


Colorado Legislative Council Staff Fiscal Note
FINAL
FISCAL NOTE

Drafting Number: LLS 12-0708
Prime Sponsor(s): Rep. Vaad
 Sen. Carroll

Date: July 13, 2012
Bill Status: Signed into Law
Fiscal Analyst: Harry Zeid (303-866-4753)

TITLE: CONCERNING REQUIRED COUNTY APPROVAL FOR THE EXPANSION OF SPECIAL DISTRICT DOMESTIC WATER OR SANITARY SERVICE INTO A COUNTY THAT HAS NOT PREVIOUSLY APPROVED THE SPECIAL DISTRICT'S SERVICE PLAN.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: The bill was signed into law by the Governor and took effect on May 11, 2012.		
Appropriation Summary for FY 2012-2013: None required.		
Local Government Impact: See the Local Government section.		

Summary of Legislation

The bill restricts a special district from providing domestic water or sanitary sewer service directly to residents and property owners in unincorporated areas of a county that has not approved the special district's service plan without prior authorization from the Board of County Commissioners. The Board of County Commissioners may review a special district's planned service expansion and may require a public hearing prior to approving the planned special district action. The Board must provide public notice of the possible approval within the newly described area to be served.

Any property owner wishing to have his or her property excluded from the proposed area to be served can request an exclusion. The exclusion request must include a legal description of the property. The board must act upon the request prior to taking final action on the special district service expansion request.

County approval requirements for a special district service area expansion will not apply when a special district:

- provides domestic water or sanitary sewer service only to private property owners pursuant to written agreement between the parties;

- provides domestic or sanitary sewer service within the boundaries of another governmental entity, including a city, a municipality, or another special district; or
- provides storm drainage or storm sewer services or facilities within the county.

Local Government Impact

The discretionary expansion of certain special districts that provide water or sanitary service into a county that has not previously approved the special district's service plan will require prior authorization from the Board of County Commissioners in the county where the expansion will occur. Potential administrative and legal costs may occur for the parties involved related to the hearing process. Not less than 45 days prior to the first meeting of the board where the service expansion is to be considered, public notice to the expanded area will occur in the manner that the county requires. Additional cost to the county will result; the cost is variable, depending on the county's chosen method of public notice.

Departments Contacted

Local Affairs