

# STATE and LOCAL FISCAL IMPACT

**Drafting Number:** LLS 12-0468**Date:** January 30, 2012**Prime Sponsor(s):** Rep. Vigil  
Sen. Guzman**Bill Status:** House Local Government**Fiscal Analyst:** Harry Zeid (303-866-4753)

**TITLE:** CONCERNING THE COURT HEARING ON A PETITION FOR THE ORGANIZATION OF A SPECIAL DISTRICT.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue		
State Expenditures		
FTE Position Change		
<b>Effective Date:</b> August 7, 2012, if the General Assembly adjourns on May 9, 2012, as scheduled, and no referendum petition is filed.		
<b>Appropriation Summary for FY 2012-2013:</b> None required.		
<b>Local Government Impact:</b> See the Local Government Impact section.		

## Summary of Legislation

Under current law, if a service plan for a proposed special district is approved by a board of county commissioners, any interested party who appeared and objected to the plan must be given notice and have the right to appear at a court hearing on the petition to organize the district. Under the bill, the objecting party must either be a taxpayer of the proposed special district or an eligible elector of the proposed district in order to be given notice and to have the right to appear at the court hearing. Under the bill, the notice of court hearing may be sent by certified mail rather than by registered mail.

Current law allows the court to name either the county clerk or another eligible elector to serve as the election official in an election to organize a special district. This bill allows the court to name either the county clerk or a person experienced in conducting special district elections to serve as the designated election official.

## State Expenditures

In order to receive notice and to have the right to appear at a court hearing, the bill requires that the objecting party be a taxpayer of the proposed special district or an eligible elector of the district. This change may result in a minor cost reduction to the Judicial Branch since there may be a decrease in the number of parties who are notified of a hearing. Additionally, the bill allows the

court hearing notice to be sent by certified mail rather than by registered mail, as currently required. A minor savings in postage costs will be realized for the clerk of the court when a challenge hearing is to be held. Aside from these potential cost savings, no other expenditure impacts are anticipated.

### **Local Government Impact**

The bill makes several minor changes to procedures for the organizational election when forming a new special district. The petitioners of a new special district may see a slight savings in the amount of money required for the formation of the district as a result of the reduced cost of postage.

### **Departments Contacted**

Local Affairs

Judicial