ARTICLE X OF THE
9 STATE CONSTITUTION OR OTHER APPLICABLE LAW.

10 (b) A BALLOT QUESTION SUBMITTED TO A CITY'S REGISTERED
11 ELECTORS PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION MUST BE
12 SUBMITTED AT A GENERAL ELECTION OR ANY ELECTION TO BE HELD ON
13 THE FIRST TUESDAY IN NOVEMBER OF AN ODD-NUMBERED YEAR AND IS
14 ONLY APPROVED IF A MAJORITY OF THE REGISTERED ELECTORS VOTING ON
15 THE BALLOT QUESTION AT THE ELECTION VOTE IN FAVOR OF THE BALLOT
16 QUESTION.

17 (4) (a) THE AUTHORITY GRANTED PURSUANT TO THIS SECTION
18 DOES NOT LIMIT THE POWERS OF GOVERNMENTS TO ENTER INTO
19 INTERGOVERNMENTAL COOPERATION OR CONTRACTS, TO ESTABLISH
20 SEPARATE LEGAL ENTITIES PURSUANT TO SECTION 29-1-203 OR ANY
21 OTHER APPLICABLE LAW, OR TO OTHERWISE CARRY OUT THEIR INDIVIDUAL
22 POWERS UNDER APPLICABLE STATUTORY OR CHARTER PROVISIONS.

23 (b) THE AUTHORITY GRANTED PURSUANT TO THIS SECTION DOES
24 NOT LIMIT THE POWERS RESERVED TO CITIES AND TOWNS BY SECTION 2 OF
25 ARTICLE XI OF THE STATE CONSTITUTION OR ARTICLE XX OF THE STATE
26 CONSTITUTION.

27 **SECTION 3.** In Colorado Revised Statutes, 29-4-505, **amend** (1)
28 introductory portion and (1)(g); and **add** (1)(h) as follows:

29 **29-4-505. Powers of authority.**

30 (1) A housing authority ~~shall constitute~~ CONSTITUTES a public
31 body, corporate and politic, SHALL exercise public and essential
32 governmental functions, and ~~have~~ HAS all the powers necessary and
33 convenient to carry out and effectuate the purposes and provisions of this
34 part 5; ~~(but not~~ EXCEPT FOR the power to levy and collect taxes or special
35 assessments), including the following powers:

36 (g) To do all acts and things necessary or convenient to carry out
37 the powers given AND THE PURPOSES DESCRIBED in this part 5 or the
38 purposes ~~hereof~~ OF THIS PART 5; AND

39 (h) TO ISSUE REVENUE OR GENERAL OBLIGATION BONDS AND TO
40 PLEDGE THE HOUSING AUTHORITY'S REVENUES AND REVENUE-RAISING
41 POWERS FOR THE PAYMENT OF THESE BONDS. WHEN ISSUING BONDS
42 PURSUANT TO THIS SUBSECTION (1)(h), THE AUTHORITY SHALL ISSUE THE
43 BONDS ACCORDING TO THE TERMS AND SUBJECT TO THE CONDITIONS

1 DESCRIBED IN SECTION 43-4-609.

2 **SECTION 4.** In Colorado Revised Statutes, **add** 29-4-510 as
3 follows:

4 **29-4-510. Intergovernmental agreement for housing revenue.**

5 (1) AN AUTHORITY AND A COUNTY MAY ENTER INTO AN
6 INTERGOVERNMENTAL AGREEMENT TO PROVIDE FOR THE IMPOSITION OF
7 A SALES TAX, SALES AND USE TAX, OR BOTH BY THE COUNTY UPON EVERY
8 TRANSACTION OR OTHER INCIDENT WITH RESPECT TO WHICH A SALES OR
9 USE TAX IS IMPOSED BY THE COUNTY. THE AUTHORITY SHALL USE THE
10 REVENUE RAISED BY THIS TAX TO EFFECT THE PLANNING, FINANCING,
11 ACQUISITION, CONSTRUCTION, RECONSTRUCTION, OR REPAIR,
12 MAINTENANCE, MANAGEMENT, AND OPERATION OF HOUSING PROJECTS OR
13 PROGRAMS PURSUANT TO THIS PART 5.

14 (2) AN INTERGOVERNMENTAL AGREEMENT ENTERED INTO
15 PURSUANT TO THIS SECTION SHALL ADDRESS:

16 (a) THE TYPE OF TAX TO BE LEVIED PURSUANT TO THIS SECTION
17 AND THE RATE OF THAT TAX;

18 (b) THE DURATION OF A TAX IMPOSED PURSUANT TO THIS SECTION
19 AND OF THE AGREEMENT, BOTH OF WHICH MAY BE CONTINUED FOR A
20 DEFINITE TERM OR UNTIL RESCINDED OR TERMINATED, AND THE METHOD,
21 IF ANY, BY WHICH EITHER MAY BE RESCINDED OR TERMINATED; EXCEPT
22 THAT NEITHER MAY BE RESCINDED OR TERMINATED SO LONG AS THE
23 AUTHORITY HAS BONDS, NOTES, OR OTHER OBLIGATIONS OUTSTANDING TO
24 WHICH THE AUTHORITY HAS PLEDGED REVENUE RAISED FROM THE TAX,
25 UNLESS PROVISION FOR FULL PAYMENT OF THESE OBLIGATIONS, BY
26 ESCROW OR OTHERWISE, HAS BEEN MADE PURSUANT TO THE TERMS OF THE
27 OBLIGATIONS;

28 (c) THE DISTRIBUTION OF ALL OR PART OF THE REVENUE RAISED
29 BY A TAX IMPOSED PURSUANT TO THIS SECTION TO THE AUTHORITY;

30 (d) THE IRREVOCABLE PLEDGE TO THE AUTHORITY OF ALL NEW
31 TAX REVENUES RAISED BY A TAX IMPOSED PURSUANT TO THIS SECTION FOR
32 THE PURPOSES SET FORTH IN THE APPROVED BALLOT QUESTION, EXCEPTING
33 ANY COSTS OF ELECTIONS RELATED TO THE TAX OR THE ADMINISTRATION
34 OR COLLECTION OF THE TAX;

35 (e) COMPLIANCE WITH SECTION 20 OF ARTICLE X OF THE STATE
36 CONSTITUTION;

37 (f) THE PAYMENT OF ANY COSTS OF ANY ELECTION RELATED TO A
38 TAX IMPOSED PURSUANT TO THIS SECTION;

39 (g) THE RETENTION BY THE COUNTY OR THE DEPARTMENT OF
40 REVENUE FOR TAXES COLLECTED BY THE DEPARTMENT OF REVENUE, OF AN
41 AMOUNT OF THE REVENUE RAISED BY A TAX IMPOSED PURSUANT TO THIS
42 SECTION NOT TO EXCEED THE COST OF THE COLLECTION, ADMINISTRATION,
43 AND ENFORCEMENT OF THAT TAX; AND

1 (h) ANY OTHER PROVISIONS DEEMED NECESSARY BY THE
2 AUTHORITY AND THE COUNTY.

3 (3) (a) AN ACTION BY A COUNTY TO IMPOSE OR INCREASE ANY TAX
4 OR TO PLEDGE REVENUES PURSUANT TO THIS SECTION DOES NOT TAKE
5 EFFECT UNLESS FIRST SUBMITTED TO A VOTE OF THE REGISTERED
6 ELECTORS OF THE COUNTY TO THE EXTENT REQUIRED BY SECTION 20 OF
7 ARTICLE X OF THE STATE CONSTITUTION OR OTHER APPLICABLE LAW.

8 (b) A BALLOT QUESTION SUBMITTED TO A COUNTY'S REGISTERED
9 ELECTORS PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION MUST BE
10 SUBMITTED AT A GENERAL ELECTION OR ANY ELECTION TO BE HELD ON
11 THE FIRST TUESDAY IN NOVEMBER OF AN ODD-NUMBERED YEAR AND IS
12 ONLY APPROVED IF A MAJORITY OF THE REGISTERED ELECTORS VOTING ON
13 THE BALLOT QUESTION AT THE ELECTION VOTE IN FAVOR OF THE BALLOT
14 QUESTION.

15 (4) THE AUTHORITY GRANTED PURSUANT TO THIS SECTION DOES
16 NOT LIMIT THE POWERS OF GOVERNMENTS TO ENTER INTO
17 INTERGOVERNMENTAL COOPERATION OR CONTRACTS, TO ESTABLISH
18 SEPARATE LEGAL ENTITIES PURSUANT TO SECTION 29-1-203 OR ANY
19 OTHER APPLICABLE LAW, OR TO OTHERWISE CARRY OUT THEIR INDIVIDUAL
20 POWERS UNDER APPLICABLE STATUTORY OR CHARTER PROVISIONS."

21 Strike pages 5 through 10.

22 Page 11, strike lines 1 through 11.

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