

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0868.04 Pierce Lively x2059

SENATE BILL 26-172

SENATE SPONSORSHIP

Hinrichsen and Kipp,

HOUSE SPONSORSHIP

Boesenecker and Paschal,

Senate Committees
Transportation & Energy

House Committees

A BILL FOR AN ACT

101 CONCERNING THE FRONT RANGE PASSENGER RAIL DISTRICT.

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 makes a number of changes to the boundaries and operation of the front range passenger rail district (district).

Section 1 of the bill changes the boundaries of the district to include certain listed municipalities, any municipality whose governing board and, if necessary, electors, consent for the municipality to be included in the district, certain listed metropolitan districts, and any metropolitan district whose governing board consents for the metropolitan district to be included in the district and that is identified for inclusion in

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.

the district by a board resolution.

Section 2 requires that directors of the board appointed on or after July 1, 2026, reside within the district, unless that director is already serving on the board.

Section 3 allows the board to create subdistricts within the district.

Section 4 changes the method for determining the distribution of the costs of a district or subdistrict election. Under the new method, the costs of such an election are distributed in the same method and manner as state primary, coordinated, general, congressional vacancy, special legislative, or recall elections conducted after July 1, 2024. **Section 4** also requires that any constitutionally required notice for a district or subdistrict election be included in the ballot information booklet.

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

2 **SECTION 1.** In Colorado Revised Statutes, 32-22-103, **repeal**
3 (4); and **add** (4.5) as follows:

4 **32-22-103. Front range passenger rail district - creation -**
5 **purpose - boundaries - reports.**

6 (4) ~~The area that comprises the district extends from Wyoming to~~
7 ~~New Mexico and includes:~~

8 (a) ~~The entirety of the city and county of Broomfield and the city~~
9 ~~and county of Denver;~~

10 (b) ~~All areas within Adams, Arapahoe, Boulder, Douglas, El Paso,~~
11 ~~Huerfano, Jefferson, Larimer, Las Animas, and Pueblo counties that are~~
12 ~~located within the territory of a metropolitan planning organization and~~
13 ~~all areas within Weld county that are located within the city of Longmont~~
14 ~~and the town of Erie;~~

15 (c) ~~All areas within Huerfano, Las Animas, and Pueblo counties~~
16 ~~that are not located within the territory of a metropolitan planning~~
17 ~~organization and that are located within five miles of the public~~
18 ~~right-of-way of interstate highway 25; and~~

19 (d) ~~All areas within Larimer county that are not located within the~~

1 ~~territory of a metropolitan planning organization and that are north of the~~
2 ~~city of Fort Collins and located within five miles of the public~~
3 ~~right-of-way of interstate highway 25.~~

4 (4.5) THE AREA THAT COMPRISES THE DISTRICT EXTENDS FROM
5 WYOMING TO NEW MEXICO AND INCLUDES:

6 (a) THE ENTIRETY OF THE FOLLOWING MUNICIPALITIES:

- 7 (I) ARVADA;
- 8 (II) BOULDER;
- 9 (III) BOW MAR;
- 10 (IV) BROOMFIELD;
- 11 (V) CENTENNIAL;
- 12 (VI) CHERRY HILLS VILLAGE;
- 13 (VII) COLORADO SPRINGS;
- 14 (VIII) COLUMBINE VALLEY;
- 15 (IX) DENVER;
- 16 (X) EDGEWATER;
- 17 (XI) ENGLEWOOD;
- 18 (XII) FEDERAL HEIGHTS;
- 19 (XIII) FORT COLLINS;
- 20 (XIV) GLENDALE;
- 21 (XV) GREENWOOD VILLAGE;
- 22 (XVI) LAFAYETTE;
- 23 (XVII) LAKESIDE;
- 24 (XVIII) LAKEWOOD;
- 25 (XIX) LITTLETON;
- 26 (XX) LONGMONT;
- 27 (XXI) LOUISVILLE;

- 1 (XXII) LOVELAND;
- 2 (XXIII) MANITOU SPRINGS;
- 3 (XXIV) MOUNTAIN VIEW;
- 4 (XXV) NORTHGLENN;
- 5 (XXVI) PUEBLO;
- 6 (XXVII) SHERIDAN;
- 7 (XXVIII) STARKVILLE;
- 8 (XXIX) SUPERIOR;
- 9 (XXX) TRINIDAD; AND
- 10 (XXXI) WESTMINSTER.

11 (b) THE ENTIRETY OF ANY MUNICIPALITY WHOSE GOVERNING BODY
12 HAS APPROVED INCLUSION IN THE DISTRICT AND, IF REQUIRED PURSUANT
13 TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, WHOSE
14 ELECTORS HAVE ALSO APPROVED INCLUSION IN THE DISTRICT.

15 (c) THE ENTIRETY OF STERLING RANCH COLORADO
16 METROPOLITAN DISTRICT NUMBERS ONE THROUGH SEVEN AND ANY
17 METROPOLITAN DISTRICT ADDED TO THE STERLING RANCH PLANNED
18 DEVELOPMENT IN UNINCORPORATED DOUGLAS COUNTY.

19 (d) A METROPOLITAN DISTRICT, AS THAT TERM IS DEFINED IN
20 SECTION 32-1-103, THAT IS NOT WITHIN A MUNICIPALITY, IDENTIFIED BY
21 A RESOLUTION ADOPTED BY THE BOARD, AND WHOSE GOVERNING BODY
22 HAS APPROVED INCLUSION IN THE DISTRICT.

23 **SECTION 2.** In Colorado Revised Statutes, 32-22-104, **add** (1.5)
24 as follows:

25 **32-22-104. Board of directors - appointment - meetings -**
26 **compensation - conflicts of interest.**

27 (1.5) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ANY

1 DIRECTOR APPOINTED TO THE BOARD ON OR AFTER JULY 1, 2026, WHO IS
2 NOT A DIRECTOR SERVING ON THE BOARD AS OF JULY 1, 2026, MUST
3 RESIDE WITHIN THE DISTRICT. NOTHING IN THIS SUBSECTION (1)(h)
4 INVALIDATES AN APPOINTMENT TO THE BOARD MADE PRIOR TO JULY 1,
5 2026, OR OTHERWISE REQUIRES A DIRECTOR APPOINTED TO THE DISTRICT
6 BEFORE JULY 1, 2026, TO BE REMOVED FROM THE BOARD.

7 **SECTION 3.** In Colorado Revised Statutes, 32-22-106, **add**
8 (1)(u) as follows:

9 **32-22-106. District - general powers and duties - funds**
10 **created.**

11 (1) In addition to any other powers granted to the district by this
12 article 22, the district has the following powers:

13 (u) TO DIVIDE THE DISTRICT INTO ONE OR MORE SUBDISTRICTS AS
14 DESCRIBED IN SECTION 32-1-1101 (1)(f) IN ACCORDANCE WITH THE
15 PROCEDURES DESCRIBED IN SECTION 32-1-1101, TO THE EXTENT
16 APPLICABLE. A SUBDISTRICT CREATED PURSUANT TO THIS SUBSECTION
17 (1)(u) HAS THE SAME BOARD, POWERS, DUTIES, FUNCTION, AND FORM AS
18 A SUBDISTRICT CREATED PURSUANT TO SECTION 32-1-1101 (1)(f), AND
19 THE BOARD OF A SUBDISTRICT HAS THE SAME POWERS AS THE DISTRICT
20 BOARD AS DESCRIBED IN THIS SUBSECTION (1); EXCEPT THAT, THE ONLY
21 VOTING MEMBERS OF THE SUBDISTRICT BOARD MUST BE BOARD DIRECTORS
22 APPOINTED TO THE BOARD BY AN ENTITY THAT INCLUDES TERRITORY
23 WITHIN THE SUBDISTRICT AND BOARD DIRECTORS WHO RESIDE WITHIN THE
24 SUBDISTRICT.

25 **SECTION 4.** In Colorado Revised Statutes, 32-22-109, **amend**
26 (1) introductory portion, (1)(b), (1)(c), (2), and (3) as follows:

27 **32-22-109. Taxes, assessments, and multiple-fiscal year**

1 **borrowing - voter approval required.**

2 (1) No action by the district to establish or increase any tax, NO
3 ACTION BY A SUBDISTRICT TO ESTABLISH OR INCREASE ANY TAX, and no
4 action of the governing body of any station area improvement district to
5 establish or increase any tax or any special assessment on real property
6 authorized by this article 22 shall take effect unless it is first submitted,
7 as applicable, to a vote of the registered electors of the district OR
8 SUBDISTRICT ON THE DATE OF THE STATEWIDE GENERAL ELECTION OR ON
9 THE FIRST TUESDAY IN NOVEMBER OF AN ODD-NUMBERED YEAR, or of the
10 station area improvement district in which the assessment or tax is
11 proposed to be collected. Before submitting a question to establish any
12 district tax to the registered electors of the district OR ANY SUBDISTRICT
13 TAX TO THE REGISTERED ELECTORS OF THE SUBDISTRICT, the district OR
14 SUBDISTRICT shall:

15 (b) Adopt a resolution certifying that the district OR SUBDISTRICT
16 has made every reasonable effort to secure federal funding to support the
17 development, financing, construction, operation, or maintenance of the
18 passenger rail system; and

19 (c) Approve the submission of the question by an affirmative vote
20 of two-thirds of all voting directors of the RELEVANT board.

21 (2) No action by the district OR SUBDISTRICT creating a
22 multiple-fiscal year debt or other financial obligation that is subject to
23 section 20 (4)(b) of article X of the state constitution shall take effect
24 unless first submitted to a vote of the registered electors of the district OR
25 SUBDISTRICT.

26 (3) (a) Ballot issues proposed to the registered electors as required
27 by subsections (1) and (2) of this section must be submitted in accordance

1 with the requirements of section 20 of article X of the state constitution.
2 The action shall not take effect unless a majority of the registered electors
3 voting on the ballot issue vote to approve the ballot issue. ANY DISTRICT
4 OR SUBDISTRICT BALLOT ISSUE NOTICE REQUIRED BY SECTION 20 (3)(b) OF
5 ARTICLE X OF THE STATE CONSTITUTION MUST BE INCLUDED IN THE
6 BALLOT INFORMATION BOOKLET REQUIRED BY SECTION 1 (7.5) OF ARTICLE
7 V OF THE STATE CONSTITUTION IN THE SAME MANNER AS DESCRIBED IN
8 SECTION 1-40-124.5. THE DISTRICT'S DESIGNATED ELECTION OFFICIAL
9 SHALL PROVIDE THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL
10 OF THE GENERAL ASSEMBLY THE INFORMATION REQUIRED BY SECTION 20
11 (3)(b) OF ARTICLE X OF THE STATE CONSTITUTION TO INCLUDE IN THE
12 BALLOT INFORMATION BOOKLET, AND THE DISTRICT SHALL REIMBURSE
13 THE LEGISLATIVE COUNCIL OF THE GENERAL ASSEMBLY THE ACTUAL
14 COSTS FOR INCLUDING THAT CONTENT IN THE BALLOT INFORMATION
15 BOOKLET. THE STATE TREASURER SHALL CREDIT THAT REIMBURSEMENT
16 TO THE BALLOT INFORMATION PUBLICATION AND DISTRIBUTION
17 REVOLVING FUND CREATED IN SECTION 1-40-124.5 (3).

18 (b) No later than sixty days before a coordinated or general
19 election, the district OR SUBDISTRICT must certify to the secretary of state
20 the ballot titles, content, and order of all ballot measures referred to the
21 registered electors of the district OR SUBDISTRICT by resolution of the
22 board. The content must be certified in English and in any language for
23 which any county within the district OR SUBDISTRICT must provide a
24 minority language sample ballot, as defined in section 1-5-903 (2). If the
25 district OR SUBDISTRICT timely certifies ballot content to the secretary of
26 state, the secretary of state must certify the district's ballot content to the
27 county clerk and recorders of all counties wholly or partially included in

1 the district OR SUBDISTRICT no later than the fifty-seventh day before the
2 election, in accordance with section 1-5-203 (1)(a).

3 (c) ~~Except for~~ FOLLOWING the certification of the ballot order and
4 content by the secretary of state required by subsection (3)(b) of this
5 section, the election must be conducted in substantially the same manner
6 as ~~county elections, and the county clerk and recorder of each county in~~
7 ~~which the election is conducted shall assist the district in conducting the~~
8 ~~election~~ STATEWIDE ELECTIONS. The ~~district shall pay the~~ costs incurred
9 by each county in conducting the election on behalf of the district OR
10 SUBDISTRICT WILL BE REIMBURSED as provided for in ~~section 1-7-116~~
11 ~~(2)(b)~~ SECTION 1-5-505.5 (1)(a). No public money of the district may be
12 used to urge or oppose passage of a ballot issue submitted for voter
13 approval as required under this section.

14 **SECTION 5. Safety clause.** The general assembly finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, or safety or for appropriations for
17 the support and maintenance of the departments of the state and state
18 institutions.