

CHAPTER 37

GOVERNMENT - SPECIAL DISTRICTS

SENATE BILL 05-045

BY SENATOR(S) Dyer, Bacon, Entz, Evans, Fitz-Gerald, Gordon, Isgar, Kester, Lamborn, Spence, Teck, Wiens, and Williams;
also REPRESENTATIVE(S) Rose, Butcher, Hoppe, Berens, Harvey, Hefley, Knoedler, Larson, May M., Penry, Riesberg, and
Stafford.

AN ACT

CONCERNING AUTHORIZATION FOR CERTAIN SPECIAL WATER DISTRICTS TO PROVIDE PARK AND RECREATION SERVICES IN CONNECTION WITH A RESERVOIR.

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

SECTION 1. 32-1-1006, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

32-1-1006. Sanitation, water and sanitation, or water districts - additional powers - special provisions. (8) (a) A WATER DISTRICT OR A WATER AND SANITATION DISTRICT MAY PROVIDE PARK AND RECREATION IMPROVEMENTS AND SERVICES IN CONNECTION WITH A WATER RESERVOIR OWNED BY THE DISTRICT AND ADJACENT LAND IF SUCH IMPROVEMENTS AND SERVICES ARE NOT ALREADY BEING PROVIDED BY ANOTHER ENTITY WITH RESPECT TO THE RESERVOIR AND ADJACENT LAND.

(b) ONCE THE BOARD OF A WATER DISTRICT OR A WATER AND SANITATION DISTRICT ADOPTS A RESOLUTION TO PROVIDE IMPROVEMENTS AND SERVICES PURSUANT TO THIS SUBSECTION (8), NO OTHER ENTITY MAY PROVIDE PARK AND RECREATION IMPROVEMENTS AND SERVICES WITH RESPECT TO THE RESERVOIR AND ADJACENT LAND WITHOUT THE CONSENT OF THE BOARD.

(c) THE DISTRICT MAY EXERCISE ANY POWERS THAT A PARK AND RECREATION DISTRICT HAS IN CONNECTION WITH THE PROVISION OF PARK AND RECREATION IMPROVEMENTS AND SERVICES, INCLUDING IMPOSING RATES, FEES, AND CHARGES IN CONNECTION WITH THE IMPROVEMENTS AND SERVICES. THE DISTRICT MAY USE ANY DISTRICT REVENUES TO PROVIDE THE IMPROVEMENTS AND SERVICES. THE PROVISION OF IMPROVEMENTS AND SERVICES PURSUANT TO THIS SUBSECTION (8) IS NOT A

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

MATERIAL MODIFICATION OF THE SERVICE PLAN OF THE DISTRICT.

SECTION 2. 37-45-118 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

37-45-118. General powers. (1) The board has power on behalf of said district:

(q) (I) TO PROVIDE PARK AND RECREATION IMPROVEMENTS AND SERVICES IN CONNECTION WITH A RESERVOIR OWNED BY THE DISTRICT AND ADJACENT LAND IF SUCH IMPROVEMENTS AND SERVICES ARE NOT ALREADY BEING PROVIDED BY ANOTHER ENTITY WITH RESPECT TO THE RESERVOIR AND ADJACENT LAND.

(II) ONCE THE BOARD ADOPTS A RESOLUTION TO PROVIDE IMPROVEMENTS AND SERVICES PURSUANT TO THIS PARAGRAPH (q), NO OTHER ENTITY MAY PROVIDE PARK AND RECREATION IMPROVEMENTS AND SERVICES WITH RESPECT TO THE RESERVOIR AND ADJACENT LAND WITHOUT THE CONSENT OF THE BOARD.

(III) THE DISTRICT MAY EXERCISE ANY POWERS THAT A PARK AND RECREATION DISTRICT HAS IN CONNECTION WITH THE PROVISION OF PARK AND RECREATION IMPROVEMENTS AND SERVICES, INCLUDING IMPOSING RATES, FEES, AND CHARGES IN CONNECTION WITH THE IMPROVEMENTS AND SERVICES. THE DISTRICT MAY USE ANY DISTRICT REVENUES TO PROVIDE THE IMPROVEMENTS AND SERVICES.

SECTION 3. Applicability. This act shall apply to the provision of park and recreation improvements and services occurring on or after the effective date of this act.

SECTION 4. 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 5, 2005