

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 26-172

BY SENATOR(S) Hinrichsen and Kipp, Ball, Bridges, Cutter, Exum, Gonzales J., Jodeh, Kolker, Lindstedt, Marchman, Sullivan, Coleman; also REPRESENTATIVE(S) Boesenecker and Paschal, Bacon, Brown, Camacho, Carter, Clifford, Duran, English, Froelich, Hamrick, Jackson, Joseph, Lieder, Lindsay, Mauro, McCormick, Nguyen, Ricks, Rutinel, Stewart R., Story, Titone, Zokaie, McCluskie.

CONCERNING THE FRONT RANGE PASSENGER RAIL DISTRICT.

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

SECTION 1. In Colorado Revised Statutes, 32-22-103, **repeal** (4); and **add** (4.5) as follows:

32-22-103. Front range passenger rail district - creation - purpose - boundaries - reports.

~~(4) The area that comprises the district extends from Wyoming to New Mexico and includes:~~

~~(a) The entirety of the city and county of Broomfield and the city and county of Denver;~~

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.

~~(b) All areas within Adams, Arapahoe, Boulder, Douglas, El Paso, Huerfano, Jefferson, Larimer, Las Animas, and Pueblo counties that are located within the territory of a metropolitan planning organization and all areas within Weld county that are located within the city of Longmont and the town of Erie;~~

~~(c) All areas within Huerfano, Las Animas, and Pueblo counties that are not located within the territory of a metropolitan planning organization and that are located within five miles of the public right-of-way of interstate highway 25; and~~

~~(d) All areas within Larimer county that are not located within the territory of a metropolitan planning organization and that are north of the city of Fort Collins and located within five miles of the public right-of-way of interstate highway 25.~~

(4.5) THE AREA THAT COMPRISES THE DISTRICT EXTENDS FROM WYOMING TO NEW MEXICO AND INCLUDES:

(a) THE ENTIRETY OF THE FOLLOWING MUNICIPALITIES:

(I) ARVADA;

(II) BOULDER;

(III) BOW MAR;

(IV) BROOMFIELD;

(V) CENTENNIAL;

(VI) CHERRY HILLS VILLAGE;

(VII) COLORADO SPRINGS;

(VIII) COLUMBINE VALLEY;

(IX) DENVER;

- (X) EDGEWATER;
- (XI) ENGLEWOOD;
- (XII) FEDERAL HEIGHTS;
- (XIII) FORT COLLINS;
- (XIV) GLENDALE;
- (XV) GREENWOOD VILLAGE;
- (XVI) LAFAYETTE;
- (XVII) LAKESIDE;
- (XVIII) LAKEWOOD;
- (XIX) LITTLETON;
- (XX) LONGMONT;
- (XXI) LOUISVILLE;
- (XXII) LOVELAND;
- (XXIII) MANITOU SPRINGS;
- (XXIV) MOUNTAIN VIEW;
- (XXV) PUEBLO;
- (XXVI) SHERIDAN;
- (XXVII) STARKVILLE;
- (XXVIII) SUPERIOR;
- (XXIX) TRINIDAD;

(XXX) WESTMINSTER; AND

(XXXI) WHEAT RIDGE.

(b) THE ENTIRETY OF ANY MUNICIPALITY WHOSE GOVERNING BODY HAS APPROVED INCLUSION IN THE DISTRICT AND, IF REQUIRED PURSUANT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, WHOSE ELECTORS HAVE ALSO APPROVED INCLUSION IN THE DISTRICT.

(c) THE ENTIRETY OF STERLING RANCH COLORADO METROPOLITAN DISTRICT NUMBERS ONE THROUGH SEVEN AND ANY METROPOLITAN DISTRICT ADDED TO THE STERLING RANCH PLANNED DEVELOPMENT IN UNINCORPORATED DOUGLAS COUNTY.

(d) A METROPOLITAN DISTRICT, AS THAT TERM IS DEFINED IN SECTION 32-1-103, THAT IS NOT WITHIN A MUNICIPALITY, IDENTIFIED BY A RESOLUTION ADOPTED BY THE BOARD, AND WHOSE GOVERNING BODY HAS APPROVED INCLUSION IN THE DISTRICT.

SECTION 2. In Colorado Revised Statutes, 32-22-104, **add** (1.5) as follows:

32-22-104. Board of directors - appointment - meetings - compensation - conflicts of interest.

(1.5) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ANY DIRECTOR APPOINTED TO THE BOARD ON OR AFTER JULY 1, 2026, WHO IS NOT A DIRECTOR SERVING ON THE BOARD AS OF JULY 1, 2026, MUST RESIDE WITHIN THE DISTRICT. NOTHING IN THIS SUBSECTION (1)(h) INVALIDATES AN APPOINTMENT TO THE BOARD MADE PRIOR TO JULY 1, 2026, OR OTHERWISE REQUIRES A DIRECTOR APPOINTED TO THE DISTRICT BEFORE JULY 1, 2026, TO BE REMOVED FROM THE BOARD.

SECTION 3. In Colorado Revised Statutes, 32-22-106, **add** (1)(u) as follows:

32-22-106. District - general powers and duties - funds created.

(1) In addition to any other powers granted to the district by this article 22, the district has the following powers:

(u) TO DIVIDE THE DISTRICT INTO ONE OR MORE SUBDISTRICTS AS DESCRIBED IN SECTION 32-1-1101 (1)(f) IN ACCORDANCE WITH THE PROCEDURES DESCRIBED IN SECTION 32-1-1101, TO THE EXTENT APPLICABLE. A SUBDISTRICT CREATED PURSUANT TO THIS SUBSECTION (1)(u) HAS THE SAME BOARD, POWERS, DUTIES, FUNCTION, AND FORM AS A SUBDISTRICT CREATED PURSUANT TO SECTION 32-1-1101 (1)(f), AND THE BOARD OF A SUBDISTRICT HAS THE SAME POWERS AS THE DISTRICT BOARD AS DESCRIBED IN THIS SUBSECTION (1); EXCEPT THAT, THE ONLY VOTING MEMBERS OF THE SUBDISTRICT BOARD MUST BE BOARD DIRECTORS APPOINTED TO THE BOARD BY AN ENTITY THAT INCLUDES TERRITORY WITHIN THE SUBDISTRICT AND BOARD DIRECTORS WHO RESIDE WITHIN THE SUBDISTRICT.

SECTION 4. In Colorado Revised Statutes, 32-22-109, **amend** (1) introductory portion, (1)(b), (1)(c), (2), and (3) as follows:

32-22-109. Taxes, assessments, and multiple-fiscal year borrowing - voter approval required.

(1) No action by the district to establish or increase any tax, NO ACTION BY A SUBDISTRICT TO ESTABLISH OR INCREASE ANY TAX, and no action of the governing body of any station area improvement district to establish or increase any tax or any special assessment on real property authorized by this article 22 shall take effect unless it is first submitted, as applicable, to a vote of the registered electors of the district OR SUBDISTRICT ON THE DATE OF THE STATEWIDE GENERAL ELECTION OR ON THE FIRST TUESDAY IN NOVEMBER OF AN ODD-NUMBERED YEAR, or of the station area improvement district in which the assessment or tax is proposed to be collected. Before submitting a question to establish any district tax to the registered electors of the district OR ANY SUBDISTRICT TAX TO THE REGISTERED ELECTORS OF THE SUBDISTRICT, the district OR SUBDISTRICT shall:

(b) Adopt a resolution certifying that the district OR SUBDISTRICT has made every reasonable effort to secure federal, STATE, OR SPECIAL PURPOSE AUTHORITY funding to support the development, financing, construction, operation, or maintenance of the passenger rail system; and

(c) Approve the submission of the question by an affirmative vote of two-thirds of all voting directors of the RELEVANT board.

(2) No action by the district OR SUBDISTRICT creating a multiple-fiscal year debt or other financial obligation that is subject to section 20 (4)(b) of article X of the state constitution shall take effect unless first submitted to a vote of the registered electors of the district OR SUBDISTRICT.

(3) (a) Ballot issues proposed to the registered electors as required by subsections (1) and (2) of this section must be submitted in accordance with the requirements of section 20 of article X of the state constitution. The action shall not take effect unless a majority of the registered electors voting on the ballot issue vote to approve the ballot issue. ANY DISTRICT OR SUBDISTRICT BALLOT ISSUE NOTICE REQUIRED BY SECTION 20 (3)(b) OF ARTICLE X OF THE STATE CONSTITUTION MUST BE INCLUDED IN THE BALLOT INFORMATION BOOKLET REQUIRED BY SECTION 1 (7.5) OF ARTICLE V OF THE STATE CONSTITUTION IN THE SAME MANNER AS DESCRIBED IN SECTION 1-40-124.5. THE DISTRICT'S DESIGNATED ELECTION OFFICIAL SHALL PROVIDE THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL OF THE GENERAL ASSEMBLY THE INFORMATION REQUIRED BY SECTION 20 (3)(b) OF ARTICLE X OF THE STATE CONSTITUTION TO INCLUDE IN THE BALLOT INFORMATION BOOKLET.

(b) No later than sixty days before a coordinated or general election, the district OR SUBDISTRICT must certify to the secretary of state the ballot titles, content, and order of all ballot measures referred to the registered electors of the district OR SUBDISTRICT by resolution of the board. The content must be certified in English and in any language for which any county within the district OR SUBDISTRICT must provide a minority language sample ballot, as defined in section 1-5-903 (2). If the district OR SUBDISTRICT timely certifies ballot content to the secretary of state, the secretary of state must certify the district's ballot content to the county clerk and recorders of all counties wholly or partially included in the district OR SUBDISTRICT no later than the fifty-seventh day before the election, in accordance with section 1-5-203 (1)(a).

(c) ~~Except for~~ FOLLOWING the certification of the ballot order and content by the secretary of state required by subsection (3)(b) of this section, the election must be conducted in substantially the same manner as county elections, and the county clerk and recorder of each county in which the election is conducted shall assist the district in conducting the election STATEWIDE ELECTIONS. The ~~district shall pay the~~ costs incurred by each

county in conducting the election on behalf of the district OR SUBDISTRICT WILL BE REIMBURSED as provided for in ~~section 1-7-116 (2)(b)~~ SECTION 1-5-505.5 (1)(a). No public money of the district may be used to urge or oppose passage of a ballot issue submitted for voter approval as required under this section.

SECTION 5. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO