

CHAPTER 22

ELECTIONS

SENATE BILL 18-025

BY SENATOR(S) Priola, Court, Crowder, Fenberg, Fields, Gardner, Guzman, Holbert, Jones, Kagan, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Scott, Tate, Todd, Williams A., Zenzinger, Grantham;
also REPRESENTATIVE(S) Coleman, Becker K., Exum, Garnett, Rosenthal.

AN ACT

CONCERNING MODERNIZATION OF ELECTION PROCEDURES FOR THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT TO CONFORM WITH THE CURRENT REQUIREMENTS OF STATE LAW.

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

SECTION 1. In Colorado Revised Statutes, 32-11-104, **amend** the introductory portion, (45), and (54)(a); and **add** (20.3) and (20.5) as follows:

32-11-104. Definitions. As used in this ~~article~~ **ARTICLE 11**, unless the context otherwise requires:

(20.3) "ELECTION" OR "SPECIAL ELECTION" MEANS ANY ELECTION CALLED BY THE BOARD:

(a) FOR THE SUBMISSION OF BALLOT ISSUES AS REQUIRED BY AND SET FORTH IN SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, TO BE HELD AT EITHER THE GENERAL ELECTION OR ON THE FIRST TUESDAY IN NOVEMBER OF ODD-NUMBERED YEARS; OR

(b) FOR ANY OTHER MATTER PERMITTED OR REQUIRED IN THIS ARTICLE 11, WHICH MAY BE HELD ON ANY TUESDAY.

(20.5) "ELECTOR" OR "REGISTERED ELECTOR" HAS THE SAME MEANING AS SPECIFIED IN SECTION 1-1-104 (35).

(45) (a) "Publication" or "publish" means ~~three consecutive weekly publications in at least one newspaper having general circulation in the district~~ PRINTING ONE TIME, IN ONE NEWSPAPER OF GENERAL CIRCULATION IN THE DISTRICT.

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

(b) ~~It is not necessary that an advertisement be made on the same day of the week in each of the three weeks, but not less than fourteen days, excluding the day of first publication but including the day of the last publication, shall intervene between the first publication and the last publication, and publication shall be complete on the date of the last publication.~~

(54) (a) ~~"Taxpaying elector" and "elector" of a district have the meanings, respectively, as specified in section 32-1-103 for "taxpaying elector" and "eligible elector";~~ MEANS A REGISTERED ELECTOR WHO OWNS TAXABLE REAL OR PERSONAL PROPERTY WITHIN THE DISTRICT; ~~except that to qualify under this article~~ ARTICLE 11 as a taxpaying elector, ~~or as an elector of a district,~~ a person must also be a resident of the district.

SECTION 2. In Colorado Revised Statutes, **amend** 32-11-401 as follows:

32-11-401. Elections - definition. (1) Wherever in this ~~article~~ ARTICLE 11 an election is permitted or required, the election may be held ~~separately~~ INDEPENDENTLY at a special election HELD AND CONDUCTED UNDER ARTICLE 13.5 OF TITLE 1 or may be held ~~jointly or concurrently with any primary or general election held under the laws of the state; but no election shall be held at the same time as any regular election of any city, town, or school district any part of the area of which is located within the boundaries of the district. The elections shall be held and conducted, and the results determined, in the manner provided by~~ IN COORDINATION WITH THE CLERK AND RECORDERS OF COUNTIES INCLUDED WITHIN THE DISTRICT UNDER articles 1 to 13 of title 1. ~~C.R.S.~~

(2) IF AN ELECTION IS HELD IN COORDINATION WITH THE CLERK AND RECORDERS OF COUNTIES INCLUDED WITHIN THE DISTRICT, THE DISTRICT SHALL PAY THE DISTRICT'S COSTS OF CONDUCTING A NONPARTISAN ELECTION IN ACCORDANCE WITH SECTION 1-7-116 (2).

SECTION 3. In Colorado Revised Statutes, 32-11-402, **amend** (1) as follows:

32-11-402. Election resolution. (1) The board shall call any election by resolution. ~~adopted at least thirty days prior to the election.~~

SECTION 4. In Colorado Revised Statutes, 32-11-704, **amend** (1) and (2) as follows:

32-11-704. Annexation election. (1) If the petition FILED UNDER SECTION 32-11-703 (1) is provisionally granted, the board by resolution shall:

(a) Make an order to that effect;

(b) Direct that the question of inclusion of the area within the district be submitted TO THE REGISTERED ELECTORS at an election HELD within the area to be included ~~or annexed;~~ and

(c) Designate ~~the secretary of the board~~ as the designated election official, ~~to~~ WHO SHALL give notice and conduct the election according to ~~the provisions of~~

~~articles 1 to 13~~ ARTICLE 13.5 of title 1. ~~C.R.S.~~

~~(2) The annexation election shall be held within the area sought to be annexed, and only registered electors of the district shall vote on the question~~ DESIGNATED ELECTION OFFICIAL SHALL PREPARE THE BALLOT FOR ANY ELECTION UNDER THIS PART 7. THE BALLOT MUST CONTAIN SUBSTANTIALLY THE FOLLOWING WORDS:

"SHALL THE FOLLOWING DESCRIBED AREA BECOME A PART OF THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT UPON THE FOLLOWING CONDITIONS, IF ANY?

(INSERT DESCRIPTION OF AREA)

(INSERT DESCRIPTION OF CONDITIONS)

FOR INCLUSION _____

AGAINST INCLUSION _____."

SECTION 5. Applicability. This act applies to elections conducted under article 11 of title 32, Colorado Revised Statutes, on or after the effective date of this act.

SECTION 6. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 7, 2018