

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

INTRODUCED

LLS NO. 09-0475.01 Ed DeCecco

HOUSE BILL 09-1142

HOUSE SPONSORSHIP

Fischer, Kefalas, Weissmann

SENATE SPONSORSHIP

Bacon,

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ELECTION OF A DIRECTOR OF A WATER**
102 **CONSERVANCY DISTRICT.**

Bill Summary

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

Modifies the number of registered electors that must sign a petition in order to hold an election for a director of a water conservancy district. Eliminates the requirement that an elected director own real property.

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

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.

1 **SECTION 1.** 37-45-114 (2) and (4), Colorado Revised Statutes,
2 are amended to read:

3 **37-45-114. Appointment of board of directors - definition.**

4 (2) (a) In the event that a petition signed by ~~not fewer than ten percent of~~
5 ~~the~~ registered electors residing in a county, or portion of a county entitled
6 to a director of a water conservancy district, ~~which electors, for the~~
7 ~~purpose of this subsection (2), are those persons entitled to vote in general~~
8 ~~elections,~~ praying for the election of a director from that county to fill the
9 term of office of the specified director from that county then about to
10 expire, in lieu of the appointment thereof by the court, ~~shall be~~ IS filed
11 with the clerk of the court at any time prior to ninety days preceding the
12 expiration date of the term of office of such director appointed by the
13 court, the court shall order the holding of an election in the county, or
14 portion of a county entitled to a director, in the district for the purpose of
15 filling the vacancy to be caused by the expiration of the term of office of
16 the director so about to expire in lieu of the appointment of a successor
17 by the court as provided in subsection (1) of this section.

18 (b) THE MINIMUM NUMBER OF PETITION SIGNATURES NEEDED FOR
19 AN ELECTION SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL
20 BE THE LESSER OF SEVEN HUNDRED FIFTY OR TEN PERCENT OF THE NUMBER
21 OF REGISTERED ELECTORS RESIDING IN A COUNTY, OR PORTION OF A
22 COUNTY ENTITLED TO A DIRECTOR, OF A WATER CONSERVANCY DISTRICT.

23 (c) AS USED IN THIS SUBSECTION (2), "ELECTOR" MEANS A PERSON
24 ENTITLED TO VOTE IN A GENERAL ELECTION.

25 (4) Any director so elected shall have the qualifications required
26 for members of the board of directors appointed by the court, EXCLUDING
27 THE REQUIREMENT THAT THE DIRECTOR OWN REAL PROPERTY, and shall

1 furnish like bond as required of directors appointed by the court under
2 subsection (1) of this section.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 shall take effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly that is
6 allowed for submitting a referendum petition pursuant to article V,
7 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
8 sine die is on May 6, 2009); except that, if a referendum petition is filed
9 against this act or an item, section, or part of this act within such period,
10 then the act, item, section, or part, if approved by the people, shall take
11 effect on the date of the official declaration of the vote thereon by
12 proclamation of the governor.