

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0671.01 Megan McCall x4215

HOUSE BILL 25-1219

HOUSE SPONSORSHIP

Phillips,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIREMENTS FOR METROPOLITAN DISTRICTS THAT**
102 **AID THE PUBLIC'S UNDERSTANDING OF METROPOLITAN**
103 **DISTRICTS.**

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>.)

Under current law, certain metropolitan districts are required to hold annual public meetings at which residents can ask questions about the metropolitan district and financial information about the metropolitan district is shared. The bill requires that, in addition to notice requirements under the Colorado open meetings law, notice of this annual meeting be

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

provided by postcard or letter to residents or by electronic mail to any electronic mailing addresses that the metropolitan district has on file and be posted on the homepage of the metropolitan district's website. The bill also requires that, if the annual meeting is held at a physical location, there be available hard copies of self-nomination and acceptance forms, which are forms required to be filed for an eligible elector to be a candidate for a board position at a special district election.

The bill also requires that metropolitan districts that are required to have a publicly accessible website must establish a system or a process for residents to contact someone associated with the metropolitan district at times when district personnel is otherwise unavailable or unreachable to address any questions or concerns regarding services of the metropolitan district.

For a metropolitan district that is required to have a publicly accessible website, the bill requires the following additional information to be provided on the website:

- The date, time, and location of the annual meeting;
- An explanation of what metropolitan districts are generally and how the metropolitan district operates;
- The services that the metropolitan district provides and, if a service to the metropolitan district's residents is not provided by the metropolitan district, the name of the entity that provides the service;
- The name of the county or municipality with which the metropolitan district must file its annual report; and
- The name and contact information of someone who residents can contact with questions or concerns about the services of the district when district personnel is otherwise unavailable or unreachable.

The bill also specifies that the following information must be provided on the home page of the metropolitan district's website:

- The names, terms, and contact information of individuals serving on the board of directors and of any manager of the metropolitan district;
- The date, time, and location of scheduled regular meetings, including the annual meeting;
- The call for nominations for candidates to run for election to the board of directors;
- Information about the services the metropolitan district provides and the services that are provided by other entities; and
- The name and contact information of who residents can contact with questions or concerns about the services of the district when district personnel is otherwise unavailable or unreachable.

Current law requires that each owner of real property that sells real property that includes a newly constructed residence and that is in the boundaries of a metropolitan district must provide certain disclosures to purchasers of the property including access to the annually required notice to electors and the metropolitan district's service plan; information on the authority the metropolitan district has to issue debt, levy property taxes, and impose fees, rates, tolls, penalties, or other charges; an estimate of property taxes levied by the metropolitan district for collection during the year the sale occurs; and a copy of the most current certificate of taxes due or tax statement to provide an estimate of the sum of additional mill levies levied by other taxing entities that overlap the property. The bill requires this disclosure to be made by all owners of any residential real property, regardless of whether it is new construction, that is located within the boundaries of a metropolitan district organized after January 1, 2000.

The bill also requires an owner of residential real property that is located within the boundaries of a metropolitan district organized after January 1, 2000, that sells the property to provide a hard copy of the explanation of what metropolitan districts are generally and how the metropolitan district operates that is required to be provided on the metropolitan district's website.

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

2 **SECTION 1.** In Colorado Revised Statutes, 32-1-104.5, **amend**
3 (3)(a)(V) and (3)(a)(VIII); and **add** (3)(a)(X), (3)(a)(XI), (3)(a)(XII),
4 (3)(a)(XIII), (3)(a.5), and (4) as follows:

5 **32-1-104.5. Audit and budget requirements - election results**
6 **- description on state websites - official websites for metropolitan**
7 **districts - requirement for designated contact person.** (3) (a) Except
8 as provided in subsection (3)(d) of this section, within one year of the
9 date an order and decree has been issued by a district court for a newly
10 organized metropolitan district, or by January 1, 2023, for any
11 metropolitan district that has received an order and decree from the
12 district court in connection with its organization after January 1, 2000, but
13 before January 1, 2022, the metropolitan district shall establish, maintain,

1 and, unless otherwise specified, annually update an official website in a
2 form that is readily accessible to the public that contains the following
3 information:

4 (V) By January 30 of each year, the date, time, and location of
5 scheduled regular meetings of the district's board for the current fiscal
6 year AND THE DATE, TIME, AND LOCATION OF THE ANNUAL MEETING, IF
7 APPLICABLE, REQUIRED BY SECTION 32-1-903 (6);

8 (VIII) A current map depicting the boundaries of the metropolitan
9 district as of January 1 of the current fiscal year; ~~and~~

10 (X) A GENERAL EXPLANATION IN PLAIN, NONTECHNICAL
11 LANGUAGE, ABOUT WHAT A METROPOLITAN DISTRICT IS AND THE
12 MECHANICS OF HOW THE METROPOLITAN DISTRICT OPERATES, INCLUDING
13 INFORMATION ON HOW PUBLIC IMPROVEMENTS ARE, OR WILL BE,
14 FINANCED, HOW ONGOING OPERATIONS OF THE METROPOLITAN DISTRICT
15 AND MAINTENANCE OF PUBLIC IMPROVEMENTS ARE FUNDED, AND
16 INFORMATION ON HOW A RESIDENT CAN SERVE ON THE BOARD OF THE
17 METROPOLITAN DISTRICT;

18 (XI) THE SERVICES THAT THE METROPOLITAN DISTRICT PROVIDES
19 AND THE SERVICES THAT OTHER ENTITIES PROVIDE TO RESIDENTS OF THE
20 METROPOLITAN DISTRICT, INCLUDING THE NAMES OF THE ENTITIES THAT
21 PROVIDE THE OTHER SERVICES;

22 (XII) THE NAME OF THE COUNTY OR THE MUNICIPALITY WITH
23 WHICH THE METROPOLITAN DISTRICT MUST FILE ITS ANNUAL REPORT AND
24 WHICH MAY REQUEST THAT MONEY OF THE METROPOLITAN DISTRICT BE
25 WITHHELD PURSUANT TO SECTION 32-1-209 IF THE ANNUAL REPORTING
26 REQUIREMENTS ARE NOT MET; AND

27 (XIII) THE NAME AND CONTACT INFORMATION OF SOMEONE WHO

1 RESIDENTS CAN CONTACT TO ADDRESS ANY QUESTIONS OR CONCERNS
2 ABOUT THE SERVICES THE METROPOLITAN DISTRICT PROVIDES AS
3 REQUIRED BY SUBSECTION (4) OF THIS SECTION.

4 (a.5) INFORMATION THAT IS REQUIRED BY SUBSECTIONS (3)(a)(I),
5 (3)(a)(V), (3)(a)(VI), (3)(a)(XI), AND (3)(a)(XIII) OF THIS SECTION MUST
6 BE PROVIDED ON THE HOMEPAGE OF THE METROPOLITAN DISTRICT'S
7 WEBSITE.

8 (4) A METROPOLITAN DISTRICT THAT IS REQUIRED TO ESTABLISH
9 AND MAINTAIN AN OFFICIAL WEBSITE PURSUANT TO SUBSECTION (3) OF
10 THIS SECTION SHALL ESTABLISH A SYSTEM OR A PROCESS FOR RESIDENTS
11 TO CONTACT SOMEONE ASSOCIATED WITH THE METROPOLITAN DISTRICT
12 WHO CAN ADDRESS ANY QUESTIONS OR CONCERNS OF A RESIDENT
13 REGARDING SERVICES OF THE METROPOLITAN DISTRICT OUTSIDE OF
14 REGULAR BUSINESS HOURS OR DURING ANY TIMES WHEN METROPOLITAN
15 DISTRICT PERSONNEL IS OTHERWISE UNAVAILABLE OR UNREACHABLE.

16 **SECTION 2.** In Colorado Revised Statutes, 32-1-903, **amend**
17 (6)(c); and **add** (6)(a.5) as follows:

18 **32-1-903. Meetings - definitions.** (6) (a.5) THE BOARD SHALL
19 ENSURE THAT AT AN ANNUAL MEETING THAT IS HELD IN PERSON,
20 SELF-NOMINATION AND ACCEPTANCE FORMS AS PROVIDED IN SECTION
21 1-13.5-303 ARE AVAILABLE TO RESIDENTS IN PAPER FORM. THE BOARD
22 SHALL MAKE REASONABLE EFFORTS TO ENSURE THAT RESIDENTS ARE
23 ADVISED THAT, IN ACCORDANCE WITH SECTION 1-13.5-303 (1) AND
24 1-13.5-303 (4), SELF-NOMINATION AND ACCEPTANCE FORMS ARE TO BE
25 FILED WITH THE DESIGNATED ELECTION OFFICIAL OR, IF NONE HAS BEEN
26 DESIGNATED, WITH THE PRESIDING OFFICER OR THE SECRETARY OF THE
27 BOARD NO EARLIER THAN JANUARY 1 AND NO LATER THAN THE NORMAL

1 CLOSE OF BUSINESS ON THE SIXTY-SEVENTH DAY BEFORE THE DATE OF A
2 REGULAR SPECIAL DISTRICT ELECTION.

3 (c) Notice of the time and location of an annual meeting required
4 by this subsection (6) must be provided in accordance with subsection (2)
5 of this section AND BY POSTCARD OR LETTER TO PROPERTY OWNERS
6 WITHIN THE METROPOLITAN DISTRICT AS LISTED ON THE RECORDS OF THE
7 COUNTY ASSESSOR ON THE DATE REQUESTED OR BY ELECTRONIC MAIL TO
8 ANY ELECTRONIC MAILING ADDRESSES OF PROPERTY OWNERS WITHIN THE
9 METROPOLITAN DISTRICT THAT THE METROPOLITAN DISTRICT HAS ON FILE,
10 and must be posted on the HOME PAGE OF THE metropolitan district's
11 website IN ACCORDANCE WITH SECTION 32-1-104.5 (3)(a.5).

12 **SECTION 3.** In Colorado Revised Statutes, 38-35.7-110, **amend**
13 (2); and **repeal** (1) as follows:

14 **38-35.7-110. Disclosure - estimated future property taxes for**
15 **residences within the boundaries of a metropolitan district - rules -**
16 **definition.** (1) ~~As used in this section, "newly constructed residence"~~
17 ~~means a residential improvement as defined in section 39-1-102 (14.3)~~
18 ~~that:~~

19 ~~(a) Has not been previously sold to its intended occupant as a~~
20 ~~place of residence; and~~

21 ~~(b) Is located within the territorial boundaries of a metropolitan~~
22 ~~district.~~

23 (2) On and after January 1, 2022, ~~each~~ AN owner of RESIDENTIAL
24 real property that IS LOCATED WITHIN THE BOUNDARIES OF A
25 METROPOLITAN DISTRICT ORGANIZED ON OR AFTER JANUARY 1, 2000,
26 THAT sells ~~real~~ THE property, ~~that includes a newly constructed residence,~~
27 concurrently with or prior to the execution of a contract to sell the

1 property, shall provide to the purchaser of the property:

2 **SECTION 4.** In Colorado Revised Statutes, **amend** 38-35.7-111
3 as follows:

4 **38-35.7-111. Disclosure - metropolitan district website -**
5 **residences within the boundaries of a metropolitan district.** On or
6 after January 1, 2024, an owner of residential real property that is located
7 within the boundaries of a metropolitan district organized on or after
8 January 1, 2000, that sells the property shall provide the purchaser of the
9 property with the official website established by the metropolitan district
10 pursuant to section 32-1-104.5 (3) AND A HARD COPY OF THE
11 INFORMATION REQUIRED TO BE PROVIDED ON THE METROPOLITAN
12 DISTRICT'S WEBSITE PURSUANT TO SECTION 32-1-104.5 (3)(a)(X). The
13 information shall be provided on the Colorado real estate commission
14 approved seller's property disclosure or other concurrent writing.

15 **SECTION 5. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly; except
18 that, if a referendum petition is filed pursuant to section 1 (3) of article V
19 of the state constitution against this act or an item, section, or part of this
20 act within such period, then the act, item, section, or part will not take
21 effect unless approved by the people at the general election to be held in
22 November 2026 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.