

HB1157_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government.

HB12-1157 be amended as follows:

1 Amend printed bill, page 2, after line 1 insert:

2 "SECTION 1. In Colorado Revised Statutes, 32-1-203, amend
3 (3.5) (a) as follows:

4 **32-1-203. Action on service plan - criteria.** (3.5) (a) The board
5 of county commissioners may exclude territory from a proposed special
6 district prior to approval of the service plan submitted by the petitioners
7 of a proposed special district. The petitioners shall have the burden of
8 proving that the exclusion of the property is not in the best interests of the
9 proposed special district. Any person owning property in the proposed
10 special district who requests that his or her property be excluded from the
11 special district prior to approval of the service plan shall submit the
12 request to the board of county commissioners no later than ten days prior
13 to the hearing held under section 32-1-204, but the board of county
14 commissioners shall not be limited in its action with respect to exclusion
15 of territory based upon the request. Any request for exclusion SHALL
16 INCLUDE A LEGAL DESCRIPTION OF THE PROPERTY SOUGHT TO BE
17 EXCLUDED AND shall be acted upon before final action of the county
18 commissioners under section 32-1-205."

19 Renumber succeeding sections accordingly.

20 Page 3, after line 10 insert:

21 "SECTION 4. In Colorado Revised Statutes, 32-1-305, amend (3)
22 as follows:

23 **32-1-305. Court hearing - election - declaration of**
24 **organization.** (3) Except as otherwise provided in section 32-1-304.5,
25 anytime after the filing of the petition for the organization of a special
26 district but no later than ten days before the day fixed for the hearing
27 thereon, the owner of any real property within the proposed special
28 district may file a petition with the court stating reasons why said property
29 should not be included therein and requesting that said real property be
30 excluded therefrom. The petition shall be duly verified and shall describe
31 INCLUDE A LEGAL DESCRIPTION OF the property sought to be excluded.
32 The court shall hear the petition and all objections thereto at the time of
33 the hearing on the petition for organization and shall determine whether,
34 in the best public interest, the property should be excluded or included in



1 the proposed special district. The court shall exclude property located in
2 any home rule municipality in respect to which a petition for exclusion
3 has been filed by the municipality.".

4 Renumber succeeding sections accordingly.

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