

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 17-0499.01 Gregg Fraser x4325

**HOUSE BILL 17-1167**

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**HOUSE SPONSORSHIP**

**Leonard,**

**SENATE SPONSORSHIP**

**Neville T.,** Marble, Lundberg

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**House Committees**

Business Affairs and Labor  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING A REQUIREMENT THAT A BUSINESS IMPROVEMENT**  
102 **DISTRICT INCLUDE EXISTING BUSINESSES.**

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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>.)*

A business improvement district (district) is a type of special district created within a municipality to fund certain types of improvements that will, among other things, promote the continued vitality of existing business areas within the municipality. The law currently allows a municipality to include areas in a district that do not have any existing businesses. The bill requires these areas to have

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

existing businesses.

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

2           **SECTION 1.** In Colorado Revised Statutes, 31-25-1203, **amend**  
3 (10) as follows:

4           **31-25-1203. Definitions.** As used in this part 12, unless the  
5 context otherwise requires:

6           (10) "Service area" means the area within the municipality which  
7 is described in the ordinance creating a district pursuant to this part 12, no  
8 less than fifty percent of which area shall have been developed and used  
9 as commercial property prior to the adoption of such ordinance and, at the  
10 time of the adoption of such ordinance, shall be used primarily as  
11 commercial property. ~~Notwithstanding any provision in this subsection~~  
12 ~~(10) to the contrary,~~ The service area may ONLY include a location  
13 ~~designated by the municipality, after public notice and hearing, as a~~  
14 ~~location for new business or commercial development. Property which is~~  
15 ~~not commercial property and which is within the "service area" of a~~  
16 ~~district shall not be subject to the revenue-raising powers of the district~~  
17 ~~until it becomes commercial property and is included within the district's~~  
18 ~~boundaries, as provided in section 31-25-1208~~ LOCATIONS WHICH  
19 ALREADY HAVE EXISTING BUSINESSES.

20           **SECTION 2. Act subject to petition - effective date -**  
21 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
22 the expiration of the ninety-day period after final adjournment of the  
23 general assembly (August 9, 2017, if adjournment sine die is on May 10,  
24 2017); except that, if a referendum petition is filed pursuant to section 1  
25 (3) of article V of the state constitution against this act or an item, section,

1 or part of this act within such period, then the act, item, section, or part  
2 will not take effect unless approved by the people at the general election  
3 to be held in November 2018 and, in such case, will take effect on the  
4 date of the official declaration of the vote thereon by the governor.

5 (2) This act applies to a service area established or modified on or  
6 after the applicable effective date of this act.