

HB1362_L.001

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee_____
DateCommittee on Local Government.

After consideration on the merits, the Committee recommends the following:

HB09-1362 be amended as follows:

- 1 Amend printed bill, page 3, line 5, after "**Community**", insert "**and**
- 2 **State**";
- 3 line 7, after "COMMUNITY", insert "AND STATE";
- 4 line 10, after "COMMUNITY", insert "AND STATE";
- 5 line 13, after "COMMUNITY", insert "AND STATE".
- 6 Page 4, line 5, after "COMMUNITY", insert "AND STATE";
- 7 line 6, after "COMMUNITY", insert "AND STATE";
- 8 after line 17, insert the following:
 - 9 "(3) "DENVER METROPOLITAN SERVICE AREA" MEANS THE
 - 10 COUNTIES OF ADAMS, ARAPAHOE, BOULDER, BROOMFIELD, DENVER,
 - 11 DOUGLAS, AND JEFFERSON THAT SERVE THE STATE COLLEGE AND ANY
 - 12 COMMUNITY COLLEGE ALL OR ANY PORTION OF THE SERVICE AREA OF
 - 13 WHICH IS LOCATED WITHIN ONE OF THE AFOREMENTIONED COUNTIES."
- 14 Renumber succeeding subsections accordingly.
- 15 Page 4, line 20, after "COMMUNITY", insert "AND STATE";
- 16 Page 5, line 1, after "MEANS", insert "EITHER";



1 line 4, strike "C.R.S." and substitute "C.R.S., OR THE DENVER
2 METROPOLITAN SERVICE AREA.";

3 after line 7, insert the following:

4 "(11) "STATE COLLEGE" MEANS THE METROPOLITAN STATE
5 COLLEGE OF DENVER CREATED IN SECTION 23-54-101, C.R.S."

6 Page 6, line 9, strike "A" and substitute "EXCEPT AS OTHERWISE
7 PROVIDED IN PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION, A".

8 Page 7, strike lines 20 through 26 and substitute the following:

9 "(2) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
10 ARTICLE, UPON THE PASSAGE OF A RESOLUTION BY THE STATE BOARD AND
11 THE BOARD OF TRUSTEES OF THE STATE COLLEGE, THE STATE BOARD AND
12 BOARD OF TRUSTEES MAY JOINTLY REQUEST AT LEAST TWO LOCAL
13 GOVERNMENTS, THE TERRITORIAL BOUNDARIES OF WHICH ARE LOCATED
14 WITHIN THE DENVER METROPOLITAN SERVICE AREA, ESTABLISH A SINGLE
15 CONSOLIDATED DISTRICT THAT WILL SERVE THE STATE COLLEGE AND ANY
16 COMMUNITY COLLEGES, ALL OR ANY PORTION OF THE SERVICE AREA OF
17 WHICH IS LOCATED WITHIN SUCH AREA IN ACCORDANCE WITH THE
18 REQUIREMENTS OF THIS ARTICLE. IN SUCH CASE, A SINGLE BALLOT
19 QUESTION SEEKING VOTER APPROVAL OF THE FORMATION OF THE DISTRICT
20 MAY BE CONSOLIDATED WITHIN SUCH SERVICE AREA FOR PURPOSES OF
21 PLACEMENT ON THE BALLOT. ALL OTHER REQUIREMENTS OF THIS ARTICLE
22 SHALL APPLY TO THE CREATION, ORGANIZATION, AND ADMINISTRATION OF
23 THE DISTRICT.

24 (b) INsofar AS THE VOTERS APPROVE THE FORMATION OF THE
25 DISTRICT PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2), THE
26 STATE BOARD AND THE BOARD OF TRUSTEES OF THE STATE COLLEGE SHALL
27 SPECIFY, BY INTERGOVERNMENTAL AGREEMENT, THE ALLOCATION OF ANY
28 TAX REVENUES COLLECTED, INTO WHICH AGREEMENT THE PARTIES ARE
29 HEREBY AUTHORIZED TO ENTER.

30 (3) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (a) OF
31 SUBSECTION (2) OF THIS SECTION:".

32 Page 8, line 13, after "COMMUNITY", insert "OR STATE";

- 1 line 17, after "COMMUNITY", insert "OR STATE";
- 2 line 20, after "COMMUNITY", insert "OR STATE";
- 3 line 23, after "COMMUNITY", insert "OR STATE".
- 4 Page 10, line 15, strike "IN" and substitute "IN CONNECTION WITH A
5 DISTRICT ESTABLISHED IN";
- 6 line 18, after "GOVERNMENTS.", insert "IN CONNECTION WITH A DISTRICT
7 ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
8 32-20-105 (2) (a), THE TERRITORY OF THE DISTRICT SHALL BE
9 COTERMINOUS WITH THE DENVER METROPOLITAN SERVICE AREA.";
- 10 line 27, after "(a)", insert "or (2) (a)".
- 11 Page 15, line 27, after "COMMUNITY", insert "OR STATE".
- 12 Page 16, line 9, after "ARTICLE,", insert "IN THE CASE OF A DISTRICT
13 ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
14 32-20-105 (1) (a),";
- 15 line 13, after "ARTICLE.", add "IN THE CASE OF A DISTRICT ESTABLISHED
16 IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 32-20-105 (2) (a),
17 A LOCAL GOVERNMENT SHALL FIRST OBTAIN THE CONSENT OF THE STATE
18 BOARD AND THE BOARD OF TRUSTEES OF THE STATE COLLEGE PRIOR TO
19 PLACING ANY QUESTION ON THE BALLOT SEEKING VOTER APPROVAL FOR
20 THE IMPOSITION OR INCREASE OF A SALES OR AD VALOREM TAX PURSUANT
21 TO THIS ARTICLE.".
- 22 Page 18, line 22, after "COMMUNITY", insert "OR STATE";
- 23 line 25, after "COMMUNITY", insert "OR STATE";
- 24 line 26, after "COMMUNITY", insert "OR STATE".
- 25 Page 19, line 2, after "COMMUNITY", insert "OR STATE";
- 26 line 5, strike "BOARD." and substitute "BOARD IN THE CASE OF A DISTRICT
27 ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION

1 32-20-105 (1) (a), OR AS MAY BE MUTUALLY AGREED UPON BY THE
2 DISTRICT, THE STATE BOARD, AND THE BOARD OF TRUSTEES OF THE STATE
3 COLLEGE IN THE CASE OF A DISTRICT ESTABLISHED IN ACCORDANCE WITH
4 THE REQUIREMENTS OF SECTION 32-20-105 (2) (a).";

5 line 6, after "(2)", insert "(a)", and after "ARTICLE,", insert "IN THE CASE
6 OF A DISTRICT ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF
7 SECTION 32-20-105 (1) (a).";

8 strike lines 11 and 12 and substitute the following:

9 "ARTICLE WITHOUT THE PRIOR CONSENT OF THE STATE BOARD.

10 (b) IN THE CASE OF A DISTRICT ESTABLISHED IN ACCORDANCE WITH
11 THE REQUIREMENTS OF SECTION 32-20-105 (2) (a), ANY DETERMINATION
12 ABOUT THE USE OF TAX REVENUES COLLECTED PURSUANT TO THIS ARTICLE
13 ON BEHALF OF ANY PARTICULAR COMMUNITY OR STATE COLLEGE SHALL
14 BE MADE IN CONSULTATION AMONG THE DISTRICT, THE STATE BOARD, AND
15 THE BOARD OF TRUSTEES OF THE STATE COLLEGE. NO REVENUES SHALL
16 BE EXPENDED PURSUANT TO THIS ARTICLE WITHOUT THE PRIOR CONSENT
17 OF THE STATE BOARD AND THE BOARD OF TRUSTEES OF THE STATE
18 COLLEGE."

19 Page 1, line 105, after "COMMUNITY", insert "AND STATE".

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