



**FINAL
FISCAL NOTE**

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0454
Prime Sponsor(s): Rep. Kraft-Tharp
Sen. Tate

Date: July 6, 2016
Bill Status: Signed into Law
Fiscal Analyst: Josh Abram (303-866-3561)

BILL TOPIC: DISCONNECTION OF LAND FROM A MUNICIPALITY

Summary of Legislation

Under current law, if the owner of a tract of land within or adjacent to a municipality desires to have the tract disconnected from the municipality, the owner files an application for disconnection with the governing board of the municipality. If the governing board determines that disconnecting the land does not negatively impact the municipality, the board can disconnect the land via ordinance.

This bill requires that a governing board that receives a disconnection application:

- notify the board of county commissioners of the affected county, and to the board of directors of any affected special district, that an application has been received; and
- if requested either by the board of county commissioners or by the board of an affected special district, meet with those boards to discuss any negative impacts that would result from the disconnection.

Once a municipality receives an application to disconnect, the governing board must enact an ordinance to disconnect if the governing board finds that disconnection is in the best interests of the municipality, and that the town will not be negatively impacted by the disconnection;

Local Government Impact

The bill modifies the procedures and conditions for disconnecting land from a municipality. The bill will slightly increase the workload of municipal and county staff should a county or a special district desire to discuss the negative impacts of a disconnection application. Municipal staff may also have a slightly increased workload to prepare recommendations for municipal governing boards.

Effective Date

The bill was signed into law by the Governor on April 14, 2016, and takes effect August 10, 2016, assuming no referendum petition is filed. The bill applies to disconnection applications submitted on or after that date.

State and Local Government Contacts

Counties Local Affairs Municipalities