

An Act

SENATE BILL 23-052

BY SENATOR(S) Hinrichsen, Gonzales, Marchman;
also REPRESENTATIVE(S) Martinez and Mauro, Duran, Ricks, Snyder.

CONCERNING A MUNICIPAL PRIORITY LIEN THAT A COUNTY TREASURER IS
REQUIRED TO ACCEPT FOR COLLECTION IF A MUNICIPALITY FOLLOWS
A SPECIFIED PROCEDURE.

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

SECTION 1. In Colorado Revised Statutes, 31-15-401, **amend**
(1)(d)(II); and add (1)(d)(III) as follows:

31-15-401. General police powers. (1) In relation to the general
police power, the governing bodies of municipalities have the following
powers:

(d) (II) ~~In case such~~ IF AN assessment is not paid within a reasonable
time specified by ordinance ~~it~~ AND A MUNICIPALITY COMPLIES WITH THE
RECORDING AND CERTIFICATION REQUIREMENTS SPECIFIED IN SUBSECTION
(1)(d)(III) OF THIS SUBSECTION, THE AMOUNT OF THE UNPAID ASSESSMENT
may be certified ~~by the clerk~~ to the county treasurer who shall collect the
assessment, together with a ten percent penalty for cost of collection, in the

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes
through words or numbers indicate deletions from existing law and such material is not part of
the act.*

same manner as other taxes are collected. The laws of this state for assessment and collection of general taxes, including the laws for the sale and redemption of property for taxes, shall apply to the collection of such assessments.


(III) A COUNTY TREASURER SHALL ACCEPT FOR COLLECTION PURSUANT TO SUBSECTION (1)(d)(II) OF THIS SECTION AND SECTION 31-20-105 A LIEN LEVIED PURSUANT TO SUBSECTION (1)(d)(I) OF THIS SECTION IF:

(A) WITHIN FOUR MONTHS OF ABATING A NUISANCE PURSUANT TO SUBSECTION (1)(d)(I) OF THIS SUBSECTION, A MUNICIPALITY FILES FOR RECORDING A NOTICE OF LIEN WITH THE COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH THE REAL PROPERTY IS LOCATED; AND

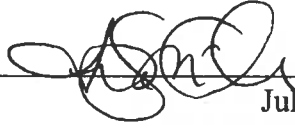
(B) WITHIN ONE YEAR OF FILING THE NOTICE OF LIEN FOR RECORDING SPECIFIED BY SUBSECTION (1)(d)(III)(A) OF THIS SECTION, A MUNICIPALITY CERTIFIES THE AMOUNT OF THE UNPAID ASSESSMENT FOR WHICH THE LIEN WAS LEVIED TO THE COUNTY TREASURER OF THE COUNTY IN WHICH THE REAL PROPERTY IS LOCATED.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

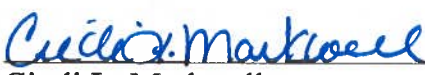
November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



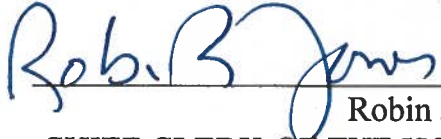
Steve Fenberg
PRESIDENT OF
THE SENATE



Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

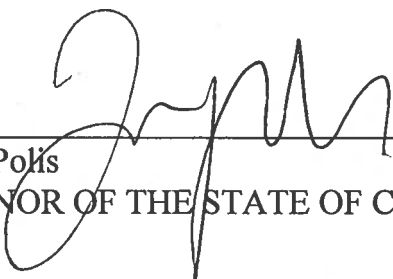


Cindi L. Markwell
SECRETARY OF
THE SENATE



Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED April 3rd, 2023 at 10:37am
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO