

CHAPTER 258

GOVERNMENT - SPECIAL DISTRICTS

HOUSE BILL 04-1344

BY REPRESENTATIVE(S) May M., Stafford, and Williams S.;
also SENATOR(S) Evans, and Chlouber.

AN ACT

CONCERNING THE ABILITY OF LANDOWNERS TO PETITION TO BE INCLUDED IN THE DENVER METROPOLITAN SCIENTIFIC AND CULTURAL FACILITIES DISTRICT.

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

SECTION 1. Article 13 of title 32, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

32-13-104.3. Additional district area - petition - required filings. (1) FOR ANY AREA THAT IS CONTIGUOUS TO ANY BOUNDARY OF THE DISTRICT, THE AREA MAY BE INCLUDED IN THE DISTRICT IF THE FOLLOWING REQUIREMENTS ARE SATISFIED:

(a) A PETITION SIGNED BY ONE HUNDRED PERCENT OF THE OWNERS OF THE LAND COMPRISING THE AREA PROPOSED TO BE INCLUDED, INCLUDING THE OWNERS OF ANY LAND CONSTITUTING A PLANNED UNIT DEVELOPMENT OR SUBDIVISION, IS PRESENTED TO THE BOARD. THE PETITION SHALL CONTAIN A LEGAL DESCRIPTION OF THE LAND COMPRISING THE AREA PROPOSED TO BE INCLUDED, STATE THAT ASSENT TO THE INCLUSION IS GIVEN BY THE FEE OWNER THEREOF, AND BE ACKNOWLEDGED BY THE FEE OWNER IN THE SAME MANNER AS REQUIRED FOR THE CONVEYANCE OF LAND.

(b) THE BOARD RESOLVES TO ACCEPT THE AREA SPECIFIED IN THE PETITION INTO THE DISTRICT.

(2) PRIOR TO INCLUDING ANY ADDITIONAL AREA IN THE DISTRICT PURSUANT TO THIS SECTION, THE DISTRICT SHALL FILE A NOTICE AND MAP CONTAINING A LEGAL DESCRIPTION OF THE AREA WITH THE COUNTY CLERK AND RECORDER OF ANY COUNTY IN WHICH THE AREA IS LOCATED, THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS, AND THE DEPARTMENT OF REVENUE. UPON RECEIVING A NOTICE AND MAP PURSUANT TO THIS SUBSECTION (2), THE DEPARTMENT

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

OF REVENUE SHALL COMMUNICATE WITH ANY TAXING JURISDICTIONS AFFECTED BY THE INCLUSION OF THE ADDITIONAL AREA IN THE DISTRICT IN ORDER TO FACILITATE THE ADMINISTRATION AND COLLECTION OF TAXES WITHIN THE ADDITIONAL AREA AND TO IDENTIFY ALL RETAILERS AFFECTED BY THE INCLUSION OF THE ADDITIONAL AREA. THE DEPARTMENT OF REVENUE SHALL MAKE COPIES OF ANY SUCH NOTICES AND MAPS AVAILABLE TO ALL TAXING JURISDICTIONS IN THE STATE, INCLUDING SPECIAL DISTRICTS THAT IMPOSE A SALES TAX.

(3) A MAP OF THE LAND COMPRISING THE AREA PROPOSED TO BE INCLUDED IN THE DISTRICT SHALL BE AVAILABLE FOR REVIEW BY THE LANDOWNERS OF SUCH AREA WHEN THE LANDOWNERS SIGN A PETITION TO BE INCLUDED IN THE DISTRICT PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION.

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 (August 4, 2004, if adjournment sine die is on May 5, 2004); 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: May 21, 2004