

SENATE COMMITTEE OF REFERENCE REPORT

February 14, 2023

Chair of Committee

Date

Committee on Finance.

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

SB23-052 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

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

5 **31-15-401. General police powers.** (1) In relation to the general
6 police power, the governing bodies of municipalities have the following
7 powers:

8 (d) (II) ~~In case such~~ IF AN assessment is not paid within a
9 reasonable time specified by ordinance ~~it~~ AND A MUNICIPALITY COMPLIES
10 WITH THE RECORDING AND CERTIFICATION REQUIREMENTS SPECIFIED IN
11 SUBSECTION (1)(d)(III) OF THIS SUBSECTION, THE AMOUNT OF THE UNPAID
12 ASSESSMENT may be certified ~~by the clerk~~ to the county treasurer who
13 shall collect the assessment, together with a ten percent penalty for cost
14 of collection, in the same manner as other taxes are collected. The laws
15 of this state for assessment and collection of general taxes, including the
16 laws for the sale and redemption of property for taxes, ~~shall~~ apply to the
17 collection of such assessments.

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

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

26 (B) WITHIN ONE YEAR OF FILING THE NOTICE OF LIEN FOR
27 RECORDING SPECIFIED BY SUBSECTION (1)(d)(III)(A) OF THIS SECTION, A

1 MUNICIPALITY CERTIFIES THE AMOUNT OF THE UNPAID ASSESSMENT FOR
2 WHICH THE LIEN WAS LEVIED TO THE COUNTY TREASURER OF THE COUNTY
3 IN WHICH THE REAL PROPERTY IS LOCATED.

4 **SECTION 2. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly; except
7 that, if a referendum petition is filed pursuant to section 1 (3) of article V
8 of the state constitution against this act or an item, section, or part of this
9 act within such period, then the act, item, section, or part will not take
10 effect unless approved by the people at the general election to be held in
11 November 2024 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor."

13 Page 1, line 101, strike "SURVIVES THE".

14 Page 1, strike line 102 and substitute "A COUNTY TREASURER IS
15 REQUIRED TO ACCEPT FOR COLLECTION IF A MUNICIPALITY FOLLOWS
16 A SPECIFIED PROCEDURE."

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