

## CHAPTER 317

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**GOVERNMENT - SPECIAL DISTRICTS**

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HOUSE BILL 13-1302

BY REPRESENTATIVE(S) Moreno, Fields, Hullinghorst;  
also SENATOR(S) Ulibarri.**AN ACT****CONCERNING A MODIFICATION OF THE REQUIREMENTS GOVERNING PROCEEDINGS TO CONSOLIDATE SPECIAL DISTRICTS.***Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** In Colorado Revised Statutes, 32-1-607, **amend** (6) as follows:

**32-1-607. Powers.** (6) No consolidation proceeding under this part 6 ~~shall be~~ is subject to the provisions of part 2 of this article; except that any consolidation proceeding under this part 6 ~~which~~ THAT will result in the creation of a consolidated district ~~or the consolidation of services within the boundaries of any existing municipality or within a radius of three miles of such municipality shall subject~~ THAT WILL PROVIDE NEW OR DIFFERENT SERVICES WITHIN THE BOUNDARIES OF ANY EXISTING MUNICIPALITY AS COMPARED TO THE SERVICES THAT ARE EITHER BEING PROVIDED OR THAT ARE AUTHORIZED TO BE PROVIDED TO THE MUNICIPALITY BY ONE OR MORE OF THE CONSOLIDATING SPECIAL DISTRICTS AS OF THE COMMENCEMENT OF THE CONSOLIDATION PROCEEDINGS SUBJECTS the proposed consolidated district to the provisions of part 2 of this article. In such event, the provisions of part 2 of this article relating to the organization of a proposed special district ~~shall~~ MUST be complied with by the special district initiating the consolidation after adoption of the consolidation resolution and concurring resolutions but prior to filing such resolutions with the court as specified in section 32-1-602 (2) (c); except that the provisions of section 32-1-203 (2) (b) ~~shall~~ ARE not be applicable when existing service is being provided by a consolidating special district. Any such municipality ~~shall be~~ is an interested party and ~~shall be~~ entitled to notice of the proceedings for all of the purposes provided in part 2 of this article and in this part 6. If the board of either the initiating special district or a concurring special district disapproves the final action taken on such service plan, the consolidation proceeding ~~shall~~ MUST be terminated.

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*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 - applicability.** (1) This act takes 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 7, 2013, if adjournment sine die is on May 8, 2013); 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 will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to proceedings for the consolidation of special districts commenced on or after the applicable effective date of this act.

Approved: May 28, 2013