

CHAPTER 74

GOVERNMENT - COUNTY

HOUSE BILL 05-1067

BY REPRESENTATIVE(S) Buescher, Berens, Borodkin, Coleman, Frangas, Lindstrom, Lundberg, Madden, Massey, Paccione, Penry, Ragsdale, Stafford, and Romanoff;
also SENATOR(S) Teck.

AN ACT

CONCERNING THE AUTHORIZATION FOR POLITICAL SUBDIVISIONS ORGANIZED ON A COUNTY BASIS TO PROVIDE FIRE PROTECTION.

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

SECTION 1. 30-20-503 (3), Colorado Revised Statutes, is amended to read:

30-20-503. Definitions. As used in this part 5, unless the context otherwise requires:

(3) "Improvement district", referred to in this part 5 as a "district", means a taxing unit that may be created by any county in this state for the purpose of constructing, installing, acquiring, operating, or maintaining any public improvement or for the purpose of providing any service so long as the county that forms the district is authorized to perform such service or provide such improvement under the county's home rule charter, if any, or the laws of this state, AND EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (3). "Public improvement" or "service" shall not include any facility identified in section 30-20-101 (8) or (9), nor shall the terms include services identified in section 30-15-401 (4) to (7.7) unless the district provides such services consistent with part 4 of article 15 of this title. No such district shall provide the same improvement or service as an existing special district within the territory of such existing special district unless the existing special district consents. A district may consist of noncontiguous tracts or parcels and may be organized wholly or partially within an existing special district if it is not providing the same service as the special district. FOR PURPOSES OF THIS PART 5, A DISTRICT MAY BE CREATED BY OR WITHIN A COUNTY FOR THE PURPOSE OF CONSTRUCTING, INSTALLING, ACQUIRING, OPERATING, MAINTAINING OR PROVIDING FIRE PROTECTION REGARDLESS OF WHETHER OR NOT THE COUNTY IS AUTHORIZED TO PROVIDE FIRE

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

PROTECTION IMPROVEMENTS OR SERVICES. FOR PURPOSES OF THIS SUBSECTION (3), "FIRE PROTECTION" SHALL HAVE THE SAME MEANING AS "FIREHOUSES, EQUIPMENT, AND FIREFIGHTERS" AS DESCRIBED IN SECTION 30-35-201 (22).

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 10, 2005, if adjournment sine die is on May 11, 2005); 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: April 14, 2005