

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 12-0336.01 Jason Gelender x4330

HOUSE BILL 12-1254

HOUSE SPONSORSHIP

Swerdfeger,

SENATE SPONSORSHIP

Giron,

House Committees

Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REALLOCATION OF THE CONSERVATION TRUST FUND**
102 **TO A METROPOLITAN DISTRICT THAT PROVIDES PARKS AND**
103 **RECREATION SERVICES WITHIN AND INCLUDES TERRITORY**
104 **WITHIN THE UNINCORPORATED AREA OF A COUNTY ONLY.**

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 changes the reallocation of conservation trust fund moneys to a metropolitan district that provides parks and recreation

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.

services exclusively within the unincorporated area of a county from one-half of the percentage to the full percentage which the district's population within the county is to the total population of the unincorporated area of the county. A metropolitan district may opt-out of the increased reallocation.

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

2 **SECTION 1.** In Colorado Revised Statutes, 29-21-101, **amend**
3 (2) (a) (II) (A); and **add** (2) (a.5) as follows:

4 **29-21-101. Conservation trust funds - definitions - notice of**
5 **funding through gifts, grants, and donations - repeal.** (2) (a) (II) Each
6 county share shall be apportioned according to that percentage which the
7 population of each county is to the total population of all counties, and,
8 within each county, each municipality's share shall be apportioned
9 according to the percentage which the population within each
10 municipality is to the total population of the county in which such
11 municipality is located. Each special district's share shall be determined
12 as follows:

13 (A) The special district's share relating to the unincorporated area
14 of the county in which all or part of such special district is located shall
15 be apportioned according to one-half of the percentage which the
16 population of the special district's unincorporated area is to the total
17 population of the unincorporated area of the county; EXCEPT THAT THE
18 SPECIAL DISTRICT'S SHARE FOR A METROPOLITAN DISTRICT, AS DEFINED IN
19 SECTION 32-1-103 (10), C.R.S., THAT PROVIDES PARKS AND RECREATION
20 SERVICES **AND INCLUDES TERRITORY** EXCLUSIVELY IN THE
21 UNINCORPORATED AREA OF A COUNTY SHALL BE APPORTIONED
22 ACCORDING TO THE FULL PERCENTAGE WHICH THE POPULATION OF THE
23 SPECIAL DISTRICT WITHIN THE COUNTY IS TO THE TOTAL POPULATION OF

1 THE UNINCORPORATED AREA OF THE COUNTY UNLESS THE METROPOLITAN
2 DISTRICT, WHEN PROVIDING ITS ANNUAL CERTIFICATION AS AN ELIGIBLE
3 ENTITY TO THE DIVISION, INFORMS THE DIVISION THAT IT PREFERS NOT TO
4 RECEIVE A FULL PERCENTAGE SHARE.

5 (a.5) (I) THE DIVISION IS AUTHORIZED TO SEEK AND ACCEPT GIFTS,
6 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
7 PURPOSES OF IMPLEMENTING THE AMENDMENT TO SUB-SUBPARAGRAPH
8 (A) OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2)
9 MADE BY HOUSE BILL 12-1254, ENACTED IN 2012; EXCEPT THAT THE
10 DIVISION MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT
11 TO CONDITIONS THAT ARE INCONSISTENT WITH SAID SUB-SUBPARAGRAPH
12 (A) OR ANY OTHER LAW OF THE STATE. THE DIVISION SHALL TRANSMIT ALL
13 PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR
14 DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO
15 THE CONSERVATION TRUST FUND ALLOCATION EXPENSE FUND, WHICH
16 FUND IS HEREBY CREATED AND REFERRED TO IN THIS PARAGRAPH (a.5) AS
17 THE "FUND". THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL
18 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DIVISION AND TO THE
19 GOVERNOR'S OFFICE OF INFORMATION TECHNOLOGY FOR THE DIRECT AND
20 INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THE AMENDMENT TO
21 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF
22 THIS SUBSECTION (2) MADE BY HOUSE BILL 12-1254, ENACTED IN 2012.

23 (II) (A) IN SEEKING OR ACCEPTING A GIFT, GRANT, OR DONATION,
24 THE DIVISION SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN IT
25 HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR
26 DONATIONS TO IMPLEMENT THE AMENDMENT TO SUB-SUBPARAGRAPH (A)
27 OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2) MADE

1 BY HOUSE BILL 12-1254, ENACTED IN 2012, AND SHALL INCLUDE IN THE
2 NOTIFICATION THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3),
3 C.R.S.

4 (III) THIS PARAGRAPH (a.5) IS REPEALED, EFFECTIVE JULY 1, 2015.

5 **SECTION 2. Effective date.** This act takes effect July 1, 2012.

6 **SECTION 3. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.