

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

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
Local Government

HOUSE
3rd Reading Unam ended
February 23, 2010

A BILL FOR AN ACT

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

HOUSE
2nd Reading Unam ended
February 22, 2010

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>.)

SENATE
3rd Reading Unam ended
February 3, 2010

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

SENATE
2nd Reading Unam ended
February 2, 2010

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.*

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.