

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0941.01 Bob Lackner x4350

SENATE BILL 15-284

SENATE SPONSORSHIP

Cadman and Scheffel, Guzman, Grantham

HOUSE SPONSORSHIP

Vigil and Lundeen, Williams, Carver, Dore, Klingenschmitt, Landgraf, Saine

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT THE VOTERS OF A MUNICIPALITY
102 APPROVE PAYMENTS MADE FROM TAX COLLECTIONS INTO THE
103 SPECIAL FUND OF AN URBAN RENEWAL AUTHORITY FOR ALL
104 URBAN RENEWAL PLANS COVERING AN URBAN RENEWAL AREA
105 THAT INCLUDES AGRICULTURAL LAND IN CONNECTION WITH THE
106 EXISTING STATUTORY OBLIGATION TO OBTAIN THE CONSENT OF
107 EACH PUBLIC BODY THAT LEVIES AN AD VALOREM PROPERTY
108 TAX ON THE AGRICULTURAL LAND FOR WHICH THE ALLOCATION
109 BETWEEN BASE AND INCREMENT TAX REVENUES IN ACCORDANCE
110 WITH THE URBAN RENEWAL PLAN HAS NOT TAKEN EFFECT AS OF
111 **MAY 7, 2015.**

Bill Summary

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.

(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>.)

In the case of any urban renewal plan (plan) covering an urban renewal area that includes agricultural land, the bill prohibits the payment of the tax increment authorized by the plan into the special fund of the authority unless the plan has been approved at a regular election of the municipality by a majority of the registered electors of the municipality.

The bill allows any registered elector of the municipality to file an action in state district court to enforce its provisions.

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

2 **SECTION 1.** In Colorado Revised Statutes, 31-25-102, **amend**
3 (4) as follows:

4 **31-25-102. Legislative declaration.** (4) The general assembly
5 further finds and declares that:

6 (a) Urban renewal areas created for the purposes described in
7 subsections (1) and (2) of this section shall not include agricultural land
8 except in connection with the limited circumstances described in this part
9 1; and

10 (b) The inclusion of agricultural land within urban renewal areas
11 is a matter of statewide concern; AND

12 (c) THE ABILITY TO INCORPORATE AGRICULTURAL LAND WITHIN
13 AREAS DESIGNATED AS BLIGHTED UNDER THIS PART 1 SHOULD BE
14 NARROWLY CONSTRUED SO THAT SUCH DESIGNATION IS NOT USED TO
15 ENCOURAGE THE SUBSIDIZED DEVELOPMENT OF OPEN SPACES BUT INSTEAD
16 IS FOCUSED ON ELIMINATING URBAN DECAY AND SLUM AREAS INJURIOUS
17 TO THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE
18 RESIDENTS OF THE STATE AND THE AFFECTED MUNICIPALITIES.

1 **SECTION 2.** In Colorado Revised Statutes, 31-25-107, **add** (1.5)
2 as follows:

3 **31-25-107. Approval of urban renewal plans by local**
4 **governing body - approval of certain payments into special fund of**
5 **the authority by voters of municipality.** (1.5) (a) THE PROVISIONS OF
6 PARAGRAPH (b) OF THIS SUBSECTION (1.5) APPLY TO ANY URBAN RENEWAL
7 PLAN COVERING AN URBAN RENEWAL AREA THAT INCLUDES
8 AGRICULTURAL LAND UNDER THE CONDITION SPECIFIED IN
9 SUB-SUBPARAGRAPH (D) OF SUBPARAGRAPH (II) OF PARAGRAPH (c) OF
10 SUBSECTION (1) OF THIS SECTION FOR WHICH THE ALLOCATION OF
11 PROPERTY TAX REVENUES TO BE DEPOSITED INTO THE SPECIAL FUND OF
12 THE AUTHORITY PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (a) OF
13 SUBSECTION (9) OF THIS SECTION FOR THE PURPOSE OF FINANCING AN
14 URBAN RENEWAL PROJECT HAS NOT TAKEN EFFECT AS OF MAY 7, 2015.

15 (b) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN THE
16 CASE OF ANY URBAN RENEWAL PLAN DESCRIBED IN PARAGRAPH (a) OF THIS
17 SUBSECTION (1.5), NO PAYMENTS SHALL BE MADE INTO THE SPECIAL FUND
18 OF THE AUTHORITY IN ACCORDANCE WITH SUBPARAGRAPH (II) OF
19 PARAGRAPH (a) OF SUBSECTION (9) OF THIS SECTION UNLESS THE URBAN
20 RENEWAL PLAN HAS BEEN APPROVED AT A REGULAR ELECTION OF THE
21 MUNICIPALITY BY A MAJORITY OF THE REGISTERED ELECTORS OF THE
22 MUNICIPALITY. THE GOVERNING BODY OF THE MUNICIPALITY SHALL REFER
23 THE QUESTION DESCRIBED IN THIS PARAGRAPH (b) TO THE VOTERS OF THE
24 MUNICIPALITY IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN
25 ARTICLE 11 OF THIS TITLE.

26 (c) ANY REGISTERED ELECTOR OF THE MUNICIPALITY MAY FILE AN
27 ACTION IN STATE DISTRICT COURT TO ENFORCE THE PROVISIONS OF THIS

1 SUBSECTION (1.5).

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