

CHAPTER 21

WATER AND IRRIGATION

HOUSE BILL 99-1123

BY REPRESENTATIVES Webster, Johnson, Kaufman, Young, Hoppe, Kester, Larson, Scott, Smith, Stengel, and Taylor;
also SENATORS Chlouber and Sullivant.

AN ACT

CONCERNING THE CONSENT OF THE BOARD OF DIRECTORS OF A WATER CONSERVANCY DISTRICT BEFORE
ANNEXED LAND IS INCLUDED WITHIN THE BOUNDARIES OF THAT WATER CONSERVANCY DISTRICT.

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

SECTION 1. 37-45-136 (3.6), Colorado Revised Statutes, is amended to read:

37-45-136. Inclusion of lands. (3.6) Whenever a municipality has annexed land into its boundaries and that municipality at the time of annexation previously had lands within its boundaries included within the district, upon consent of the governing body of the municipality, AND UPON CONSENT BY THE BOARD OF DIRECTORS OF THE DISTRICT, the annexed lands shall be deemed to have been included within the district, subject to ~~the same~~ terms and conditions ~~as in~~ AS DETERMINED BY THE BOARD OF DIRECTORS OF THE DISTRICT THAT SHALL NOT BE INCONSISTENT WITH THE TERMS AND CONDITIONS OF previous applicable inclusion orders relating to that municipality. THE MUNICIPALITY SHALL PROMPTLY TRANSMIT TO THE DISTRICT A CERTIFIED COPY OF THE MUNICIPALITY'S ANNEXATION ORDINANCE. UPON RECEIPT OF THE MUNICIPALITY'S ANNEXATION ORDINANCE, THE BOARD OF DIRECTORS OF THE DISTRICT SHALL PROMPTLY ACT TO GRANT OR DENY CONSENT TO THE INCLUSION OF THE NEWLY ANNEXED LANDS INTO THE DISTRICT. IF THE BOARD OF DIRECTORS OF THE DISTRICT CONSENTS TO SUCH INCLUSION, AND THE MUNICIPALITY AGREES TO ANY TERMS AND CONDITIONS TO THE INCLUSION ADOPTED BY THE BOARD OF DIRECTORS OF THE DISTRICT, THE DISTRICT SHALL FILE WITH THE COURT A CERTIFIED COPY OF THE MUNICIPALITY'S ANNEXATION ORDINANCE AND A PETITION OF THE DISTRICT FOR INCLUSION OF THE ANNEXED LANDS THAT STATES THE TERMS AND CONDITIONS OF INCLUSION AS DETERMINED BY THE BOARD OF DIRECTORS OF THE DISTRICT. Upon the district's filing of a certified copy of the municipality's annexation ordinance and a petition of the district for inclusion of the annexed lands, the court shall enter an order including such lands within the boundaries of the district, upon the terms and

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

conditions set forth in the petition.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 15, 1999