

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0858.01 Caroline Martin x5902

SENATE BILL 26-150

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SENATE SPONSORSHIP

**Ball and Jodeh,**

HOUSE SPONSORSHIP

**Froelich and Jackson,**

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**Senate Committees**  
Transportation & Energy

**House Committees**

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A BILL FOR AN ACT

101 CONCERNING REFORMS TO THE REGIONAL TRANSPORTATION DISTRICT  
102 TO INCREASE ACCOUNTABILITY.

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill changes requirements for the regional transportation district (RTD). **Section 3** requires RTD, on or before December 31, 2027, to contract with a third party to complete and submit to the general assembly a comprehensive analysis and planning effort that informs a holistic vision and plan for providing service to riders with disabilities in the district and that includes:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

- A needs assessment of the population, needs, and service gaps for riders with disabilities in the district;
- An assessment of possible improvements to the integration of access-a-ride and access-on-demand paratransit services;
- An assessment of opportunities for the district to collaborate with local and regional partners to address service gaps;
- Engagement with paratransit users, riders with disabilities, service providers, and other key stakeholders;
- The establishment of an overarching framework and goals to guide future paratransit decision-making;
- A plan for fiscal sustainability that is informed by considerations of long-term cost projections, tradeoffs between services, and peer agency comparisons; and
- An assessment and plans for the use of any innovative and technology-enabled service models.

**Section 4** changes elections for RTD board members (members) for the November 2028 election by requiring the office of legislative legal services and the legislative council staff to apportion the composition of the board so that the 5 elected directors will represent, to the extent practical, the people of the district on the basis of population. After the federal census in 2030, and after each federal census thereafter, the independent legislative redistricting commission is required to apportion the composition of the board so that the 5 elected directors will represent, to the extent practical, the people of the district on the basis of population. The office of legislative legal services, the legislative council staff, and the independent legislative redistricting commission are required to take into account the most recently available district ridership numbers when drawing director districts. Members elected from newly drawn districts may serve up to 2 4-year terms.

**Section 5** makes conforming changes.

**Section 6** specifies that the board may elect one member as chairperson of the board to serve for a term of 2 years, elect one member as chairperson pro tempore of the board, and elect one or more individuals as secretary and treasurer of the board. **Section 7** changes the number of members that constitutes a quorum of the RTD board from 8 to 5.

**Section 8** changes the salary for a member that is not selected as board chairperson and is elected or appointed in 2028 or later from \$12,000 to \$36,000 annually, adjusted for inflation or deflation. The salary for a board chairperson selected after the general election in November 2028 equals 150% of the salary of a member who is not selected as board chairperson.

**Section 9** changes the composition of the RTD board. Current law provides for 15 board members, all of whom are elected. The bill

provides that, beginning January 1, 2029, the current members' terms will expire and the terms of 9 new members will begin, with 5 of those members being elected and 4 being appointed by the governor. Of the 4 newly appointed members:

- 2 must be appointed from a list of nominees provided by the Denver regional council of governments; and
- 2 must be appointed at the governor's discretion.

On and after January 1, 2029, the 4 appointed members are each required to reside within the district, represent the district at large, and must be confirmed by the senate after appointment. At least one member must be a current or former member of the union that represents the largest collective bargaining unit of employees of the district. The 4 appointed members are collectively required to possess expertise related to the following areas:

- Finance;
- Land use and multimodal transportation planning;
- Transit operations; and
- Transit agency programs serving disproportionately impacted communities.

Beginning in 2028, the Denver regional council of governments shall provide the governor with a list of nominees for board member, from which list the governor shall select members. The list must contain at least 3 times the number of qualified nominees as there are member positions to be filled, and the Denver regional council of governments is required to comply with certain requirements when compiling the list.

Newly appointed members may serve up to 2 terms, with each term expiring after a member has served for 4 consecutive calendar years; except that 2 of the initial appointees will serve an initial term of 2 years. Any term served by a member that lasts for less than 2 years does not count towards the member's 2-term limit.

The member terms are staggered such that, on January 1, 2031, 4 of the 9 members' terms expire. At the November 2030 general election, and at every general election in an even-numbered year thereafter, the number of members to be elected at the election equals the number of member terms expiring on January 1 of the following year. On or before the day of the November 2030 general election, and on or before the day of the November general election in every even-numbered year thereafter, the governor shall appoint 2 new board members, one of whom is from a list of nominees provided by the Denver regional council of governments, and one of whom is appointed at the governor's discretion.

If the seat of a member that was chosen from a list of nominees provided by the Denver regional council of governments is vacant, the Denver regional council of governments shall, within 60 days after the vacancy occurs, provide the governor with a list of at least 3 qualified nominees for the vacant member seat. The governor shall, within 60 days

after receiving the list or 60 days after the vacancy occurs, whichever is later, select a member from the list to fill the vacancy. If the seat of a member that the governor appointed at the governor's discretion is vacant, the governor shall, within 60 days after the vacancy occurs, select a member to fill the vacancy at the governor's discretion.

The governor may remove an appointed member for malfeasance in office, neglect of duty, failure to regularly attend meetings, or any other cause that renders the member incapable or unfit to discharge the duties of the board. If any member is absent from 2 consecutive meetings without reasonable cause, the chairperson shall notify the governor, who may remove the absent member and appoint a qualified replacement for the unexpired term. A prospective member to be appointed shall disclose any potential conflicts of interest prior to confirmation and shall disclose any conflicts that arise during the member's term at a public board meeting. Failure to disclose, or taking action on a matter in which the member has an undisclosed conflict of interest, constitutes cause for removal by the governor.

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

2           **SECTION 1. Short title.** The short title of this act is the  
3 "Modernizing the Regional Transportation District Act".

4           **SECTION 2.** In Colorado Revised Statutes, 32-9-102, **add** (3)  
5 and (4) as follows:

6           **32-9-102. Legislative declaration.**

7           (3) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

8           (a) SENATE BILL 25-161, ENACTED IN 2025, DIRECTED THE  
9 REGIONAL TRANSPORTATION DISTRICT TO MAXIMIZE RIDERSHIP LEVELS  
10 ACROSS THE REGION AND CREATED A REGIONAL TRANSPORTATION  
11 DISTRICT ACCOUNTABILITY COMMITTEE. THE ACCOUNTABILITY  
12 COMMITTEE WAS CREATED TO EVALUATE AND MAKE RECOMMENDATIONS  
13 RELATED TO GOVERNANCE, WORKFORCE RETENTION, AND PARATRANSIT  
14 SERVICES.

15           (b) THE ACCOUNTABILITY COMMITTEE WAS COMPOSED OF A  
16 DIVERSE SET OF APPOINTMENTS REPRESENTING KEY CONSTITUENCIES OF

1 THE DISTRICT, INCLUDING LOCAL GOVERNMENTS, DISTRICT BOARD  
2 MEMBERS, TRANSIT RIDERS WITH DISABILITIES, TRANSPORTATION EQUITY  
3 ADVOCATES, ENVIRONMENTAL ADVOCATES, FINANCIAL EXPERTS, AND  
4 MORE;

5 (c) TO CARRY OUT ITS STATUTORY RESPONSIBILITIES, THE  
6 ACCOUNTABILITY COMMITTEE IMPLEMENTED A ROBUST PROCESS GUIDED  
7 BY A NEUTRAL FACILITATOR, WHICH GENERATED THIRTY-ONE  
8 RECOMMENDATIONS SUPPORTED BY A MAJORITY OF THE COMMITTEE;

9 (d) THE ACCOUNTABILITY COMMITTEE IDENTIFIED SEVERAL  
10 SYSTEMIC CHALLENGES FACING THE DISTRICT, INCLUDING LOW AND  
11 STAGNATING RIDERSHIP, MOUNTING BUDGET CHALLENGES, A LOSS OF  
12 PUBLIC TRUST AND CONFIDENCE, AND A LACK OF A COORDINATED,  
13 STRATEGIC VISION;

14 (e) THE ACCOUNTABILITY COMMITTEE IDENTIFIED SEVERAL  
15 GOVERNANCE-RELATED CHALLENGES FACING THE DISTRICT, INCLUDING  
16 THE LARGE SIZE OF THE BOARD;

17 (f) THE ACCOUNTABILITY COMMITTEE FOUND THAT THE SIZE OF  
18 THE BOARD POSED CHALLENGES TO BRIEFING MEMBERS, DEVELOPMENT OF  
19 PRODUCTIVE WORKING RELATIONSHIPS AMONG MEMBERS, REACHING  
20 COMMON UNDERSTANDINGS, AND NAVIGATING DIFFICULT DECISIONS.  
21 THOSE FINDINGS ECHO THE 2021 RTD GOVERNANCE EVALUATION FINAL  
22 REPORT, WHICH STATED: "BEST PRACTICE SHOWS THAT AS GOVERNING  
23 BOARDS GROW IN SIZE, THE EFFICACY OF THEIR WORK DECREASES."

24 (g) THE ACCOUNTABILITY COMMITTEE ALSO IDENTIFIED THE LACK  
25 OF COMPETITION FOR ELECTED SEATS AND THE LACK OF EXPERTISE ON THE  
26 BOARD AS GOVERNANCE-RELATED CHALLENGES FACING THE DISTRICT.  
27 ACCORDING TO THE SECRETARY OF STATE, OUT OF ONE HUNDRED

1 SEVENTY-TWO DISTRICT ELECTORAL CONTESTS OCCURRING SINCE 1980,  
2 FORTY PERCENT WERE UNCONTESTED. THE ACCOUNTABILITY COMMITTEE  
3 IDENTIFIED A NEED FOR KEY AREAS OF BOARD EXPERTISE TO ENSURE THE  
4 BOARD COULD PROVIDE THE NECESSARY POLICY LEADERSHIP AND FISCAL  
5 OVERSIGHT TO GUIDE THE DISTRICT THROUGH ITS CHALLENGES.

6 (h) WHILE THE DISTRICT HAS SERVED THE REGION FOR DECADES  
7 UNDER ITS CURRENT GOVERNANCE MODEL, THE ACCOUNTABILITY  
8 COMMITTEE DETERMINED THAT THE STRUCTURES, PRACTICES, AND  
9 EXPECTATIONS THAT MAY HAVE BEEN ADEQUATE IN THE PAST ARE NO  
10 LONGER SUFFICIENT TO MEET THE SCALE, COMPLEXITY, AND URGENCY OF  
11 THE DISTRICT'S CURRENT AND FUTURE CHALLENGES;

12 (i) THE ACCOUNTABILITY COMMITTEE CONCLUDED THAT THE  
13 CURRENT GOVERNANCE STRUCTURE DOES NOT ADEQUATELY PROVIDE THE  
14 LEVEL OF EXPERTISE, ACCOUNTABILITY, AND STRATEGIC LEADERSHIP  
15 REQUIRED TO SUPPORT THE DISTRICT'S SCALE, FISCAL COMPLEXITY, AND  
16 REGIONAL IMPORTANCE, AND THAT THERE IS AN URGENT NEED FOR  
17 REFORM; AND

18 (j) THE ACCOUNTABILITY COMMITTEE FURTHER CONCLUDED THAT  
19 THE DISTRICT IS AT A CRITICAL CROSSROADS, THE DISTRICT'S CURRENT  
20 GOVERNANCE STRUCTURE DOES NOT WORK IN THE PRESENT AND WILL NOT  
21 WORK IN THE FUTURE, AND SIGNIFICANT CHANGE IS NEEDED IN THE FORM  
22 OF A DIFFERENT DISTRICT GOVERNANCE STRUCTURE.

23 (4) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT  
24 THIS SENATE BILL 26-\_\_\_\_ ADVANCES IMPLEMENTATION OF THE  
25 REGIONAL TRANSPORTATION DISTRICT ACCOUNTABILITY COMMITTEE  
26 RECOMMENDATIONS THAT ARE RELEVANT TO THE REGIONAL  
27 TRANSPORTATION DISTRICT STATUTES, WHILE SOME RECOMMENDATIONS

1 WERE MADE DIRECTLY TO THE DISTRICT OR OTHER KEY STAKEHOLDERS.  
2 THE GENERAL ASSEMBLY EXPECTS THE DISTRICT TO EXECUTE AND REPORT  
3 ON THE STATUS OF ALL RECOMMENDATIONS OF THE 2025-2026  
4 COMMITTEE, REGARDLESS OF WHETHER THOSE RECOMMENDATIONS ARE  
5 IMPLEMENTED IN THIS SENATE BILL 26\_\_\_\_\_.

6 **SECTION 3.** In Colorado Revised Statutes, 32-9-165, **add** (3)(c)  
7 and (3)(d) as follows:

8 **32-9-165. Planning - ten-year plan - comprehensive**  
9 **operational analysis - reporting - funding study - transit-oriented**  
10 **community infrastructure - budget transparency and oversight.**

11 (3) **Reports.**

12 (c) ON OR BEFORE DECEMBER 31, 2027, THE DISTRICT SHALL  
13 CONTRACT WITH A THIRD PARTY TO COMPLETE AND SUBMIT TO THE  
14 GENERAL ASSEMBLY A COMPREHENSIVE ANALYSIS AND PLANNING EFFORT  
15 THAT INFORMS A HOLISTIC VISION AND PLAN FOR PROVIDING SERVICE TO  
16 RIDERS WITH DISABILITIES IN THE DISTRICT AND THAT INCLUDES:

17 (I) A NEEDS ASSESSMENT OF THE POPULATION, NEEDS, AND  
18 SERVICE GAPS FOR RIDERS WITH DISABILITIES IN THE DISTRICT;

19 (II) AN ASSESSMENT OF POSSIBLE IMPROVEMENTS TO THE  
20 INTEGRATION OF ACCESS-A-RIDE AND ACCESS-ON-DEMAND PARATRANSIT  
21 SERVICES;

22 (III) AN ASSESSMENT OF OPPORTUNITIES FOR THE DISTRICT TO  
23 COLLABORATE WITH LOCAL AND REGIONAL PARTNERS TO ADDRESS  
24 SERVICE GAPS;

25 (IV) ENGAGEMENT WITH PARATRANSIT USERS, RIDERS WITH  
26 DISABILITIES, SERVICE PROVIDERS, AND OTHER KEY STAKEHOLDERS;

27 (V) THE ESTABLISHMENT OF AN OVERARCHING FRAMEWORK AND

1 GOALS TO GUIDE FUTURE PARATRANSIT DECISION-MAKING;

2 (VI) A PLAN FOR FISCAL SUSTAINABILITY THAT IS INFORMED BY  
3 CONSIDERATIONS OF LONG-TERM COST PROJECTIONS, TRADEOFFS BETWEEN  
4 SERVICES, AND PEER AGENCY COMPARISONS; AND

5 (VII) AN ASSESSMENT AND PLANS FOR THE USE OF ANY  
6 INNOVATIVE AND TECHNOLOGY-ENABLED SERVICE MODELS.

7 (d) ON OR BEFORE DECEMBER 31, 2027, THE DISTRICT SHALL  
8 SUBMIT TO THE HOUSE OF REPRESENTATIVES TRANSPORTATION, HOUSING,  
9 AND LOCAL GOVERNMENT COMMITTEE AND THE SENATE TRANSPORTATION  
10 AND ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND TO THE  
11 GOVERNOR, A REPORT CONTAINING RESPONSES TO AND THE DISTRICT'S  
12 IMPLEMENTATION TIMELINE OF ALL RECOMMENDATIONS MADE TO THE  
13 DISTRICT BY THE 2025-2026 REGIONAL TRANSPORTATION DISTRICT  
14 ACCOUNTABILITY COMMITTEE.

15 **SECTION 4.** In Colorado Revised Statutes, 32-9-111, **amend**  
16 (1)(a) and (5)(a); and **add** (1)(c), (1)(d), (1)(e), and (7) as follows:

17 **32-9-111. Election of directors - dates - terms.**

18 (1) (a) After the federal census in 1980 and each federal census  
19 thereafter BEFORE THE 2030 FEDERAL CENSUS, the board of directors shall  
20 apportion the composition of the board into compact and contiguous  
21 director districts so that the fifteen directors will represent, to the extent  
22 practical, the people of the district on the basis of population. Such  
23 apportionment ~~shall~~ MUST be completed before March 15 of the second  
24 year following that in which the federal census is taken and ~~shall~~ MUST  
25 be made only upon the affirmative vote of two-thirds of the total  
26 membership of the board. If such apportionment is not completed before  
27 March 15 of such year, the legislative council, with the assistance of the

1 director of research of the legislative council and the director of the office  
2 of legislative legal services, shall, by April 15, apportion the composition  
3 of the board into compact and contiguous director districts so that the  
4 fifteen directors will represent, to the extent practicable, the people of the  
5 district on the basis of population. The apportionment recommended by  
6 the legislative council ~~shall~~ MUST be submitted to the general assembly  
7 which shall approve or amend the apportionment before May 1 of such  
8 year.

9 (c) ON OR BEFORE SEPTEMBER 15, 2027, THE OFFICE OF  
10 LEGISLATIVE LEGAL SERVICES AND THE LEGISLATIVE COUNCIL STAFF  
11 SHALL APPORTION THE COMPOSITION OF THE BOARD INTO COMPACT AND  
12 CONTIGUOUS DIRECTOR DISTRICTS SO THAT THE FIVE ELECTED DIRECTORS  
13 WILL REPRESENT, TO THE EXTENT PRACTICAL, THE PEOPLE OF THE DISTRICT  
14 ON THE BASIS OF POPULATION. THE OFFICE OF LEGISLATIVE LEGAL  
15 SERVICES SHALL TAKE INTO ACCOUNT THE MOST RECENTLY AVAILABLE  
16 DISTRICT RIDERSHIP NUMBERS WHEN CREATING DIRECTOR DISTRICTS. THE  
17 FIVE ELECTED DIRECTORS WHO WILL BE ELECTED AT THE GENERAL  
18 ELECTION IN NOVEMBER 2028 WILL BE ELECTED FROM THESE FIVE  
19 DIRECTOR DISTRICTS.

20 (d) ON OR BEFORE JULY 1, 2027, THE DISTRICT SHALL PROVIDE  
21 DATA REGARDING THE GEOGRAPHIC DISTRIBUTION OF RIDERSHIP AND ANY  
22 OTHER DISTRICT RIDERSHIP INFORMATION NEEDED TO CREATE DIRECTOR  
23 DISTRICTS TO THE OFFICE OF LEGISLATIVE LEGAL SERVICES AND THE  
24 LEGISLATIVE COUNCIL STAFF.

25 (e) AFTER THE FEDERAL CENSUS IN 2030 AND AFTER EACH  
26 FEDERAL CENSUS THEREAFTER, THE INDEPENDENT LEGISLATIVE  
27 REDISTRICTING COMMISSION CREATED PURSUANT TO SECTION 46 OF

1 ARTICLE V OF THE STATE CONSTITUTION SHALL APPORTION THE  
2 COMPOSITION OF THE BOARD INTO COMPACT AND CONTIGUOUS DIRECTOR  
3 DISTRICTS SO THAT THE FIVE ELECTED DIRECTORS WILL REPRESENT, TO  
4 THE EXTENT PRACTICAL, THE PEOPLE OF THE DISTRICT ON THE BASIS OF  
5 POPULATION. THE INDEPENDENT LEGISLATIVE REDISTRICTING COMMISSION  
6 SHALL TAKE INTO ACCOUNT THE MOST RECENTLY AVAILABLE DISTRICT  
7 RIDERSHIP NUMBERS WHEN DRAWING DIRECTOR DISTRICTS. THE  
8 APPORTIONMENT OF DIRECTOR DISTRICTS MUST BE COMPLETED ON THE  
9 SAME TIMELINE AND USING THE SAME PROCEDURES AS THOSE SPECIFIED  
10 FOR THE APPORTIONMENT OF SENATORIAL AND REPRESENTATIVE  
11 DISTRICTS IN SECTIONS 46 TO 48.3 OF ARTICLE V OF THE STATE  
12 CONSTITUTION.

13 (5) (a) Except as provided in this subsection (5), nominations for  
14 an election of directors shall be made in accordance with the general  
15 election laws of the state. Nominations for directors shall be made by  
16 petition and filed in the office of the secretary of state in the manner  
17 provided for independent candidates pursuant to section 1-4-802 and part  
18 9 of article 4 of title 1, C.R.S. The petitions shall be signed by at least ~~two~~  
19 ~~hundred fifty~~ ONE THOUSAND eligible electors residing within the director  
20 district in which the officer is to be elected.

21 (7) MEMBERS ELECTED FROM DISTRICTS DRAWN IN ACCORDANCE  
22 WITH SUBSECTION (1)(c) OR (1)(d) OF THIS SECTION MAY SERVE UP TO TWO  
23 TERMS, WITH EACH TERM EXPIRING AFTER A MEMBER HAS SERVED FOR  
24 FOUR CONSECUTIVE CALENDAR YEARS. ANY TERM SERVED BY A MEMBER  
25 THAT LASTS FOR LESS THAN TWO YEARS DOES NOT COUNT TOWARD THE  
26 MEMBER'S TWO-TERM LIMIT.

27 **SECTION 5.** In Colorado Revised Statutes, 32-9-112, **amend** (1),

1 (1.5), and (2) as follows:

2 **32-9-112. Vacancies - appointments - recall.**

3 (1) A change of residence of a member ~~of~~ ELECTED TO the board  
4 to a place outside the director district from which the member was elected  
5 ~~shall~~ automatically ~~create~~ CREATES a vacancy on the board. Upon a  
6 vacancy OF AN ELECTED MEMBER occurring for any reason other than  
7 normal expiration of a term, the vacancy ~~shall~~ MUST be filled by  
8 appointment by the board of county commissioners of the county wherein  
9 the director district is located or, in the case of a member elected in  
10 Denver, by the mayor of the city and county of Denver, with the approval  
11 of the city council of said city and county. In the case of a director district  
12 which contains territory in two or more counties, or in the city and county  
13 of Denver and in one or more counties, the vacancy ~~shall~~ MUST be filled  
14 by appointment by the board of county commissioners of the county  
15 wherein the largest number of eligible electors of the director district  
16 reside; except that, if the largest number of eligible electors of the director  
17 district reside in the city and county of Denver, the vacancy ~~shall~~ MUST  
18 be filled by appointment by the mayor of the city and county of Denver,  
19 with the approval of the city council of the city and county.

20 (1.5) Any director appointed ~~shall serve~~ PURSUANT TO THIS  
21 SECTION SERVES until the next regular election, at which time the vacancy  
22 ~~shall~~ MUST be filled by election for any remaining unexpired portion of  
23 the term.

24 (2) Effective July 1, 1983, any ELECTED member of the board may  
25 be recalled from office by the eligible electors of the director district such  
26 member represents pursuant to the provisions of part 1 of article 12 of  
27 title 1. ~~C.R.S.~~

1           **SECTION 6.** In Colorado Revised Statutes, 32-9-114, **amend**  
2 (1)(c); and **add** (1)(c.5) and (2) as follows:

3           **32-9-114. Board's administrative powers - terms of elected**  
4 **chairperson.**

5           (1) The board has the following administrative powers:

6           (c) To elect one director as ~~chairman~~ CHAIRPERSON of the board  
7 ~~and another director as chairman pro tem of the board, and to appoint one~~  
8 ~~or more persons as secretary and treasurer of the board~~ TO SERVE FOR A  
9 TERM OF TWO YEARS;

10           (c.5) TO ELECT ONE DIRECTOR AS CHAIRPERSON PRO TEMPORE OF  
11 THE BOARD AND TO ELECT ONE OR MORE INDIVIDUALS AS SECRETARY AND  
12 TREASURER OF THE BOARD;

13           (2) A DIRECTOR ELECTED AS CHAIRPERSON PURSUANT TO  
14 SUBSECTION (1)(c) OF THIS SECTION MAY SERVE AS CHAIRPERSON FOR  
15 MULTIPLE TERMS.

16           **SECTION 7.** In Colorado Revised Statutes, 32-9-116, **amend** (3)  
17 as follows:

18           **32-9-116. Meetings of board.**

19           (3) Effective January 1, 1983, any action of the board shall require  
20 the affirmative vote of at least ~~eight~~ FIVE members present and voting.

21           **SECTION 8.** In Colorado Revised Statutes, 32-9-117, **amend** (2);  
22 and **add** (5) and (6) as follows:

23           **32-9-117. Compensation of directors.**

24           (2) Effective January 1, 2009, each director elected at the 2008  
25 general election or at any general election ~~thereafter~~ OCCURRING AFTER  
26 2008 BUT BEFORE 2028 and each director appointed to fill a vacancy for  
27 an unexpired term of a director elected at the 2008 general election or AT

1 any GENERAL election ~~thereafter~~ OCCURRING AFTER 2008 BUT BEFORE  
2 2028 shall receive a sum of twelve thousand dollars per annum, payable  
3 at the rate of one thousand dollars per month.

4 (5) EXCEPT AS PROVIDED IN SUBSECTION (6) OF THIS SECTION,  
5 EACH DIRECTOR ELECTED AT THE GENERAL ELECTION IN NOVEMBER 2028  
6 OR AT ANY GENERAL ELECTION THEREAFTER AND EACH DIRECTOR  
7 APPOINTED IN 2028 OR LATER WILL RECEIVE AN ANNUAL SUM THAT  
8 EQUALS THIRTY-SIX THOUSAND DOLLARS PER ANNUM ANNUALLY  
9 ADJUSTED FOR INFLATION OR DEFLATION. INFLATION OR DEFLATION IS  
10 MEASURED BY THE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES  
11 DEPARTMENT OF LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE  
12 INDEX, OR A SUCCESSOR INDEX, FOR DENVER-AURORA-LAKEWOOD FOR  
13 ALL ITEMS PAID FOR BY URBAN CONSUMERS.

14 (6) A DIRECTOR SELECTED TO SERVE AS CHAIRPERSON IN  
15 ACCORDANCE WITH SECTION 32-9-114 (1)(c) AT ANY TIME AFTER THE  
16 GENERAL ELECTION IN NOVEMBER 2028 WILL RECEIVE AN ANNUAL SUM  
17 EQUAL TO ONE HUNDRED FIFTY PERCENT OF THE SALARY OF A DIRECTOR  
18 AS SPECIFIED IN SUBSECTION (5) OF THIS SECTION.

19 **SECTION 9.** In Colorado Revised Statutes, 32-9-109.5, **amend**  
20 (1), (2), (4) introductory portion, (4)(a), (4)(b), (4)(c), and (4)(d); and **add**  
21 (5), (6), (7), (8), (9), and (10) as follows:

22 **32-9-109.5. Board of directors - membership - powers.**

23 (1) (a) Effective BEGINNING January 1, 1983, AND ENDING  
24 DECEMBER 31, 2028, the governing body of the district ~~shall be~~ IS a board  
25 of directors consisting of fifteen persons, each of whom is an eligible  
26 elector residing within ~~the~~ A director district.

27 (b) EFFECTIVE JANUARY 1, 2029, THE GOVERNING BODY OF THE

1 DISTRICT IS A BOARD OF DIRECTORS CONSISTING OF NINE PERSONS, FIVE OF  
2 WHOM ARE ELIGIBLE ELECTORS RESIDING WITHIN A DIRECTOR DISTRICT  
3 AND FOUR OF WHOM ARE ELIGIBLE ELECTORS RESIDING WITHIN THE  
4 DISTRICT AND WHO ARE APPOINTED BY THE GOVERNOR AND CONFIRMED  
5 BY THE SENATE IN ACCORDANCE WITH THIS SECTION.

6 (2) (a) THE FIVE ELECTED members of the board of directors ~~shall~~  
7 MUST be elected as provided in section 32-9-111.

8 (b) THE TERMS OF MEMBERS OF THE BOARD SERVING ON  
9 DECEMBER 31, 2028, SHALL EXPIRE ON JANUARY 1, 2029, AND A NEW  
10 BOARD, CONSTITUTED PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION,  
11 SHALL TAKE OFFICE ON JANUARY 1, 2029.

12 (4) All powers, duties, functions, rights, and privileges vested in  
13 the district ~~shall be~~ ARE exercised and performed by the board; except that  
14 the exercise of any executive, administrative, or ministerial powers may  
15 be delegated by the board to officers and employees of the district. These  
16 powers, duties, functions, rights, and privileges include, in addition to any  
17 other powers and duties specified in this article 9:

18 (a) Setting policy objectives, INCLUDING POLICY OBJECTIVES THAT  
19 ARE DIRECTLY DESIGNED TO GROW RIDERSHIP WITHIN THE DISTRICT, to be  
20 implemented by employees of the district;

21 (b) Hiring, ~~and~~ managing, AND EVALUATING the district's general  
22 manager and chief executive officer BASED ON APPROPRIATE MEASURES  
23 OF PERFORMANCE ALIGNED WITH THE DISTRICT'S STRATEGIC PLAN;

24 (c) HIRING, EVALUATING, AND overseeing the district's general  
25 counsel, AND ENSURING THAT THE DISTRICT'S GENERAL COUNSEL REPORTS  
26 DIRECTLY TO THE BOARD;

27 (d) Developing, adopting, and overseeing ~~the district's~~ A FISCALLY

1 RESPONSIBLE budget FOR THE DISTRICT, including an annual capital  
2 budget with project costs and financing mechanisms;

3 (5) (a) ON OR BEFORE THE DAY OF THE NOVEMBER 2028 GENERAL  
4 ELECTION, THE GOVERNOR SHALL APPOINT FOUR NEW BOARD MEMBERS  
5 WHO MUST SUBSEQUENTLY BE CONFIRMED BY THE SENATE. THE  
6 APPOINTED MEMBERS' TERMS COMMENCE ON JANUARY 1, 2029. THE  
7 GOVERNOR SHALL APPOINT:

8 (I) TWO OF THE FOUR MEMBERS FROM A LIST OF NOMINEES  
9 PROVIDED BY THE DENVER REGIONAL COUNCIL OF GOVERNMENTS IN  
10 ACCORDANCE WITH SUBSECTION (6) OF THIS SECTION; AND

11 (II) TWO OF THE FOUR MEMBERS AT THE GOVERNOR'S DISCRETION  
12 AND IN COMPLIANCE WITH THIS SECTION.

13 (b) ON AND AFTER JANUARY 1, 2029, THE FOUR APPOINTED  
14 MEMBERS SHALL EACH RESIDE WITHIN THE DISTRICT AND REPRESENT THE  
15 DISTRICT AT LARGE. AT LEAST ONE MEMBER SHALL BE A CURRENT OR  
16 FORMER MEMBER OF THE UNION THAT REPRESENTS THE LARGEST  
17 COLLECTIVE BARGAINING UNIT OF EMPLOYEES OF THE DISTRICT. THE FOUR  
18 MEMBERS SHALL COLLECTIVELY POSSESS EXPERTISE RELATED TO THE  
19 FOLLOWING AREAS:

20 (I) FINANCE, SUCH AS PUBLIC FINANCE, MUNICIPAL BONDS,  
21 CAPITAL PLANNING, OR BUDGET OVERSIGHT;

22 (II) LAND USE AND MULTIMODAL TRANSPORTATION PLANNING,  
23 SUCH AS TRANSIT-ORIENTED DEVELOPMENT, REGIONAL PLANNING, OR  
24 URBAN AND RURAL MOBILITY;

25 (III) TRANSIT OPERATIONS, SUCH AS PUBLIC TRANSPORTATION  
26 MANAGEMENT, FLEET OPERATIONS, SCHEDULING, OR SYSTEM  
27 PERFORMANCE; AND

1 (IV) TRANSIT AGENCY PROGRAMS SERVING DISPROPORTIONATELY  
2 IMPACTED COMMUNITIES, SUCH AS COMMUNITIES AFFECTED BY  
3 ENVIRONMENTAL JUSTICE, DISABLED COMMUNITIES, LOW-INCOME  
4 COMMUNITIES, OR TRANSIT-DEPENDENT COMMUNITIES.

5 (c) THE GOVERNOR SHALL CONSIDER AND GIVE PREFERENCE TO  
6 INDIVIDUALS THAT HAVE EXPERIENCE AND A BACKGROUND IN MULTIPLE  
7 AREAS LISTED IN SUBSECTION (5)(b) OF THIS SECTION WHEN APPOINTING  
8 MEMBERS. A MEMBER APPOINTED TO THE BOARD IN ACCORDANCE WITH  
9 THIS SECTION IS NOT REQUIRED TO POSSESS EXPERTISE IN MORE THAN ONE  
10 AREA LISTED IN SUBSECTION (5)(b) OF THIS SECTION.

11 (6) BEGINNING IN 2028, NO FEWER THAN THIRTY DAYS BEFORE THE  
12 DAY OF THE NOVEMBER GENERAL ELECTION IN AN EVEN-NUMBERED YEAR,  
13 THE DENVER REGIONAL COUNCIL OF GOVERNMENTS SHALL PROVIDE THE  
14 GOVERNOR WITH A LIST OF NOMINEES FOR BOARD APPOINTMENTS, FROM  
15 WHICH LIST THE GOVERNOR SHALL SELECT MEMBERS TO APPOINT TO THE  
16 BOARD PURSUANT TO SUBSECTION (5)(a)(I) OR (7)(d)(I) OF THIS SECTION.  
17 THE LIST MUST CONTAIN AT LEAST THREE TIMES THE NUMBER OF  
18 QUALIFIED NOMINEES AS THERE ARE MEMBER POSITIONS TO BE FILLED IN  
19 ACCORDANCE WITH SUBSECTION (5)(a)(I) OR (7)(d)(I) OF THIS SECTION. IF  
20 THE DENVER REGIONAL COUNCIL OF GOVERNMENTS FAILS TO PROVIDE A  
21 LIST WITHIN THE REQUIRED TIME FRAME, THE GOVERNOR MAY APPOINT  
22 MEMBERS TO THE BOARD AT THE GOVERNOR'S DISCRETION AND IN  
23 COMPLIANCE WITH THIS SECTION. WHEN SELECTING INDIVIDUALS FOR THE  
24 LIST OF NOMINEES, THE DENVER REGIONAL COUNCIL OF GOVERNMENTS  
25 SHALL:

26 (a) CONSIDER AND GIVE PREFERENCE TO INDIVIDUALS THAT HAVE  
27 EXPERIENCE AND A BACKGROUND IN MULTIPLE AREAS LISTED IN

1 SUBSECTION (5)(b) OF THIS SECTION; AND

2 (b) MAKE REASONABLE EFFORTS TO ENSURE THAT THE NOMINEES  
3 REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE  
4 DISTRICT'S RIDERSHIP AND SERVICE AREA AND INCLUDE INDIVIDUALS FROM  
5 DIVERSE RACIAL, CULTURAL, DISABILITY, AND GENDER BACKGROUNDS,  
6 AND INDIVIDUALS REPRESENTING BOTH URBAN AND SUBURBAN  
7 COMMUNITIES WITHIN THE DISTRICT.

8 (7) (a) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (7),  
9 MEMBERS APPOINTED AND CONFIRMED IN ACCORDANCE WITH THIS  
10 SECTION MAY SERVE UP TO TWO TERMS, WITH EACH TERM EXPIRING AFTER  
11 A MEMBER HAS SERVED FOR FOUR CONSECUTIVE CALENDAR YEARS. ANY  
12 TERM SERVED BY A MEMBER THAT LASTS FOR LESS THAN TWO YEARS DOES  
13 NOT COUNT TOWARD THE MEMBER'S TWO-TERM LIMIT.

14 (b) THE FOLLOWING MEMBERS' TERMS LAST FOR TWO YEARS AND  
15 EXPIRE ON JANUARY 1, 2031:

16 (I) TWO OF THE FIVE MEMBERS ELECTED AT THE NOVEMBER 2028  
17 GENERAL ELECTION;

18 (II) ONE OF THE TWO MEMBERS APPOINTED BY THE GOVERNOR IN  
19 ACCORDANCE WITH SUBSECTION (5)(a)(I) OF THIS SECTION; AND

20 (III) ONE OF THE TWO MEMBERS APPOINTED BY THE GOVERNOR IN  
21 ACCORDANCE WITH SUBSECTION (5)(a)(II) OF THIS SECTION.

22 (c) AT THE NOVEMBER 2030 GENERAL ELECTION, AND AT EVERY  
23 GENERAL ELECTION HELD IN AN EVEN-NUMBERED YEAR THEREAFTER, THE  
24 NUMBER OF BOARD MEMBERS TO BE ELECTED EQUALS THE NUMBER OF  
25 ELECTED MEMBER TERMS EXPIRING ON JANUARY 1 OF THE FOLLOWING  
26 YEAR.

27 (d) ON OR BEFORE THE DAY OF THE NOVEMBER 2030 GENERAL

1 ELECTION, AND ON OR BEFORE THE DAY OF THE NOVEMBER GENERAL  
2 ELECTION IN EVERY EVEN-NUMBERED YEAR THEREAFTER, THE GOVERNOR  
3 SHALL APPOINT TWO NEW BOARD MEMBERS WHO MUST SUBSEQUENTLY BE  
4 CONFIRMED BY THE SENATE. THE APPOINTED MEMBERS' TERMS COMMENCE  
5 ON JANUARY 1 FOLLOWING THE APPLICABLE NOVEMBER GENERAL  
6 ELECTION. THE GOVERNOR SHALL APPOINT:

7 (I) ONE OF THE TWO MEMBERS FROM A LIST OF NOMINEES  
8 PROVIDED BY THE DENVER REGIONAL COUNCIL OF GOVERNMENTS IN  
9 ACCORDANCE WITH SUBSECTION (6) OF THIS SECTION; AND

10 (II) ONE OF THE TWO MEMBERS AT THE GOVERNOR'S DISCRETION  
11 AND IN COMPLIANCE WITH THIS SECTION.

12 (e) WHEN SELECTING MEMBERS IN ACCORDANCE WITH SUBSECTION  
13 (7)(d) OF THIS SECTION, THE GOVERNOR SHALL ENSURE THAT THE MAKEUP  
14 OF THE BOARD CONFORMS WITH THE CRITERIA SET FORTH IN SUBSECTIONS  
15 (5)(b) AND (5)(c) OF THIS SECTION.

16 (8) (a) IF THE SEAT OF A MEMBER THAT WAS APPOINTED IN  
17 ACCORDANCE WITH SUBSECTION (5)(a)(I) OR (7)(d)(I) OF THIS SECTION IS  
18 VACANT, THE DENVER REGIONAL COUNCIL OF GOVERNMENTS SHALL,  
19 WITHIN SIXTY DAYS AFTER THE VACANCY OCCURS AND IN COMPLIANCE  
20 WITH SUBSECTION (6) OF THIS SECTION, PROVIDE THE GOVERNOR WITH A  
21 LIST OF AT LEAST THREE QUALIFIED NOMINEES FOR THE VACANT MEMBER  
22 SEAT. THE GOVERNOR SHALL, WITHIN SIXTY DAYS AFTER RECEIVING THE  
23 LIST OR SIXTY DAYS AFTER THE VACANCY OCCURS, WHICHEVER IS LATER,  
24 SELECT A MEMBER FROM THE LIST TO FILL THE VACANCY. IF THE DENVER  
25 REGIONAL COUNCIL OF GOVERNMENTS FAILS TO PROVIDE A LIST WITHIN  
26 THE REQUIRED TIME FRAME, THE GOVERNOR MAY APPOINT MEMBERS TO  
27 THE BOARD AT THE GOVERNOR'S DISCRETION AND IN COMPLIANCE WITH

1 THIS SECTION.

2 (b) IF THE SEAT OF A MEMBER THAT WAS APPOINTED IN  
3 ACCORDANCE WITH SUBSECTION (5)(a)(II) OR (7)(d)(II) OF THIS SECTION  
4 IS VACANT, THE GOVERNOR SHALL, WITHIN SIXTY DAYS AFTER THE  
5 VACANCY OCCURS, SELECT A MEMBER TO FILL THE VACANCY AT THE  
6 GOVERNOR'S DISCRETION AND IN COMPLIANCE WITH THIS SECTION.

7 (c) THE TERM OF A MEMBER THAT FILLS A VACANCY IN  
8 ACCORDANCE WITH THIS SUBSECTION (8) EXPIRES WHEN THE TERM OF THE  
9 FORMER VACATING MEMBER WOULD HAVE EXPIRED.

10 (9) THE GOVERNOR MAY REMOVE A MEMBER APPOINTED IN  
11 ACCORDANCE WITH THIS SECTION FOR MALFEASANCE IN OFFICE, NEGLECT  
12 OF DUTY, FAILURE TO REGULARLY ATTEND MEETINGS, OR ANY OTHER  
13 CAUSE THAT RENDERS THE MEMBER INCAPABLE OR UNFIT TO DISCHARGE  
14 THE DUTIES OF THE BOARD. IF ANY MEMBER IS ABSENT FROM TWO  
15 CONSECUTIVE MEETINGS WITHOUT REASONABLE CAUSE, AS DETERMINED  
16 BY THE BOARD CHAIRPERSON, THE CHAIRPERSON SHALL NOTIFY THE  
17 GOVERNOR, WHO MAY REMOVE THE ABSENT MEMBER AND APPOINT A  
18 QUALIFIED REPLACEMENT FOR THE UNEXPIRED TERM.

19 (10) A PROSPECTIVE MEMBER TO BE APPOINTED IN ACCORDANCE  
20 WITH THIS SECTION SHALL DISCLOSE ANY POTENTIAL CONFLICTS OF  
21 INTEREST TO THE GOVERNOR AND THE RELEVANT COMMITTEE OF  
22 REFERENCE OF THE GENERAL ASSEMBLY PRIOR TO CONFIRMATION BY THE  
23 SENATE AND SHALL DISCLOSE ANY CONFLICTS THAT ARISE DURING THE  
24 MEMBER'S TERM AT A PUBLIC BOARD MEETING. FAILURE TO DISCLOSE A  
25 KNOWN CONFLICT OF INTEREST, OR TAKING ACTION ON A MATTER IN  
26 WHICH THE MEMBER HAS AN UNDISCLOSED CONFLICT OF INTEREST,  
27 CONSTITUTES CAUSE FOR REMOVAL BY THE GOVERNOR PURSUANT TO

1       SUBSECTION (9) OF THIS SECTION.

2               **SECTION 10. Act subject to petition - effective date.** This act  
3 takes effect at 12:01 a.m. on the day following the expiration of the  
4 ninety-day period after final adjournment of the general assembly (August  
5 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
6 referendum petition is filed pursuant to section 1 (3) of article V of the  
7 state constitution against this act or an item, section, or part of this act  
8 within such period, then the act, item, section, or part will not take effect  
9 unless approved by the people at the general election to be held in  
10 November 2026 and, in such case, will take effect on the date of the  
11 official declaration of the vote thereon by the governor.