



Initiative 291

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Summary

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LCS TITLE: LOCAL CONTROL OVER LAND USE

Fiscal Summary of Initiative 291

This fiscal summary, prepared by the nonpartisan Director of Research of the Legislative Council, contains a preliminary assessment of the measure's fiscal impact. A full fiscal impact statement for this initiative is or will be available at leg.colorado.gov/bluebook. This fiscal summary identifies the following impact.

State government impacts. The measure establishes the exclusive control of local governments' regulations related to land use within their jurisdictions, and invalidates or prohibits conflicting land use laws or rules of any state governmental entity. State law regulates many areas of land use, including oil and gas and mining operations, alcohol beverage sales, water operations, and the management of state highways, lands and buildings in local jurisdictions. The measure will increase the state's legal expenses for the Attorney General and state agencies to interpret the measure in the courts whenever the regulation or enforcement of a state law or rule conflicts with the land use or zoning decisions of a local government. This cost is dependent on future actions of local governments and cannot be estimated.

Local government impacts. Similar to the state, local governments that choose to adopt ordinance or rules that conflict with state law may have an increase in legal expenses to defend those decisions in court. These costs are not estimated.

Economic impacts. Future land use decisions have economic impacts on land owners and surrounding areas. Any impact on the economy is dependent on future land use decisions made by the state and local governments and cannot be estimated.