

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 11, 2009  
Date

Committee on State, Veterans & Military Affairs.

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

SB09-087 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 4, strike lines 5 through 8 and substitute the  
2 following:

3 "BY FILING A REQUEST WITH THE COUNTY CLERK AND RECORDER OF THE  
4 COUNTY IN WHICH THE DISTRICT IS WHOLLY OR PARTIALLY LOCATED OR  
5 WITH THE DESIGNATED ELECTION OFFICIAL OF THE DISTRICT IN  
6 ACCORDANCE WITH SECTION 1-8-104.5 (1), C.R.S.";

7 line 23, strike "JANUARY" and substitute "MARCH".

8 Page 5, strike lines 20 through 22 and substitute the following:

9 "(h) A STATEMENT THAT AN APPLICATION TO REQUEST  
10 PERMANENT MAIL-IN VOTER STATUS CAN BE OBTAINED FROM THE COUNTY  
11 CLERK AND RECORDER, OR ON-LINE FROM THE OFFICE OF THE SECRETARY  
12 OF STATE, AND CAN BE RETURNED EITHER TO THE DISTRICT OFFICE OR TO  
13 THE COUNTY CLERK AND RECORDER OF THE COUNTY OR COUNTIES IN  
14 WHICH THE DISTRICT IS WHOLLY OR PARTIALLY LOCATED; AND";

15 line 26, after "ONE", insert "OR MORE".

16 Page 6, line 4, after "INSERT,", insert "BILLING STATEMENT,";

17 line 7, strike "OR";

1 line 10, strike "DIVISION." and substitute "DIVISION; OR

2 (d) FOR ANY DISTRICT THAT IS A MEMBER OF A STATEWIDE  
3 ASSOCIATION OF SPECIAL DISTRICTS FORMED PURSUANT TO SECTION  
4 29-1-401, C.R.S., BY MAILING OR ELECTRONICALLY TRANSMITTING THE  
5 NOTICE TO THE STATEWIDE ASSOCIATION OF SPECIAL DISTRICTS, WHICH  
6 ASSOCIATION SHALL POST THE NOTICE ON A PUBLICLY ACCESSIBLE  
7 SECTION OF THE ASSOCIATION'S WEB SITE.";

8 strike lines 22 through 27.

9 Page 7, strike lines 1 through 18;

10 Renumber succeeding sections accordingly.

11 line 19, strike "38-35.7-101," and substitute "38-35.7-101 (1),";

12 strike lines 20 through 27.

13 Page 8, strike lines 1 through 8 and substitute the following:

14 "amended to read:

15 **38-35.7-101. Disclosure - special taxing districts - general**  
16 **obligation indebtedness.** (1) Every contract for the purchase and sale  
17 of residential real property shall contain a disclosure statement in  
18 bold-faced type which is clearly legible and in substantially the following  
19 form:

20 **SPECIAL TAXING DISTRICTS MAY BE SUBJECT**  
21 **TO GENERAL OBLIGATION INDEBTEDNESS**  
22 **THAT IS PAID BY REVENUES PRODUCED FROM**  
23 **ANNUAL TAX LEVIES ON THE TAXABLE**  
24 **PROPERTY WITHIN SUCH DISTRICTS.**  
25 **PROPERTY OWNERS IN SUCH DISTRICTS MAY**  
26 **BE PLACED AT RISK FOR INCREASED MILL**  
27 **LEVIES AND EXCESSIVE TAX BURDENS TO**  
28 **SUPPORT THE SERVICING OF SUCH DEBT**  
29 **WHERE CIRCUMSTANCES ARISE RESULTING IN**  
30 **THE INABILITY OF SUCH A DISTRICT TO**

1 DISCHARGE SUCH INDEBTEDNESS WITHOUT  
2 SUCH AN INCREASE IN MILL LEVIES.  
3 ~~PURCHASERS SHOULD INVESTIGATE THE DEBT~~  
4 ~~FINANCING REQUIREMENTS OF THE~~  
5 ~~AUTHORIZED GENERAL OBLIGATION~~  
6 ~~INDEBTEDNESS OF SUCH DISTRICTS, EXISTING~~  
7 ~~MILL LEVIES OF SUCH DISTRICT SERVICING~~  
8 ~~SUCH INDEBTEDNESS, AND THE POTENTIAL~~  
9 ~~FOR AN INCREASE IN SUCH MILL LEVIES~~  
10 BUYERS SHOULD INVESTIGATE THE SPECIAL  
11 TAXING DISTRICTS IN WHICH THE PROPERTY  
12 IS LOCATED BY CONTACTING THE COUNTY  
13 TREASURER, BY REVIEWING THE CERTIFICATE  
14 OF TAXES DUE FOR THE PROPERTY, AND BY  
15 OBTAINING FURTHER INFORMATION FROM  
16 THE BOARD OF COUNTY COMMISSIONERS, THE  
17 COUNTY CLERK AND RECORDER, OR THE  
18 COUNTY ASSESSOR."

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