

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0418.01 Gregg Fraser x4325

HOUSE BILL 20-1074

HOUSE SPONSORSHIP

Ransom,

SENATE SPONSORSHIP

(None),

House Committees
Rural Affairs & Agriculture

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE AUTHORIZATION FOR SPECIAL DISTRICTS TO
102 PROVIDE FOR THE COLLECTION AND TRANSPORTATION OF SOLID
103 WASTE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The "Special District Act" (act) allows a sanitation district, a water and sanitation district, or a metropolitan district with a population of 2,500 or less that is located in a county with a population of 25,000 or less to provide for the collection and transportation of solid waste. The bill amends the act to remove the population restriction, allowing a

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

sanitation district, water and sanitation district, or metropolitan district to provide for the collection and transportation of solid waste regardless of the population in the district or the county.

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

2 **SECTION 1.** In Colorado Revised Statutes, 32-1-1006, **amend**
3 (6) as follows:

4 **32-1-1006. Sanitation, water and sanitation, or water districts**
5 **- additional powers - special provisions.** (6) The board of a sanitation
6 district or water and sanitation district ~~with a resident elector population~~
7 ~~of two thousand five hundred or less that is located in whole or in part~~
8 ~~within a county with a population of twenty-five thousand or less, as~~
9 ~~determined by the 1996 population estimates prepared by the division,~~
10 may provide collection and transportation of solid waste, WHICH MAY
11 INCLUDE RESIDENTIAL WASTE SERVICES AS DEFINED IN SECTION 30-15-401
12 (7.5)(d), for and on behalf of the district, including but not limited to the
13 financing thereof. If the board decides to provide collection and
14 transportation of solid waste, the board shall request proposals to provide
15 such services within a designated area of the district by publishing notice
16 and awarding a contract in accordance with the procedures specified in
17 section 30-15-401 (7.5)(c) and (7.7). ~~C.R.S.~~ The board shall not award a
18 contract that exceeds three years in duration. THE BOARD MAY REQUIRE
19 THAT DISTRICT RESIDENTS USE OR PAY USER CHARGES FOR RESIDENTIAL
20 WASTE SERVICES PURSUANT TO THE REQUIREMENTS OF SECTION 30-15-401
21 (7)(a), (7.5)(b), (7.5)(c), AND (7.7).

22 **SECTION 2.** In Colorado Revised Statutes, 30-15-401, **amend**
23 (7)(a) as follows:

24 **30-15-401. General regulations - definitions.**

1 (7) (a) Notwithstanding any other provision of law, nothing in this
2 section shall prohibit the providing of waste services by a private person,
3 if that person is in compliance with applicable rules and regulations,
4 within the limits of any municipality, ~~or~~ city and county, OR SPECIAL
5 DISTRICT OPERATING PURSUANT TO ARTICLE 1 OF TITLE 32, if those
6 services also are provided by a governmental body within the limits of
7 that governmental unit. The governmental body may not compel
8 industrial or commercial establishments or multifamily residences of eight
9 or more units to use or pay user charges for waste services provided by
10 the governmental body in preference to those services provided by a
11 private person.

12 **SECTION 3. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2020 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.