

CHAPTER 104

AGRICULTURE

HOUSE BILL 03-1035

BY REPRESENTATIVE(S) Briggs, Young, Borodkin, Brophy, Coleman, Hall, Hoppe, Larson, McCluskey, Rippy, Romanoff, Salazar, and Weddig;
also SENATOR(S) Entz, Fitz-Gerald, Isgar, Kester, Phillips, and Taylor.

AN ACT

**CONCERNING THE MANAGEMENT OF PEST CONTROL DISTRICTS, AND, IN CONNECTION THEREWITH,
AUTHORIZING COOPERATIVE PEST CONTROL AGREEMENTS.**

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

SECTION 1. Article 5 of title 35, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

35-5-125. Cooperation between districts. (1) WHEN PESTS MAY BE MORE ECONOMICALLY, COMPLETELY, OR SATISFACTORILY MANAGED, TWO OR MORE BOARDS OF COUNTY COMMISSIONERS MAY CONTRACT WITH ONE ANOTHER TO MANAGE AND CONTROL PESTS, INCLUDING, BUT NOT LIMITED TO, SHARING COSTS AND EMPLOYEES. A BOARD OF COUNTY COMMISSIONERS SHALL NOT CONTRACT TO SHARE RESOURCES, INCLUDING COSTS OR EMPLOYEES, WITH ANOTHER SUCH BOARD UNLESS BOTH BOARDS AND BOTH DISTRICT ADVISORY COMMITTEES OF SUCH BOARDS AUTHORIZE SUCH SHARING.

(2) A CONTRACT CREATED PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL BE IN WRITING AND CONTAIN THE PURPOSES, RIGHTS, POWERS, RESPONSIBILITIES, AND FINANCIAL OBLIGATIONS OF EACH CONTRACTING COUNTY.

(3) IF OTHER LAW HAS REQUIREMENTS APPLICABLE TO SPECIAL TYPES OF INTERGOVERNMENTAL CONTRACTS OR COOPERATIVE AGREEMENTS, SUCH LAW SHALL CONTROL.

SECTION 2. Repeal. 35-5-124, Colorado Revised Statutes, is repealed as follows:

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

35-5-124. No weed districts. ~~On and after July 1, 1990, no district organized pursuant to this article shall be created which shall include provisions for the management or control of weeds, noxious weeds, or other undesirable plants as defined in article 5.5 of this title.~~

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 7, 2003