

CHAPTER 87

GOVERNMENT - SPECIAL DISTRICTS

SENATE BILL 97-138

BY SENATORS Hernandez and Pascoe;
also REPRESENTATIVES Entz, Mace, and Clarke.

AN ACT

CONCERNING THE APPROVAL OF THE ALTERATION OF A SPECIAL DISTRICT'S BOUNDARY WHEN THE REAL PROPERTY TO BE INCLUDED IN THE SPECIAL DISTRICT IS LOCATED IN ANOTHER COUNTY.

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

SECTION 1. 32-1-401, Colorado Revised Statutes, as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

32-1-401. Inclusion of territory - procedure. (4) NOTHING IN THIS PART 4 SHALL BE CONSTRUED TO PERMIT THE INCLUSION IN A SPECIAL DISTRICT OF ANY REAL PROPERTY LOCATED IN A CITY AND COUNTY UNLESS THE GOVERNING BODY OF SUCH CITY AND COUNTY HAS ADOPTED A RESOLUTION OF APPROVAL AUTHORIZING SUCH INCLUSION PURSUANT TO SECTION 32-1-204.5 OR WAIVES ITS RIGHT TO REQUIRE SUCH RESOLUTION IN ITS SOLE DISCRETION. ANY RESOLUTION OF APPROVAL SO ADOPTED OR WAIVER SO GIVEN SHALL BE APPENDED TO ANY PETITION FILED PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION OR SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION.

SECTION 2. Applicability. The provisions of this act shall apply to special district boundary alterations proposed on and after the effective date of this act.

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: April 14, 1997

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