

SB147_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government.

SB20-147 be amended as follows:

1 Amend printed bill, page 5, line 11, strike "~~one-sixth~~ ONE-THIRD" and
2 substitute "one-sixth".

3 Page 5, line 13, after "municipality." insert "IF THE CONTIGUITY OF THE
4 AREA PROPOSED TO BE ANNEXED IS ONE-FOURTH OR GREATER, THEN THE
5 MUNICIPALITY IS REQUIRED ONLY TO GIVE NOTICE OF THE PROPOSED
6 ANNEXATION TO THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY
7 FROM WHICH THE LAND IS TO BE ANNEXED. IF THE CONTIGUITY OF THE
8 AREA PROPOSED TO BE ANNEXED IS LESS THAN ONE-FOURTH, UNLESS
9 OTHERWISE PROVIDED FOR IN THIS SECTION, THE MUNICIPALITY SHALL
10 OBTAIN THE CONSENT OF THE BOARD OF COUNTY COMMISSIONERS TO THE
11 ANNEXATION IN ORDER FOR THE ANNEXATION TO PROCEED."

12 Page 6, strike lines 4 through 8 and substitute "31-12-108.5. A
13 MUNICIPALITY SHALL NOT ANNEX AN AREA OF LAND UNLESS THE LAND IS
14 CLEARLY DEPICTED WITHIN AN AREA PLANNED FOR ANNEXATION AS
15 IDENTIFIED IN THE MUNICIPALITY'S THREE-MILE AREA PLAN THAT WAS
16 ADOPTED BY THE MUNICIPALITY AT LEAST ONE YEAR PRIOR TO THE DATE
17 OF THE PROPOSED ANNEXATION. IF THE MUNICIPALITY FAILS TO DEPICT
18 THE AREA PROPOSED FOR ANNEXATION AS WITHIN AN AREA PLANNED FOR
19 ANNEXATION AS IDENTIFIED IN AN ANNEXATION PLAN WITHIN THE PERIOD
20 REQUIRED IN THIS SUBSECTION (1)(a), THE MUNICIPALITY SHALL OBTAIN
21 THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS IN ORDER FOR
22 THE ANNEXATION TO PROCEED. THE BOARD OF COUNTY COMMISSIONERS
23 OF ANY COUNTY MAY WAIVE THE APPROVAL REQUIREMENT SPECIFIED IN
24 THIS SUBSECTION (1)(a) AS APPLIED TO ANY PLANNED ANNEXATION BY
25 PASSAGE OF A RESOLUTION APPROVING THE WAIVER."

26 Page 6, line 20, strike "~~One-half~~ ONE-THIRD" and substitute "One-half".

27 Page 8, strike lines 17 through 27 and substitute "municipality shall have
28 in place a plan for that area that generally describes AND DEPICTS the
29 proposed location, character, and extent of streets, subways, bridges,
30 waterways, waterfronts, parkways, playgrounds, squares, parks, aviation
31 fields, other public ways, grounds, open spaces, public utilities, and
32 terminals for water, light, sanitation, transportation, and power to be
33 provided by the municipality and the proposed land uses for the area.
34 ~~Such~~ THE plan ~~shall~~ MUST be updated at least once annually AND THE
35 MUNICIPALITY SHALL DELIVER NOTICE OF THE UPDATED PLAN AND A COPY
36 OF THE SAME TO THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY
37 WITHIN THE TERRITORIAL BOUNDARIES OF WHICH THE MUNICIPALITY IS

1 LOCATED NOT LESS THAN TEN DAYS FOLLOWING COMPLETION OF THE
2 UPDATED PLAN."

3 Page 9, strike lines 1 through 5 and substitute "Such THE three-mile limit
4 may be exceeded if such limit".

5 Page 11, strike lines 13 through 16 and substitute "ROADWAY THAT IS TO
6 BE ANNEXED PURSUANT TO THIS SECTION MUST BE DETERMINED BY AN
7 INTERGOVERNMENTAL".

8 Page 11, strike lines 20 and 21 and substitute:

9 "SECTION 4. In Colorado Revised Statutes, 31-12-107, amend
10 (1)(d)(IV); and add (1)(d)(V) as follows:"

11 Page 11, after line 26 insert:

12 "(IV) Next to the boundary of the area proposed to be annexed, a
13 drawing of the contiguous boundary of the annexing municipality and the
14 contiguous boundary of any other municipality abutting the area proposed
15 to be annexed; AND".

16 Page 12, strike lines 3 through 8 and substitute "LAND UPON WHICH THE
17 COUNTY OWNS OR MAINTAINS INFRASTRUCTURE."

18 Page 12, line 26, strike "(1)(a)(II), and (1)(e);" and substitute "and
19 (1)(a)(II);".

20 Page 12, line 27, strike "and (1)(h)".

21 Page 13, lines 21 through 27 and substitute:

22 "(g) A COPY OF THE ANNUAL THREE-MILE PLAN MOST RECENTLY
23 ADOPTED BY THE MUNICIPALITY."

24 Page 14, strike lines 1 through 4.

25 Page 15, line 5, strike "MUNICIPALITY AND" and substitute
26 "MUNICIPALITY, A PROPERTY OWNER, OR".

27 Page 16, strike lines 2 through 27 and substitute:

28 "SECTION 11. In Colorado Revised Statutes, add 31-12-124 as

1 follows:

2 **31-12-124. Exemption from other requirements.** (1) ANY
3 MUNICIPALITY THAT HAS ENTERED INTO AN INTERGOVERNMENTAL
4 AGREEMENT WITH A BOARD OF COUNTY COMMISSIONERS ON, PRIOR TO, OR
5 AFTER THE EFFECTIVE DATE OF THIS SECTION THAT ADDRESSES MUTUAL
6 UNDERSTANDINGS CONCERNING ANNEXATION IMPACTS IS EXEMPT FROM
7 THE FOLLOWING REQUIREMENTS UNDER THIS ARTICLE 12:

8 (a) OBTAINING APPROVAL FROM THE BOARD OF COUNTY
9 COMMISSIONERS FOR SATISFACTION OF THE CONTIGUITY REQUIREMENT
10 AND IDENTIFICATION OF THE LAND TO BE ANNEXED IN THE ANNEXATION
11 PLAN IN ACCORDANCE WITH SECTION 31-12-104 (1)(b).

12 (b) THE OBLIGATION TO DETERMINE WHETHER LAND IS OWNED OR
13 IS MAINTAINED BY THE COUNTY AND WHETHER ANY INFRASTRUCTURE
14 OWNED OR MAINTAINED BY THE COUNTY IS LOCATED ON THE LAND IN
15 ACCORDANCE WITH SECTION 31-12-105 (1)(e)(II);

16 (c) THE REQUIREMENT TO SUBMIT A COPY OF THE
17 INTERGOVERNMENTAL AGREEMENT IN ACCORDANCE WITH SECTION
18 31-12-107 (1)(d)(V);

19 (d) THE REQUIREMENT TO SUBMIT A COPY OF THE MOST RECENT
20 THREE-MILE PLAN IN ACCORDANCE WITH SECTION 31-12-108.5 (1)(g); AND

21 (e) THE DUTY TO DETERMINE HOW APPLICABLE
22 INTERGOVERNMENTAL AGREEMENTS AFFECT THE ANNEXING
23 MUNICIPALITY IN ACCORDANCE WITH SECTION 31-12-110 (2).".

24 Strike page 17.

25 Page 18, strike lines 1 through 11.

26 Renumber succeeding section accordingly.

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