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HOUSE BILL 25-1219

BY REPRESENTATIVE(S) Phillips and Barron, Bird, Duran, Hamrick, Lindstedt, Smith, Titone, Willford, Lieder, Ricks, McCluskie;
also SENATOR(S) Mullica and Frizell, Amabile, Bridges, Cutter, Daugherty, Exum, Hinrichsen, Jodeh, Kipp, Marchman, Michaelson Jenet, Roberts.

CONCERNING REQUIREMENTS FOR METROPOLITAN DISTRICTS THAT AID THE
PUBLIC'S UNDERSTANDING OF METROPOLITAN DISTRICTS.

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

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

with its organization after January 1, 2000, but before January 1, 2022, the metropolitan district shall establish, maintain, and, unless otherwise specified, annually update an official website in a form that is readily accessible to the public that contains the following information:

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

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

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

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

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

(XIII) INFORMATION REGARDING THE SYSTEM OR PROCESS FOR CONTACTING SOMEONE ASSOCIATED WITH THE METROPOLITAN DISTRICT DURING REGULAR BUSINESS HOURS AND OUTSIDE OF REGULAR BUSINESS HOURS OR WHEN METROPOLITAN DISTRICT PERSONNEL ARE OTHERWISE UNAVAILABLE OR UNREACHABLE AS REQUIRED BY SUBSECTION (4) OF THIS SECTION.

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

EXCEPT THAT INFORMATION ABOUT THE ANNUAL MEETING MUST BE EITHER POSTED ON THE HOME PAGE OR ACCESSIBLE BY A LINK ON THE HOME PAGE IN ACCORDANCE WITH SECTION 32-1-903 (6)(c).

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

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

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

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

(o) FOR A METROPOLITAN DISTRICT THAT SUBMITS A SERVICE PLAN TO ONE OR MORE BOARDS OF COUNTY COMMISSIONERS PURSUANT TO THIS SECTION ON OR AFTER JANUARY 1, 2025, THE MAXIMUM TERM FOR IMPOSITION OF A DEBT SERVICE MILL LEVY ON ANY PROPERTY DEVELOPED FOR RESIDENTIAL PURPOSES AFTER THE INITIAL YEAR OF IMPOSITION OF SUCH DEBT SERVICE MILL LEVY, AS DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS OF EACH COUNTY THAT IS APPROVING THE SERVICE PLAN.

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

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

(c) Notice of the time and location of an annual meeting required by this subsection (6) must be provided in accordance with subsection (2) of this section AND BY MAILING THE NOTICE, AT THE LOWEST COST OPTION, TO EACH ADDRESS OF ELIGIBLE ELECTORS WITHIN THE METROPOLITAN DISTRICT AS LISTED ON THE LIST PROVIDED BY THE COUNTY ASSESSOR AS OF THE DATE THAT IS NO MORE THAN NINETY DAYS PRIOR TO THE ANNUAL MEETING OR BY EMAIL TO ANY EMAIL ADDRESSES OF ELIGIBLE ELECTORS WITHIN THE METROPOLITAN DISTRICT THAT ELIGIBLE ELECTORS HAVE PROVIDED TO THE METROPOLITAN DISTRICT FOR PURPOSES OF RECEIVING COMMUNICATIONS FROM THE METROPOLITAN DISTRICT, and must be EITHER posted on the HOME PAGE OF THE metropolitan district's website OR ACCESSIBLE BY A LINK ON THE HOME PAGE OF THE METROPOLITAN DISTRICT.

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

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

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

~~(b) Is located within the territorial boundaries of a metropolitan~~

~~district.~~

(2) On and after January 1, 2022, ~~each~~ AN owner of RESIDENTIAL real property that IS LOCATED WITHIN THE BOUNDARIES OF A METROPOLITAN DISTRICT ORGANIZED ON OR AFTER JANUARY 1, 2000, THAT sells ~~real~~ THE property, ~~that includes a newly constructed residence,~~ concurrently with or prior to the execution of a contract to sell the property, shall provide to the purchaser of the property:

(c) A statement in writing disclosing that:

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

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

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

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO