

CHAPTER 354

ELECTIONS

SENATE BILL 06-228

BY SENATOR(S) Boyd, Mitchell, Fitz-Gerald, Groff, and Shaffer;
also REPRESENTATIVE(S) May M., Carroll T., Berens, Borodkin, Carroll M., Kerr A., McFadyen, Merrifield, Sullivan, and
Todd.

AN ACT

CONCERNING THE ALLOCATION OF REVENUE RECEIVED BY THE SCIENTIFIC AND CULTURAL FACILITIES DISTRICT TO PAY THE REASONABLE COSTS RELATED TO A COORDINATED ELECTION HELD ON BEHALF OF THE DISTRICT.

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

SECTION 1. 1-7-116, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

1-7-116. Coordinated elections. (2.5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE SCIENTIFIC AND CULTURAL FACILITIES DISTRICT'S SHARE OF THE ACTUAL COSTS OF THE COORDINATED ELECTION SHALL BE GOVERNED BY THE PROVISIONS OF SECTION 32-13-107 (5), C.R.S.

SECTION 2. 32-13-103, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

32-13-103. Definitions. As used in this article, unless the context otherwise requires:

(6.5) "REASONABLE COSTS RELATED TO A COORDINATED ELECTION" MEANS THE AMOUNT THAT THE DISTRICT OWES A COUNTY OR A CITY AND COUNTY UNDER THE TERMS OF AN AGREEMENT ENTERED INTO PURSUANT TO THE PROVISIONS OF SECTION 1-7-116, C.R.S., FOR THE DISTRICT'S SHARE OF THE COSTS OF A COORDINATED ELECTION; EXCEPT THAT SUCH AMOUNT SHALL NOT EXCEED THE TOTAL COUNTY OR CITY AND COUNTY ELECTION COSTS MULTIPLIED BY ONE-HALF OF THE SUM OF THE WEIGHTED POPULATION AVERAGE AND THE WEIGHTED BALLOT AVERAGE. WEIGHTED POPULATION AVERAGE EQUALS THE ACTIVE REGISTERED VOTERS WHO RESIDE IN

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

BOTH THE DISTRICT AND THE COUNTY OR CITY AND COUNTY DIVIDED BY THE SUM OF ALL ACTIVE REGISTERED VOTERS FOR EACH POLITICAL SUBDIVISION, AS SUCH TERM IS DEFINED IN SECTION 1-7-116 (1), C.R.S., FOR WHICH THE COUNTY OR CITY AND COUNTY CONDUCTS THE COORDINATED ELECTION. WEIGHTED BALLOT AVERAGE EQUALS THE NUMBER OF DISTRICT REFERRED MEASURES, AS SUCH TERM IS DEFINED IN SECTION 1-1-104 (34.5), C.R.S., ON THE BALLOT IN QUESTION DIVIDED BY THE TOTAL NUMBER OF REFERRED MEASURES, INITIATIVES, AND CANDIDATE ELECTIONS IN THE COORDINATED ELECTION.

SECTION 3. The introductory portion to 32-13-107 (3), Colorado Revised Statutes, is amended, and the said 32-13-107 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

32-13-107. Sales and use tax imposed - collection - administration of tax - use. (3) The proceeds of such sales and use tax collections shall be used by the board to assist scientific and cultural facilities within the district. After deducting costs, not exceeding three-fourths of one percent of the sales and use tax revenues annually collected, which are incurred by the district for the administration of such moneys, AND AFTER DEDUCTING AN AMOUNT NECESSARY TO PAY THE DISTRICT'S ACTUAL OR ANTICIPATED REASONABLE COSTS RELATED TO A COORDINATED ELECTION, distributions by the board to scientific and cultural facilities shall be made as follows:

(5) PURSUANT TO SECTION 1-7-116, C.R.S., AND ANY AGREEMENT ENACTED PURSUANT THERETO, THE DISTRICT SHALL PAY A COUNTY OR A CITY AND COUNTY FOR ITS SHARE OF THE EXPENSES ASSOCIATED WITH A COORDINATED ELECTION; EXCEPT THAT THE AMOUNT THE DISTRICT IS REQUIRED TO PAY FOR ANY COORDINATED ELECTION SHALL BE LIMITED TO AND NOT EXCEED THE DISTRICT'S REASONABLE COSTS RELATED TO A COORDINATED ELECTION.

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: June 6, 2006