

CHAPTER 471

GOVERNMENT - SPECIAL DISTRICTS

HOUSE BILL 21-1278

BY REPRESENTATIVE(S) Exum, Bennett, Bird, Duran, Gray, Hooton, Kennedy, Kipp, Lontine, Ortiz, Ricks, Snyder, Titone, Mullica;
also SENATOR(S) Sonnenberg, Coram, Kirkmeyer, Moreno, Priola, Rankin, Scott, Story.

AN ACT

CONCERNING MEETING REQUIREMENTS FOR THE BOARDS OF SPECIAL DISTRICTS.

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

SECTION 1. In Colorado Revised Statutes, **amend** 32-1-903 as follows:

32-1-903. Meetings - definitions. (1) The board shall meet regularly at a time and in a ~~place~~ LOCATION to be designated by the board. Special meetings may be held as often as the needs of the special district require, upon notice to each director. Special meetings include study sessions at which a quorum of the board is in attendance and notice of the meetings has been given in accordance with subsection (2) of this section or section 24-6-402 (2)(c), and at which information is presented but no official action can be taken by the board.

(1.5) All ~~special and regular~~ meetings of the board ~~shall~~ THAT ARE HELD SOLELY AT PHYSICAL LOCATIONS MUST be held at PHYSICAL locations ~~which~~ THAT are within the boundaries of the district or ~~which~~ THAT are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the ~~meeting~~ PHYSICAL location does not exceed twenty miles from the district boundaries. The provisions of this ~~subsection (1)~~ SUBSECTION (1.5) governing the PHYSICAL location of meetings may be waived only if the following criteria are met:

(a) The proposed change of THE PHYSICAL location of a meeting of the board appears on the agenda of a ~~regular or special~~ meeting of the board; and

(b) A resolution is adopted by the board stating the reason for which a ~~meeting~~ MEETINGS of the board ~~is~~ ARE to be held in a PHYSICAL location other than under the provisions of this ~~subsection (1)~~ SUBSECTION (1.5) and further stating the date, time,

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.

and ~~place~~ PHYSICAL LOCATION of such meeting.

(2) (a) Notice of time and ~~place~~ LOCATION designated for all ~~regular and special~~ meetings ~~shall be~~ is provided in accordance with section 24-6-402. Special meetings may be called by any director by informing the other directors of the date, time, and ~~place~~ LOCATION of such special meeting, and the purpose for which it is called, and by providing notice in accordance with section 24-6-402. All official business of the board ~~shall~~ MUST be conducted only during ~~said regular or special~~ meetings at which a quorum is ~~present~~ IN ATTENDANCE AT ANY LOCATION, and all said meetings shall be open to the public.

(b) THE MEETING NOTICE OF ALL MEETINGS OF THE BOARD THAT ARE HELD TELEPHONICALLY, ELECTRONICALLY, OR BY OTHER MEANS NOT INCLUDING PHYSICAL PRESENCE MUST INCLUDE THE METHOD OR PROCEDURE, INCLUDING THE CONFERENCE NUMBER OR LINK, BY WHICH MEMBERS OF THE PUBLIC CAN ATTEND THE MEETING.

(3) The notice posted pursuant to subsection (2) of this section for any regular or special meeting at which the board intends to make a final determination to issue or refund general obligation indebtedness, to consolidate the special district with another special district, to dissolve the special district, to file a plan for the adjustment of debt under federal bankruptcy law, or to enter into a private contract with a director, or not to make a scheduled bond payment, shall set forth such proposed action.

(4) THE METHOD OF CONDUCTING ANY MEETING HELD PRIOR TO THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, BY TELEPHONIC, ELECTRONIC, OR OTHER VIRTUAL MEANS IS VALIDATED, RATIFIED, CONFIRMED, AND MAY NOT BE CHALLENGED.

(5) AS USED IN THIS PART 9, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "LOCATION" MEANS THE PHYSICAL, TELEPHONIC, ELECTRONIC, OTHER VIRTUAL PLACE, OR COMBINATION OF SUCH MEANS WHERE A MEETING CAN BE ATTENDED.

(b) "MEETING" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-6-402 (1)(b).

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: July 7, 2021