

CHAPTER 348

GOVERNMENT - COUNTY

HOUSE BILL 10-1118

BY REPRESENTATIVE(S) Kerr J., Schafer S., Summers, Labuda;
also SENATOR(S) Hudak.

AN ACT

CONCERNING THE REGULATION OF DISTRESSED REAL PROPERTY BY A BOARD OF COUNTY COMMISSIONERS.

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

SECTION 1. 30-15-401 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

30-15-401. General regulations. (1) In addition to those powers granted by sections 30-11-101 and 30-11-107 and by parts 1, 2, and 3 of this article, the board of county commissioners has the power to adopt ordinances for control or licensing of those matters of purely local concern which are described in the following enumerated powers:

(r) (I) TO REGULATE DISTRESSED REAL PROPERTY BY REQUIRING THAT SUCH REAL PROPERTY BE SECURED, MAINTAINED, AND INSURED BY THE OWNER OF SUCH REAL PROPERTY OR, IF APPLICABLE, BY A HOLDER OF A LIEN THAT HAS TAKEN POSSESSION OF SUCH REAL PROPERTY PURSUANT TO PART 6 OF ARTICLE 38 OF TITLE 38, C.R.S., OR ANY RECEIVER APPOINTED TO TAKE POSSESSION OF OR TO PRESERVE THE REAL PROPERTY. THE COUNTY MAY REQUIRE THAT REAL PROPERTY OWNERS, A HOLDER IN POSSESSION PURSUANT TO PART 6 OF ARTICLE 38 OF TITLE 38, C.R.S., OR ANY RECEIVER APPOINTED TO PRESERVE OR TAKE POSSESSION OF REAL PROPERTY PROVIDE TO THE COUNTY PLANNING AND ZONING DEPARTMENT CONTACT INFORMATION FOR THE PERSON OR ENTITY RESPONSIBLE FOR THE PRESERVATION OF THE REAL PROPERTY.

(II) FOR PURPOSES OF THIS PARAGRAPH (r), "DISTRESSED REAL PROPERTY" MEANS ANY REAL PROPERTY IN FORECLOSURE OR ANY VACANT OR ABANDONED REAL PROPERTY.

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

SECTION 2. Act subject to petition - 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 (August 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 7, 2010