

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 10-0587.01 Troy Bratton

SENATE BILL 10-046

SENATE SPONSORSHIP

Gibbs,

HOUSE SPONSORSHIP

Levy,

Senate Committees
Local Government and Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE BOUNDARIES OF FOREST IMPROVEMENT DISTRICTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Currently, the governing board of a county or municipality may propose the creation of a forest improvement district only if the boundaries of the proposed district will include the entire territory of the county or municipality.

The bill allows the governing body of a county or municipality to propose the creation of a forest improvement district with boundaries not necessarily encompassing the entire territory of the county or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
2nd Reading Unamended
February 2, 2010

municipality.

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

2 **SECTION 1.** 32-18-103, Colorado Revised Statutes, is amended
3 to read:

4 **32-18-103. Creation.** (1) A forest improvement district may be
5 created in the following manner:

6 (a) The governing body of a municipality or county may enact an
7 ordinance or resolution proposing the creation of a forest improvement
8 district. The ordinance or resolution shall set forth the ~~names of the~~
9 ~~municipalities or counties to be in the~~ BOUNDARIES OF THE proposed
10 district and the proposed name of the district.

11 (b) ~~The~~ A governing body of a municipality or county that is
12 ~~named~~ HAS TERRITORY WITHIN THE BOUNDARIES OF THE DISTRICT
13 PROPOSED in the ordinance or resolution ~~proposing the creation of a forest~~
14 ~~improvement district~~ may enact an ordinance or resolution proposing to
15 join the district. ~~setting forth the names of the same municipalities and~~
16 ~~counties.~~

17 (c) The clerk of a governing body that enacts an ordinance or
18 resolution pursuant to paragraph (a) or (b) of this subsection (1) shall
19 transmit a certified copy to the governing body of each other municipality
20 or county ~~named in~~ THAT HAS TERRITORY WITHIN THE BOUNDARIES OF THE
21 DISTRICT PROPOSED IN the original ordinance to be a part of the proposed
22 district.

23 (d) The governing body of a municipality or county that enacts an
24 ordinance or resolution pursuant to paragraph (a) or (b) of this subsection
25 (1) shall submit the question of the creation of a forest improvement

1 district ~~including the entire territory of the municipality or county~~ to the
2 eligible electors of the municipality or county WITHIN THE BOUNDARIES
3 OF THE PROPOSED DISTRICT at a general or special election conducted in
4 accordance with the "Uniform Election Code of 1992", articles 1 to 13 of
5 title 1, C.R.S. The district shall be deemed created if a majority of the
6 votes cast BY THE ELIGIBLE ELECTORS WITHIN THE BOUNDARIES OF THE
7 PROPOSED DISTRICT in the election held in any municipality or county
8 ~~named in~~ THAT HAS TERRITORY WITHIN THE BOUNDARIES OF THE DISTRICT
9 PROPOSED IN the ordinance or resolution ~~proposing the district~~ are in
10 favor of the creation of the district. The territory of the district ~~shall~~ MAY
11 comprise ~~the combined~~ ALL OR A PORTION OF THE territory of ~~all~~ ONE OR
12 MORE municipalities ~~and~~ OR counties in which the eligible electors
13 approve the creation of the district AND MAY CONSIST OF NONCONTIGUOUS
14 TRACTS OR PARCELS OF PROPERTY.

15 **SECTION 2. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.