

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 11-0176.01 Bob Lackner

HOUSE BILL 11-1113

HOUSE SPONSORSHIP

Holbert,

SENATE SPONSORSHIP

Foster,

House Committees
Local Government

Senate Committees
Local Government and Energy

A BILL FOR AN ACT

101 **CONCERNING THE PROVISION OF INFORMATION PERTAINING TO**
102 **IMPACT FEES IMPOSED BY LOCAL GOVERNMENTS.**

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 requires a county or municipal government (local government) that imposes an impact fee to publish, at least once annually, on its official web site in a clear, concise, and user-friendly format information detailing the allocation by dollar amount of each land development charge collected to an account or among accounts

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.*

SENATE
2nd Reading Unam ended
February 25, 2011

HOUSE
3rd Reading Unam ended
February 4, 2011

HOUSE
Am ended 2nd Reading
February 3, 2011

maintained by the local government for the collection of moneys received from such charges, the average annual interest rate on each account, and the total amount disbursed from each account, during the local government's most recent fiscal year.

The bill also repeals outdated statutory provisions.

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

2 **SECTION 1.** 29-1-803, Colorado Revised Statutes, is amended
3 to read:

4 **29-1-803. Deposit of land development charge.** (1) ~~Except as~~
5 ~~otherwise provided in this section,~~ All moneys from land development
6 charges collected, including any such moneys collected but not expended
7 prior to January 1, 1991, shall be deposited or, if collected for another
8 local government, transmitted for deposit, in an interest-bearing account
9 which clearly identifies the category, account, or fund of capital
10 expenditure for which such charge was imposed. Each such category,
11 account, or fund shall be accounted for separately. The determination as
12 to whether the accounting requirement shall be by category, account, or
13 fund and by aggregate or individual land development shall be within the
14 discretion of the local government. Any interest or other income earned
15 on moneys deposited in said interest-bearing account shall be credited to
16 the account. AT LEAST ONCE ANNUALLY, THE LOCAL GOVERNMENT SHALL
17 PUBLISH ON ITS OFFICIAL WEB SITE, IF ANY, IN A CLEAR, CONCISE, AND
18 USER-FRIENDLY FORMAT INFORMATION DETAILING THE ALLOCATION BY
19 DOLLAR AMOUNT OF EACH LAND DEVELOPMENT CHARGE COLLECTED TO
20 AN ACCOUNT OR AMONG ACCOUNTS, THE AVERAGE ANNUAL INTEREST
21 RATE ON EACH ACCOUNT, AND THE TOTAL AMOUNT DISBURSED FROM EACH
22 ACCOUNT, DURING THE LOCAL GOVERNMENT'S MOST RECENT FISCAL YEAR.

23 (2) ~~Any county, city and county, or municipality shall be required~~

1 to comply with the provisions of subsection (1) of this section requiring
2 the deposit or transmittal of land development charges collected but not
3 expended prior to January 1, 1991, only if such land development charges
4 were collected on or after January 1, 1986.

5 **SECTION 2. Act subject to petition - effective date -**
6 **applicability.** (1) This act shall take effect December 31, 2011; except
7 that, if a referendum petition is filed pursuant to section 1 (3) of article V
8 of the state constitution against this act or an item, section, or part of this
9 act within the ninety-day period after final adjournment of the general
10 assembly, then the act, item, section, or part shall not take effect unless
11 approved by the people at the general election to be held in November
12 2012 and shall take effect on the date of the official declaration of the
13 vote thereon by the governor.

14 (2) The provisions of this act shall apply to the 2011 and
15 subsequent local government fiscal years.