

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 7, 2023
Date

Committee on Transportation, Housing & Local Government.

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

HB23-1090 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, strike lines 2 through 12 and substitute:

2 "SECTION 1. In Colorado Revised Statutes, 32-1-202, **amend**
3 (2) introductory portion; and **add** (2)(m) as follows:

4 **32-1-202. Filing of service plan required - report of filing -**
5 **contents - fee.** (2) The service plan ~~shall~~ MUST contain the following:

6 (m) FOR A PROPOSED METROPOLITAN DISTRICT THAT HAS
7 PROPERTY WITHIN ITS BOUNDARIES THAT IS ZONED OR VALUED FOR
8 ASSESSMENT AS RESIDENTIAL, OR THAT IS ANTICIPATED TO BE ZONED OR
9 VALUED FOR ASSESSMENT AS RESIDENTIAL, A PROHIBITION ON THE
10 PURCHASE OF DEBT ISSUED BY THE DISTRICT BY AN ENTITY WITH RESPECT
11 TO WHICH A DIRECTOR OF THE DISTRICT HAS A CONFLICT OF INTEREST
12 REQUIRING DISCLOSURE UNDER SECTION 24-18-109.

13 **SECTION 2.** In Colorado Revised Statutes, 32-1-203, **add** (2)(e)
14 as follows:

15 **32-1-203. Action on service plan - criteria.** (2) The board of
16 county commissioners shall disapprove the service plan unless evidence
17 satisfactory to the board of each of the following is presented:

18 (e) FOR A PROPOSED METROPOLITAN DISTRICT THAT HAS PROPERTY
19 WITHIN ITS BOUNDARIES THAT IS ZONED OR VALUED FOR ASSESSMENT AS
20 RESIDENTIAL, OR THAT IS ANTICIPATED TO BE ZONED OR VALUED FOR
21 ASSESSMENT AS RESIDENTIAL, THE SERVICE PLAN PROHIBITS DEBT ISSUED
22 BY THE DISTRICT FROM BEING PURCHASED BY AN ENTITY WITH RESPECT TO
23 WHICH A DIRECTOR OF THE DISTRICT HAS A CONFLICT OF INTEREST
24 REQUIRING DISCLOSURE UNDER SECTION 24-18-109.

25 **SECTION 3.** In Colorado Revised Statutes, 32-1-205, **add** (3) as
26 follows:

27 **32-1-205. Resolution of approval required.** (3) NO COURT IN

1 THIS STATE SHALL CONSIDER A PETITION FOR THE ORGANIZATION OF A
2 METROPOLITAN DISTRICT THAT HAS PROPERTY WITHIN ITS BOUNDARIES
3 THAT IS ZONED OR VALUED FOR ASSESSMENT AS RESIDENTIAL, OR THAT IS
4 ANTICIPATED TO BE ZONED OR VALUED FOR ASSESSMENT AS RESIDENTIAL,
5 UNLESS THE SERVICE PLAN FOR THE DISTRICT PROHIBITS DEBT ISSUED BY
6 THE DISTRICT FROM BEING PURCHASED BY AN ENTITY WITH RESPECT TO
7 WHICH A DIRECTOR OF THE DISTRICT HAS A CONFLICT OF INTEREST
8 REQUIRING DISCLOSURE UNDER SECTION 24-18-109.".

9 Renumber succeeding sections accordingly.

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