

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 2, 2016
Date

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

HB16-1272 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 9, after the period add "THE OWNER
2 SHALL ALSO PROVIDE NOTICE AND A COPY OF THE APPLICATION TO THE
3 BOARD OF COUNTY COMMISSIONERS OF THE COUNTY IN WHICH THE TRACT
4 OF LAND THAT IS THE SUBJECT OF THE APPLICATION IS LOCATED AND TO
5 THE BOARD OF DIRECTORS OF ANY AFFECTED SPECIAL DISTRICT."

6 Page 2, strike lines 10 through 16 and substitute:

7 "(2)(a) NOT MORE THAN THIRTY DAYS AFTER RECEIVING THE
8 NOTICE REQUIRED BY SUBSECTION (1) OF THIS SECTION, EITHER THE BOARD
9 OF COUNTY COMMISSIONERS OR THE BOARD OF DIRECTORS OF ANY
10 AFFECTED SPECIAL DISTRICT MAY REQUEST A MEETING WITH THE OWNER
11 AND THE GOVERNING BODY OF THE MUNICIPALITY,".

12 Page 3, strike lines 1 through 27 and substitute "THE COUNTY THAT
13 WOULD RESULT FROM THE DISCONNECTION. IF SUCH MEETING IS
14 REQUESTED, THE OWNER AND THE GOVERNING BODY OR ITS APPOINTEE
15 SHALL MEET WITH EITHER THE BOARD OF COUNTY COMMISSIONERS, OR ITS
16 APPOINTEE, OR THE BOARD OF ANY AFFECTED SPECIAL DISTRICT, OR ITS
17 APPOINTEE, NOT MORE THAN THIRTY DAYS AFTER THE MEETING WAS
18 REQUESTED. FAILURE BY THE BOARD OF COUNTY COMMISSIONERS TO
19 REQUEST A MEETING CONSTITUTES AN ACKNOWLEDGMENT BY THE BOARD
20 THAT THE DISCONNECTION WILL NOT ADVERSELY AFFECT THE COUNTY OR

1 AN AFFECTED SPECIAL DISTRICT.
2 (b) AS USED IN PARAGRAPH (a) OF THIS SUBSECTION (2),
3 "AFFECTED SPECIAL DISTRICT" MEANS ANY SPECIAL DISTRICT THAT BY ITS
4 SERVICE PLAN OR PURSUANT TO AN INTERGOVERNMENTAL AGREEMENT IS
5 OR WILL BE EXPECTED TO PROVIDE SERVICE TO THE TRACT OF LAND THAT
6 IS THE SUBJECT OF THE DISCONNECTION APPLICATION. FOR PURPOSES OF
7 PARAGRAPH (a) OF THIS SUBSECTION (2), "NEGATIVE IMPACT" INCLUDES
8 ANY CHANGE IN THE LEVEL OR EXTENT OF SERVICES BEING PROVIDED TO
9 THE TRACT OF LAND BY ANY SPECIAL DISTRICT.

10 (3) On receipt of such application, ~~it is the duty of such~~ THE
11 governing body ~~to~~ OF THE MUNICIPALITY SHALL give due consideration to
12 ~~such~~ THE DISCONNECTION application, and, if such governing body is of
13 the opinion that the best interests of the ~~city or town~~ MUNICIPALITY will
14 not be prejudiced by the disconnection of such tract, it shall enact an
15 ordinance effecting such disconnection."

Page 4, strike lines 1 through 7.

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