

CHAPTER 284

GOVERNMENT - STATE

SENATE BILL 96-220

BY SENATORS Alexander, Bishop, Feeley, Norton, R. Powers, Schroeder, and Wells;
also REPRESENTATIVES Dyer, Acquafresca, Armstrong, Entz, Lyle, Mace, and Schwarz.

AN ACT

CONCERNING THE CREATION OF A MITIGATION FUND TO ALLEVIATE THE IMPACTS OF PROPERTY TAX REVENUE LOSSES RESULTING FROM THE ACQUISITION OF PROPERTY BY THE SOUTHERN UTE INDIAN TRIBE.

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

SECTION 1. Title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 61
Taxation Compact Between the
Southern Ute Indian Tribe, La Plata County,
and the State of Colorado

PART 2
TRIBAL PROPERTY IMPACT MITIGATION FUND

24-61-201. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) A TAXATION COMPACT HAS BEEN ENTERED INTO BETWEEN THE SOUTHERN UTE INDIAN TRIBE, LA PLATA COUNTY, AND THE STATE OF COLORADO, AS SET FORTH IN HOUSE BILL 96-1367, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTIETH GENERAL ASSEMBLY; AND

(b) PURSUANT TO SECTION 3.02 OF SAID COMPACT, THE TRIBE, THE COUNTY, AND THE STATE HAVE AGREED TO EXPLORE MEANS OF MITIGATING THE LOCAL PROPERTY TAX REVENUE IMPACTS OF TRIBAL ACQUISITIONS ON TRUST PROPERTY.

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

(2) IT IS THE INTENT OF THIS PART 2 TO ESTABLISH A MECHANISM FOR HOLDING AND DISTRIBUTING MONEYS MADE AVAILABLE FROM ANY SOURCE TO IMPLEMENT THE PROVISIONS OF SECTION 3.02 OF SAID COMPACT.

24-61-202. La Plata county to establish fund - requirements. (1) THE BOARD OF COUNTY COMMISSIONERS OF LA PLATA COUNTY SHALL ESTABLISH A FUND TO BE KNOWN AS THE TRIBAL PROPERTY IMPACT MITIGATION FUND, REFERRED TO IN THIS PART 2 AS THE "IMPACT FUND", TO WHICH ALL MONEYS CONTRIBUTED, TRANSFERRED, APPROPRIATED, OR OTHERWISE MADE AVAILABLE FOR MITIGATING THE IMPACTS OF ACQUISITIONS OF PROPERTY BY THE SOUTHERN UTE INDIAN TRIBE ON LOCAL GOVERNMENTS PURSUANT TO SECTION 3.02 OF THE TAXATION COMPACT BETWEEN THE SOUTHERN UTE INDIAN TRIBE, LA PLATA COUNTY, AND THE STATE OF COLORADO, AS SET FORTH IN HOUSE BILL 96-1367, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTIETH GENERAL ASSEMBLY, SHALL BE DEPOSITED.

(2) MONEYS FROM ANY SOURCE, INCLUDING BUT NOT LIMITED TO THE STATE OR THE UNITED STATES, MAY BE DEPOSITED IN THE IMPACT FUND AND RELEASED TO LA PLATA COUNTY FOR DISTRIBUTION TO TAXING AUTHORITIES WITHIN LA PLATA COUNTY TO MITIGATE THE REVENUE IMPACTS ADDRESSED IN SECTION 3.02 OF THE TAXATION COMPACT BETWEEN THE SOUTHERN UTE INDIAN TRIBE, LA PLATA COUNTY, AND THE STATE OF COLORADO, AS SET FORTH IN HOUSE BILL 96-1367, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTIETH GENERAL ASSEMBLY.

(3) THE IMPACT FUND SHALL BE UNDER THE CONTROL OF A THREE-MEMBER BOARD COMPRISED OF THE CHAIRMAN OF THE LA PLATA COUNTY BOARD OF COUNTY COMMISSIONERS, THE CHAIRMAN OF THE SOUTHERN UTE INDIAN TRIBAL COUNCIL, AND THE GOVERNOR, OR THEIR RESPECTIVE DESIGNEES.

(4) MONEYS MAY BE DISTRIBUTED FROM THE IMPACT FUND UPON AN AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF THE BOARD DESCRIBED IN SUBSECTION (3) OF THIS SECTION AND ALL DISTRIBUTIONS SHALL BE MADE IN ACCORDANCE WITH THE DIRECTION OF SAID BOARD.

SECTION 2. Effective date. This act shall take effect only upon passage of House Bill 96-1367, enacted at the second regular session of the sixtieth general assembly.

SECTION 3. 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: June 3, 1996

Editor's note: Section 2 of this act provides that this act will take effect upon passage of House Bill 96-1367. It became effective June 3, 1996. See chapter 285 of these Session Laws.