

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 07-0440.01 Bob Lackner

HOUSE BILL 07-1165

HOUSE SPONSORSHIP

Levy,

SENATE SPONSORSHIP

Schwartz,

House Committees

Local Government
Agriculture, Livestock, & Natural Resources

Senate Committees

Agriculture, Natural Resources & Energy

A BILL FOR AN ACT

101 **CONCERNING THE APPLICATION OF COUNTY BUILDING CODE**
102 **REQUIREMENTS TO STRUCTURES USED PRIMARILY FOR**
103 **AGRICULTURAL PURPOSES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Specifies that buildings or structures erected, constructed, reconstructed, altered, or remodeled for the sole purpose of providing shelter for agricultural implements, farm products, livestock, or poultry in designated areas shall be exempt from the application of county ordinances or a county building code and from the requirement to obtain a building permit unless the board of county commissioners has, by the

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.*

HOUSE
3rd Reading Unamended
February 12, 2007

HOUSE
2nd Reading Unamended
February 9, 2007

enactment of a separate resolution, made such requirements applicable to such buildings or structures.

Makes a conforming amendment.

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

2 SECTION 1. Part 2 of article 28 of title 30, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 30-28-211. Task force on issues raised by interplay of
6 structures used primarily for agricultural purposes and county
7 building code requirements - legislative declaration - repeal. (1) THE
8 GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT AGRICULTURE IS
9 OF PARAMOUNT AND CRITICAL IMPORTANCE TO THE STATE IN PROVIDING,
10 AMONG OTHER THINGS, OPEN SPACE, VIEW CORRIDORS, GREENBELTS,
11 WILDLIFE HABITAT, WATERSHED PROTECTION, WATER RIGHTS PROTECTION,
12 IRRIGATION, AND PRODUCTS BOTH FOR CONSUMPTION WITHIN THE
13 BOUNDARIES OF THE STATE AND TO BE SOLD AS EXPORTS ACROSS THE
14 GLOBE.

15 (2) IN ORDER TO FACILITATE AND PROMOTE AGRICULTURE WITHIN
16 THE STATE, THE GENERAL ASSEMBLY HEREBY CREATES A TASK FORCE TO
17 ADDRESS ANY ISSUES RAISED BY THE INTERPLAY OF THE USE OF
18 STRUCTURES PRIMARILY FOR AGRICULTURAL PURPOSES AND COUNTY
19 BUILDING CODE REQUIREMENTS.

20 (3) (a) THE TASK FORCE SHALL CONSIST OF FIVE MEMBERS TO BE
21 JOINTLY APPOINTED BY THE CHAIRPERSONS OF THE COMMITTEES OF
22 REFERENCE IN EACH HOUSE OF THE GENERAL ASSEMBLY HAVING
23 JURISDICTION OVER MATTERS RELATING TO AGRICULTURE, REFERRED TO
24 IN THIS SECTION AS THE "CHAIRPERSONS", AS FOLLOWS:

1 (I) TWO MEMBERS SHALL REPRESENT THE BUSINESS OF
2 AGRICULTURE;

3 (II) TWO MEMBERS SHALL REPRESENT COUNTY GOVERNMENTS;

4 (III) ONE MEMBER SHALL BE AN AT-LARGE MEMBER.

5 (b) EACH OF THE APPOINTMENTS REQUIRED TO BE MADE PURSUANT
6 TO PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL BE MADE BY THE
7 CHAIRPERSONS NOT LATER THAN AUGUST 1, 2007.

8 (4) THE CHAIRPERSONS SHALL APPOINT A CHAIRPERSON AND
9 VICE-CHAIRPERSON OF THE TASK FORCE. THE CHAIRPERSON OF THE TASK
10 FORCE SHALL CALL THE FIRST MEETING OF THE TASK FORCE. MEMBERS OF
11 THE TASK FORCE SHALL NOT BE COMPENSATED OR REIMBURSED FOR
12 EXPENSES INCURRED IN ATTENDING MEETINGS OF THE TASK FORCE.

13 (5) THE TASK FORCE SHALL STUDY ISSUES RAISED BY THE
14 INTERPLAY OF THE USE OF STRUCTURES PRIMARILY FOR AGRICULTURAL
15 PURPOSES AND COUNTY BUILDING CODE REQUIREMENTS, AND MAY MAKE
16 RECOMMENDATIONS FOR LEGISLATION ON ANY ISSUES RAISED BY THE
17 STUDY. THE TASK FORCE SHALL REPORT ITS FINDINGS AND ANY
18 LEGISLATIVE RECOMMENDATIONS TO THE COMMITTEES OF REFERENCE IN
19 EACH HOUSE OF THE GENERAL ASSEMBLY HAVING JURISDICTION OVER
20 MATTERS RELATING TO AGRICULTURE NOT LATER THAN JANUARY 15,
21 2008.

22 (6) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2008.

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