

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Local Government.

HB22-1363 be amended as follows:

1 Amend printed bill, page 12, strike lines 1 through 27 and substitute:

2 "SECTION 9. In Colorado Revised Statutes, **add** 32-1-207.5 as
3 follows:

4 **32-1-207.5. Modification - enforcement - additional provisions**
5 **concerning metropolitan districts.** (1) IN ADDITION TO SATISFYING THE
6 REQUIREMENTS OF SECTION 32-1-207, WHEN A METROPOLITAN DISTRICT
7 SEEKS MODIFICATIONS OF ITS SERVICE PLAN AS ORIGINALLY APPROVED,
8 MODIFICATIONS MAY BE MADE BY THE GOVERNING BODY OF THE
9 METROPOLITAN DISTRICT ONLY BY PETITION TO AND APPROVAL BY THE
10 BOARD OF COUNTY COMMISSIONERS, THE GOVERNING BODY OF THE
11 MUNICIPALITY THAT HAS ADOPTED A RESOLUTION OF APPROVAL OF THE
12 METROPOLITAN DISTRICT PURSUANT TO SECTION 32-1-204.5 OR
13 32-1-204.7, OR WHEN THE METROPOLITAN DISTRICT, AT ANY TIME AFTER
14 INITIAL APPROVAL OF THE PLAN, BECOMES WHOLLY INCLUDED WITHIN THE
15 BOUNDARIES OF A NEWLY ANNEXED MUNICIPALITY. SUCH APPROVAL OF
16 MODIFICATIONS IS REQUIRED FOR THE FOLLOWING ACTS OR OMISSIONS
17 THAT ARE MATERIALLY INCONSISTENT WITH THE DISTRICT'S SERVICE PLAN:

18 (a) ACTIONS OR FAILURES TO ACT THAT CREATE GREATER RISKS OR
19 BURDENS TO THE TAXPAYER OF THE DISTRICT THAN WERE CONTEMPLATED
20 BY THE SERVICE PLAN OR THAT WOULD BE CUSTOMARY IN THE
21 OPERATIONS OF GOVERNMENT;

22 (b) AN ALTERATION OR REVISION OF THE PROPOSED SCHEDULE OF
23 DEBT ISSUANCE SPECIFIED IN THE FINANCIAL PLAN, UNLESS THE
24 ALTERATION IS CONSISTENT WITH OR SUPERIOR TO THE PROPOSED
25 SCHEDULE WITH RESPECT TO INTEREST RATES, PRINCIPAL AMOUNTS,
26 MATURITIES, OR TOTAL REPAYMENT COSTS;

27 (c) THE EXCLUSION OF ANY REAL PROPERTY WITHIN THE DISTRICT
28 IF SUCH PROPERTY WAS INCLUDED IN THE DISTRICT'S FINANCIAL PLAN AND
29 THE EXCLUSION OF SUCH PROPERTY WILL IMPACT THE DISTRICT'S ABILITY
30 TO PERFORM OR PROVIDE THE SERVICES OR PUBLIC IMPROVEMENTS
31 SPECIFIED IN THE SERVICE PLAN OR THE DISTRICT'S ABILITY TO MEET ITS
32 ANNUAL DEBT SERVICE OBLIGATIONS;

33 (d) ENTRY INTO ANY NEW INTERGOVERNMENTAL AGREEMENT OR
34 REIMBURSEMENT AGREEMENT WITH ANOTHER METROPOLITAN DISTRICT
35 THAT WAS NOT DESCRIBED PURSUANT TO SECTION 32-1-202 (2)(b)(III)
36 AND APPROVED PURSUANT TO SECTION 32-1-203; OR

37 (e) ENTRY INTO ANY NEW EXTRATERRITORIAL SERVICE
38 AGREEMENT OR REIMBURSEMENT AGREEMENT WITH ANOTHER
39 METROPOLITAN DISTRICT THAT WAS NOT DESCRIBED PURSUANT TO
40 SECTION 32-1-202 (2)(b)(IV) AND APPROVED PURSUANT TO SECTION

1 32-1-203; EXCEPT THAT, THIS SUBSECTION (1)(e) SHALL NOT APPLY TO A
2 NEW EXTRATERRITORIAL SERVICE AGREEMENT OR REIMBURSEMENT
3 AGREEMENT ENTERED INTO AS A RESULT OF A DISASTER DECLARATION
4 PURSUANT TO SECTION 24-33.5-704 AS LONG AS THE TERM OF THE
5 AGREEMENT EXTENDS NOT LONGER THAN ONE YEAR FOLLOWING THE END
6 OF THE DISASTER DECLARATION.

7 (2) A BOARD OF COUNTY COMMISSIONERS, IN THE CASE OF A
8 DISTRICT THAT LIES ENTIRELY WITHIN THE TERRITORIAL BOUNDARIES OF
9 A COUNTY, OR THE GOVERNING BODY OF A MUNICIPALITY, IN THE CASE OF
10 A METROPOLITAN DISTRICT THAT LIES ENTIRELY WITHIN THE BOUNDARIES
11 OF A MUNICIPALITY, MAY IMPOSE A FEE TO OFFSET THE COSTS INCURRED
12 BY THE COUNTY OR MUNICIPALITY, AS APPLICABLE, IN REVIEWING THE
13 OPERATIONS OF THE DISTRICT AND THE DISTRICT'S COMPLIANCE WITH ITS
14 SERVICE PLAN. A METROPOLITAN DISTRICT SHALL PAY THE FEE IN THE
15 AMOUNT AND AT THE FREQUENCY IMPOSED BY THE COUNTY OR
16 MUNICIPALITY; EXCEPT THAT, ANY SUCH FEE IMPOSED PURSUANT TO THIS
17 SUBSECTION (2) MUST NOT BE PAYABLE MORE THAN ONCE ANNUALLY."

18 Strike page 13.

19 Page 14, strike lines 1 through 18.

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