

HOUSE COMMITTEE OF REFERENCE REPORT

February 8, 2022

Chair of Committee

Date

Committee on Transportation & Local Government.

After consideration on the merits, the Committee recommends the following:

HB22-1097 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 12, strike "SECTION." and substitute
2 "SECTION; EXCEPT THAT, IF MORE THAN EIGHTY-FIVE PERCENT OF THE
3 TERRITORY ENCOMPASSED BY THE SPECIAL DISTRICT LIES WITHIN THE
4 CORPORATE LIMITS OF ONE OR MORE MUNICIPALITIES, THE SPECIAL
5 DISTRICT'S BOARD OF DIRECTORS SHALL NOT TAKE ANY ACTION ON THE
6 APPLICATION UNLESS THE GOVERNING BODIES OF ALL SUCH
7 MUNICIPALITIES HAVE CONSENTED TO OR JOINED THE APPLICATION."

8 Page 3, line 3, strike "SECTION." and substitute "SECTION; EXCEPT THAT,
9 IF MORE THAN EIGHTY-FIVE PERCENT OF THE TERRITORY ENCOMPASSED BY
10 THE SPECIAL DISTRICT LIES WITHIN THE CORPORATE LIMITS OF ONE OR
11 MORE MUNICIPALITIES, THE SPECIAL DISTRICT'S BOARD OF DIRECTORS
12 SHALL NOT TAKE ANY ACTION ON THE APPLICATION UNLESS THE
13 GOVERNING BODIES OF ALL SUCH MUNICIPALITIES HAVE CONSENTED TO OR
14 JOINED THE APPLICATION."

15 Page 4, strike lines 15 through 25 and substitute:

16 **"32-1-704. Conditions necessary for dissolution - permissible**
17 **provisions - hearings - court powers.** (3) (b) (I) Subject to the
18 provisions of ~~paragraph (c) of this subsection (3)~~ SUBSECTION (3)(c) OF
19 THIS SECTION, the court shall enter an order dissolving the special district
20 pursuant to section 32-1-707 without an election if the special district lies
21 wholly within the corporate limits of the municipality, if the special
22 district has no financial obligations or outstanding bonds, and if the
23 special district board and the governing body of the municipality consent
24 to the dissolution.

25 (II) SUBJECT TO THE PROVISIONS OF SUBSECTION (3)(c) OF THIS

1 SECTION, THE COURT SHALL ENTER AN ORDER DISSOLVING THE SPECIAL
2 DISTRICT PURSUANT TO SECTION 32-1-707 WITHOUT AN ELECTION IF THE
3 SPECIAL DISTRICT LIES WHOLLY WITHIN THE COUNTY, IF THE SPECIAL
4 DISTRICT HAS NO FINANCIAL OBLIGATIONS OR OUTSTANDING BONDS, AND
5 IF THE SPECIAL DISTRICT BOARD AND THE BOARD OF COUNTY
6 COMMISSIONERS CONSENT TO THE DISSOLUTION, AND, IF MORE THAN
7 EIGHTY-FIVE PERCENT OF THE TERRITORY ENCOMPASSED BY THE SPECIAL
8 DISTRICT LIES WITHIN THE CORPORATE LIMITS OF ONE OR MORE
9 MUNICIPALITIES, THE GOVERNING BODIES OF ALL SUCH MUNICIPALITIES
10 ALSO CONSENT TO THE DISSOLUTION."

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