

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

PREAMENDED

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

LLS NO. 10-0322.01 Esther van Mourik

HOUSE BILL 10-1118

HOUSE SPONSORSHIP

Kerr J.,

SENATE SPONSORSHIP

Hudak,

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REGULATION OF DISTRESSED REAL PROPERTY BY A**
102 **BOARD OF COUNTY COMMISSIONERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries.>)

The bill specifies that the regulation of distressed real property is a matter of purely local concern and adds an enumerated power so that the board of county commissioners may adopt ordinances related to this matter.

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

2 **SECTION 1.** 30-15-401 (1), Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **30-15-401. General regulations.** (1) In addition to those powers
5 granted by sections 30-11-101 and 30-11-107 and by parts 1, 2, and 3 of
6 this article, the board of county commissioners has the power to adopt
7 ordinances for control or licensing of those matters of purely local
8 concern which are described in the following enumerated powers:

9 (r) (I) TO REGULATE DISTRESSED REAL PROPERTY BY REQUIRING
10 THAT SUCH REAL PROPERTY BE SECURED, MAINTAINED, AND INSURED BY
11 THE OWNER OF SUCH REAL PROPERTY OR, IF APPLICABLE, BY A HOLDER OF
12 A LIEN THAT HAS TAKEN POSSESSION OF SUCH REAL PROPERTY PURSUANT
13 TO PART 6 OF ARTICLE 38 OF TITLE 38, C.R.S., OR ANY RECEIVER
14 APPOINTED TO TAKE POSSESSION OF OR TO PRESERVE THE REAL PROPERTY.
15 THE COUNTY MAY REQUIRE THAT REAL PROPERTY OWNERS OR PARTIES
16 FORECLOSING ON A LIEN PROVIDE TO THE COUNTY PLANNING AND ZONING
17 DEPARTMENT CONTACT INFORMATION FOR THE PERSON OR ENTITY
18 RESPONSIBLE FOR THE PRESERVATION OF THE REAL PROPERTY.

19 (II) FOR PURPOSES OF THIS PARAGRAPH (r), "DISTRESSED REAL
20 PROPERTY" MEANS ANY REAL PROPERTY IN FORECLOSURE OR ANY VACANT
21 OR ABANDONED REAL PROPERTY.

22 **SECTION 2. Act subject to petition - effective date.** This act
23 shall take effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part shall not take effect
3 unless approved by the people at the general election to be held in
4 November 2010 and shall take effect on the date of the official
5 declaration of the vote thereon by the governor.