

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 25-0671.01 Megan McCall x4215

HOUSE BILL 25-1219

HOUSE SPONSORSHIP

Phillips,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIREMENTS FOR METROPOLITAN DISTRICTS THAT**
102 **AID THE PUBLIC'S UNDERSTANDING OF METROPOLITAN**
103 **DISTRICTS.**

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://leg.colorado.gov>.)

Under current law, certain metropolitan districts are required to hold annual public meetings at which residents can ask questions about the metropolitan district and financial information about the metropolitan district is shared. The bill requires that, in addition to notice requirements under the Colorado open meetings law, notice of this annual meeting be

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

provided by postcard or letter to residents or by electronic mail to any electronic mailing addresses that the metropolitan district has on file and be posted on the homepage of the metropolitan district's website. The bill also requires that, if the annual meeting is held at a physical location, there be available hard copies of self-nomination and acceptance forms, which are forms required to be filed for an eligible elector to be a candidate for a board position at a special district election.

The bill also requires that metropolitan districts that are required to have a publicly accessible website must establish a system or a process for residents to contact someone associated with the metropolitan district at times when district personnel is otherwise unavailable or unreachable to address any questions or concerns regarding services of the metropolitan district.

For a metropolitan district that is required to have a publicly accessible website, the bill requires the following additional information to be provided on the website:

- The date, time, and location of the annual meeting;
- An explanation of what metropolitan districts are generally and how the metropolitan district operates;
- The services that the metropolitan district provides and, if a service to the metropolitan district's residents is not provided by the metropolitan district, the name of the entity that provides the service;
- The name of the county or municipality with which the metropolitan district must file its annual report; and
- The name and contact information of someone who residents can contact with questions or concerns about the services of the district when district personnel is otherwise unavailable or unreachable.

The bill also specifies that the following information must be provided on the home page of the metropolitan district's website:

- The names, terms, and contact information of individuals serving on the board of directors and of any manager of the metropolitan district;
- The date, time, and location of scheduled regular meetings, including the annual meeting;
- The call for nominations for candidates to run for election to the board of directors;
- Information about the services the metropolitan district provides and the services that are provided by other entities; and
- The name and contact information of who residents can contact with questions or concerns about the services of the district when district personnel is otherwise unavailable or unreachable.

Current law requires that each owner of real property that sells real property that includes a newly constructed residence and that is in the boundaries of a metropolitan district must provide certain disclosures to purchasers of the property including access to the annually required notice to electors and the metropolitan district's service plan; information on the authority the metropolitan district has to issue debt, levy property taxes, and impose fees, rates, tolls, penalties, or other charges; an estimate of property taxes levied by the metropolitan district for collection during the year the sale occurs; and a copy of the most current certificate of taxes due or tax statement to provide an estimate of the sum of additional mill levies levied by other taxing entities that overlap the property. The bill requires this disclosure to be made by all owners of any residential real property, regardless of whether it is new construction, that is located within the boundaries of a metropolitan district organized after January 1, 2000.

The bill also requires an owner of residential real property that is located within the boundaries of a metropolitan district organized after January 1, 2000, that sells the property to provide a hard copy of the explanation of what metropolitan districts are generally and how the metropolitan district operates that is required to be provided on the metropolitan district's website.

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

SECTION 1. In Colorado Revised Statutes, 32-1-104.5, **amend** (3)(a)(V) and (3)(a)(VIII); and **add** (3)(a)(X), (3)(a)(XI), (3)(a)(XII), (3)(a)(XIII), (3)(a.5), and (4) as follows:

32-1-104.5. Audit and budget requirements - election results - description on state websites - official websites for metropolitan districts - requirement for designated contact person. (3) (a) Except as provided in subsection (3)(d) of this section, within one year of the date an order and decree has been issued by a district court for a newly organized metropolitan district, or by January 1, 2023, for any metropolitan district that has received an order and decree from the district court in connection with its organization after January 1, 2000, but before January 1, 2022, the metropolitan district shall establish, maintain,

1 and, unless otherwise specified, annually update an official website in a
2 form that is readily accessible to the public that contains the following
3 information:

4 (V) By January 30 of each year, the date, time, and location of
5 scheduled regular meetings of the district's board for the current fiscal
6 year AND THE DATE, TIME, AND LOCATION OF THE ANNUAL MEETING, IF
7 APPLICABLE, REQUIRED BY SECTION 32-1-903 (6);

8 (VIII) A current map depicting the boundaries of the metropolitan
9 district as of January 1 of the current fiscal year; and

10 (X) A GENERAL EXPLANATION IN PLAIN, NONTECHNICAL
11 LANGUAGE, ABOUT WHAT A METROPOLITAN DISTRICT IS, THE PUBLIC
12 IMPROVEMENTS AND SERVICES IT PROVIDES, THE AMOUNT OF DEBT IT CAN
13 INCUR TO PROVIDE AND PAY FOR PUBLIC INFRASTRUCTURE, WHAT
14 REVENUE MAY BE USED TO REPAY SUCH DEBT, THE MAXIMUM MILL LEVY
15 IT MAY ASSESS TO REPAY SUCH DEBT, AND HOW A RESIDENT CAN SERVE ON
16 THE BOARD OF THE METROPOLITAN DISTRICT;

17 (XI) THE NAMES OF THE GOVERNMENTAL ENTITIES THAT OVERLAP
18 THE METROPOLITAN DISTRICT'S BOUNDARIES;

19 (XII) THE NAME OF THE COUNTY OR THE MUNICIPALITY WITH
20 WHICH THE METROPOLITAN DISTRICT MUST FILE ITS ANNUAL REPORT AND
21 WHICH MAY REQUEST THAT MONEY OF THE METROPOLITAN DISTRICT BE
22 WITHHELD PURSUANT TO SECTION 32-1-209 IF THE ANNUAL REPORTING
23 REQUIREMENTS ARE NOT MET; AND

24 (XIII) INFORMATION REGARDING THE SYSTEM OR PROCESS FOR
25 CONTACTING SOMEONE ASSOCIATED WITH THE METROPOLITAN DISTRICT
26 DURING REGULAR BUSINESS HOURS AND OUTSIDE OF REGULAR BUSINESS
27 HOURS OR WHEN METROPOLITAN DISTRICT PERSONNEL ARE OTHERWISE

1 UNAVAILABLE OR UNREACHABLE AS REQUIRED BY SUBSECTION (4) OF THIS
2 SECTION.

3 (a.5) INFORMATION THAT IS REQUIRED BY SUBSECTIONS (3)(a)(I),
4 (3)(a)(V), (3)(a)(VI), (3)(a)(XI), AND (3)(a)(XIII) OF THIS SECTION MUST
5 BE PROVIDED ON THE HOMEPAGE OF THE METROPOLITAN DISTRICT'S
6 WEBSITE.

7 (4) A METROPOLITAN DISTRICT THAT IS REQUIRED TO ESTABLISH
8 AND MAINTAIN AN OFFICIAL WEBSITE PURSUANT TO SUBSECTION (3) OF
9 THIS SECTION SHALL ESTABLISH A SYSTEM OR PROCESS FOR RESIDENTS
10 TO CONTACT SOMEONE ASSOCIATED WITH THE METROPOLITAN DISTRICT
11 WHO CAN ADDRESS ANY QUESTIONS OR CONCERNS OF A RESIDENT
12 REGARDING THE METROPOLITAN DISTRICT DURING REGULAR BUSINESS
13 HOURS. THE METROPOLITAN DISTRICT SHALL ALSO ESTABLISH A SYSTEM
14 OR PROCESS FOR RESIDENTS TO CONTACT SOMEONE ASSOCIATED WITH THE
15 METROPOLITAN DISTRICT OUTSIDE OF REGULAR BUSINESS HOURS OR
16 DURING ANY TIMES WHEN METROPOLITAN DISTRICT PERSONNEL ARE
17 OTHERWISE UNAVAILABLE OR UNREACHABLE TO ADDRESS MATTERS OF AN
18 EMERGENT NATURE THAT CANNOT WAIT UNTIL REGULAR BUSINESS HOURS
19 RESUME.

20 **SECTION 2.** In Colorado Revised Statutes, 32-1-202, **amend**
21 **(2)(n); and add (2)(o) as follows:**

22 **32-1-202. Filing of service plan required - report of filing -**
23 **contents - fee. (2) The service plan shall contain the following:**

24 (n) For a metropolitan district that submits a service plan to one
25 or more boards of county commissioners pursuant to this section on or
26 after January 1, 2024, the maximum debt that may be issued by the
27 district, as determined by the board of county commissioners of each

1 county that is approving the service plan; AND
2 (o) FOR A METROPOLITAN DISTRICT THAT SUBMITS A SERVICE PLAN
3 TO ONE OR MORE BOARDS OF COUNTY COMMISSIONERS PURSUANT TO THIS
4 SECTION ON OR AFTER JANUARY 1, 2025, THE MAXIMUM TERM FOR
5 IMPOSITION OF A DEBT SERVICE MILL LEVY ON ANY PROPERTY DEVELOPED
6 FOR RESIDENTIAL PURPOSES AFTER THE INITIAL YEAR OF IMPOSITION OF
7 SUCH DEBT SERVICE MILL LEVY, AS DETERMINED BY THE BOARD OF
8 COUNTY COMMISSIONERS OF EACH COUNTY THAT IS APPROVING THE
9 SERVICE PLAN.

10 **SECTION 3.** In Colorado Revised Statutes, 32-1-903, **amend**
11 (6)(c); and **add** (6)(a.5) as follows:

12 **32-1-903. Meetings - definitions.** (6) (a.5) THE BOARD SHALL
13 ENSURE THAT AT AN ANNUAL MEETING THAT IS HELD IN PERSON AND IS
14 HELD IN A YEAR IMMEDIATELY PRECEDING A YEAR IN WHICH A REGULAR
15 SPECIAL DISTRICT ELECTION WILL BE HELD, SELF-NOMINATION AND
16 ACCEPTANCE FORMS AS PROVIDED IN SECTION 1-13.5-303 ARE AVAILABLE
17 TO RESIDENTS IN PAPER FORM. THE BOARD SHALL MAKE REASONABLE
18 EFFORTS TO ENSURE THAT RESIDENTS ARE ADVISED THAT, IN ACCORDANCE
19 WITH SECTION 1-13.5-303 (1) AND 1-13.5-303 (4), SELF-NOMINATION AND
20 ACCEPTANCE FORMS ARE TO BE FILED WITH THE DESIGNATED ELECTION
21 OFFICIAL OR, IF NONE HAS BEEN DESIGNATED, WITH THE PRESIDING
22 OFFICER OR THE SECRETARY OF THE BOARD NO EARLIER THAN JANUARY
23 1 AND NO LATER THAN THE NORMAL CLOSE OF BUSINESS ON THE
24 SIXTY-SEVENTH DAY BEFORE THE DATE OF A REGULAR SPECIAL DISTRICT
25 ELECTION.

26 (c) Notice of the time and location of an annual meeting required
27 by this subsection (6) must be provided in accordance with subsection (2)

1 of this section AND BY MAILING THE NOTICE, AT THE LOWEST COST OPTION,
2 TO EACH ADDRESS OF ELIGIBLE ELECTORS WITHIN THE METROPOLITAN
3 DISTRICT AS LISTED ON THE LIST PROVIDED BY THE COUNTY ASSESSOR AS
4 OF THE DATE THAT IS NO MORE THAN NINETY DAYS PRIOR TO THE ANNUAL
5 MEETING OR BY EMAIL TO ANY EMAIL ADDRESSES OF ELIGIBLE ELECTORS
6 WITHIN THE METROPOLITAN DISTRICT THAT ELIGIBLE ELECTORS HAVE
7 PROVIDED TO THE METROPOLITAN DISTRICT FOR PURPOSES OF RECEIVING
8 COMMUNICATIONS FROM THE METROPOLITAN DISTRICT, and must be
9 EITHER posted on the HOME PAGE OF THE metropolitan district's website
10 OR ACCESSIBLE BY A LINK ON THE HOME PAGE OF THE METROPOLITAN
11 DISTRICT.

12 **SECTION 4.** In Colorado Revised Statutes, 38-35.7-110, **amend**
13 **(2) introductory portion and (2)(d); repeal (1); and add (2)(c)(V) as**
14 **follows:**

15 **38-35.7-110. Disclosure - estimated future property taxes for**
16 **residences within the boundaries of a metropolitan district - rules -**
17 **definition. (1) ~~As used in this section, "newly constructed residence"~~**
18 **~~means a residential improvement as defined in section 39-1-102 (14.3)~~**
19 **~~that:~~**

20 ~~(a) Has not been previously sold to its intended occupant as a~~
21 ~~place of residence; and~~

22 ~~(b) Is located within the territorial boundaries of a metropolitan~~
23 ~~district.~~

24 (2) On and after January 1, 2022, ~~each~~ AN owner of RESIDENTIAL
25 real property that IS LOCATED WITHIN THE BOUNDARIES OF A
26 METROPOLITAN DISTRICT ORGANIZED ON OR AFTER JANUARY 1, 2000,
27 THAT sells ~~real~~ THE property, ~~that includes a newly constructed residence,~~

1 concurrently with or prior to the execution of a contract to sell the
2 property, shall provide to the purchaser of the property:

3 (c) A statement in writing disclosing that:

4 (V) ACTIONS BY THE METROPOLITAN DISTRICT PURSUANT TO ITS
5 AUTHORITY TO ISSUE DEBT, IMPOSE MILL LEVIES, AND IMPOSE FEES, RATES,
6 TOLLS, PENALTIES, OR OTHER CHARGES MAY INCREASE COSTS TO
7 RESIDENTS LIVING IN THE METROPOLITAN DISTRICT.

8 (d) (H) An estimate of the DOLLAR AMOUNT OF property taxes
9 levied by the metropolitan district that are applicable to the property for
10 collection during the year in which the sale occurs, which estimate must
11 include any debt service mill levies that are specified in subsection
12 (2)(c)(II) of this section and any mill levies for general operating
13 expenses that are specified in subsection (2)(c)(III) of this section, shown
14 both as the total mill levy as well as the total dollar amount that could be
15 collected based upon the purchase price of the property, the residential
16 assessment rate, and mill levies that are in effect in the district at the time
17 of the sale; AND

18 ~~(H) A seller has complied with subsection (2)(d)(I) of this section~~
19 ~~if the seller provides to the purchaser the mill levy, the residential~~
20 ~~assessment ratio, and a formula by which the purchaser may calculate the~~
21 ~~estimated property taxes on the property for the current year.~~

22
23 **SECTION 5. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly; except
26 that, if a referendum petition is filed pursuant to section 1 (3) of article V
27 of the state constitution against this act or an item, section, or part of this

1 act within such period, then the act, item, section, or part will not take
2 effect unless approved by the people at the general election to be held in
3 November 2026 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.