

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

PREAMENDED

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

LLS NO. 01-0429.01 Dan Cartin

SENATE BILL 01-081

SENATE SPONSORSHIP

Phillips,

HOUSE SPONSORSHIP

Kester,

Senate Committees

Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING LOCAL FINANCING OF SCHOOL CAPITAL CONSTRUCTION**
102 **PROJECTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Authorizes formation of a metropolitan district within any part of the area of an approved subdivision plat or plan for the single purpose of financing a school capital construction project or projects of a school district if:

- The application for approval of the subdivision plat or plan for the subject subdivision is filed with a county or municipality on or after a specified date;
- A service plan for the proposed metropolitan district for

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.*

- financing school capital construction within the boundaries of the subdivision is filed concurrently with the application for approval of the subdivision plat or plan; and
- The total amount of moneys collected by the metropolitan district and transferred to a school district will not exceed a specified percentage of the total projected cost of the school capital project or projects.

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

2 SECTION 1. 30-20-503 (3), Colorado Revised Statutes, is
3 amended to read:

4 30-20-503. Definitions. As used in this part 5, unless the context
5 otherwise requires:

6 (3) "Improvement district", referred to in this part 5 as a "district",
7 means a taxing unit that may be created by any county in this state for the
8 purpose of constructing, installing, acquiring, operating, or maintaining
9 any public improvement or for the purpose of providing any service so
10 long as the county that forms the district is authorized to perform such
11 service or provide such improvement under the county's home rule
12 charter, if any, or the laws of this state OR, WITH THE CONSENT OF A
13 SCHOOL DISTRICT THAT INCLUDES PROPERTY IN THE DISTRICT, FOR THE
14 PURPOSE OF CONSTRUCTING, INSTALLING, ACQUIRING, OR FINANCING ANY
15 PROJECT DESCRIBED IN SECTION 22-42-102 (2) (a), C.R.S. "Public
16 improvement" or "service" shall not include any facility identified in
17 section 30-20-101 (8) or (9), nor shall the terms include services identified
18 in section 30-15-401 (4) to (7.7) unless the district provides such services
19 consistent with part 4 of article 15 of this title. No such district shall
20 provide the same improvement or service as an existing special district
21 within the territory of such existing special district unless the existing
22 special district consents. A district may consist of noncontiguous tracts

1 or parcels and may be organized wholly or partially within an existing
2 special district if it is not providing the same service as the special district.

3 **SECTION 2. 31-25-602 (1), Colorado Revised Statutes, is**
4 **amended to read:**

5 **31-25-602. Definitions.** As used in this part 6, unless the context
6 otherwise requires:

7 (1) "District" means an improvement district that is a taxing unit
8 and that may be created by any municipality in this state for the purpose
9 of acquiring, constructing, installing, operating, or maintaining any public
10 improvement or for the purpose of providing any service so long as the
11 municipality that forms the district is authorized to perform such service
12 or provide such improvement under the municipality's home rule charter,
13 if any, or the laws of this state OR, WITH THE CONSENT OF A SCHOOL
14 DISTRICT THAT INCLUDES PROPERTY IN THE DISTRICT, FOR THE PURPOSE OF
15 CONSTRUCTING, INSTALLING, ACQUIRING, OR FINANCING ANY PROJECT
16 DESCRIBED IN SECTION 22-42-102 (2) (a), C.R.S. "Public improvement"
17 or "service" shall not include any facility identified in section 30-20-101
18 (8) or (9), C.R.S., nor shall the terms include services identified in section
19 30-15-401 (4) to (7.7), C.R.S., unless the district provides such services
20 consistent with part 4 of article 15 of title 30, C.R.S. No such
21 improvement or facility shall duplicate or interfere with any municipal
22 improvement already constructed or planned to be constructed within the
23 limits of such district. A DISTRICT MAY CONSIST OF NONCONTIGUOUS
24 TRACTS OR PARCELS.

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