

# COLORADO LAWS ENACTED AFFECTING MUNICIPAL GOVERNMENTS

2010 LEGISLATIVE SESSION



# CML

COLORADO MUNICIPAL LEAGUE

*The Voice of Colorado's Cities and Towns*

**SB 10-100** **RENEWABLE ENERGY**  
**Renewable energy improvement districts**

Current law prohibits local improvement districts for energy efficiency improvements and renewable energy improvements (energy LIDs) to cross county boundaries. Allows such a district formed by a county to be created in two or more counties. Expands the definition of “renewable energy improvement” for energy LIDs formed by both counties and municipalities to include improvements located at a qualified community location rather than directly on a residential or commercial building. Contains other provisions. Effective May 25, 2010. Lobbyist: Geoff Wilson, gwilson@cml.org.

**HB 10-1342** **RENEWABLE ENERGY**  
**Community “solar gardens”**

Directs the PUC to adopt new rules under which rebates can apply to solar generation facilities that are beneficially owned by 10 or more customers at a shared location, called a “community solar garden.” Defines a solar community garden as an on-site eligible solar electric generation facility with a nameplate rating of 2 megawatts or less and in which subscriptions are owned by 10 or more customers of a qualifying retail utility, and limits the size of a subscription to 120 percent of the average annual electric consumption of each subscriber at the premises to which the subscription is attributed. Allows the creation of a community solar garden owned by a subscriber organization, subject to rules adopted by the PUC by Oct. 1, 2010. Contains other provisions. Effective June 6, 2010. Lobbyist: Geoff Wilson, gwilson@cml.org.

**SB 10-174** **SEVERANCE TAX/  
FEDERAL MINERAL LEASE**  
**Geothermal resources**

Allows municipalities and counties to designate the use of geothermal resources for the commercial production of electricity as an activity of state interest. Directs federal mineral lease revenues derived from geothermal resource development to the geothermal resource leasing fund, and authorizes the executive director of the department of local affairs to distribute monies to state and local entities under certain conditions. Contains numerous other provisions. Effective Aug. 11, 2010 Lobbyist: Kevin Bommer, kbommer@cml.org.

**HB 10-1125** **SOLID WASTE**  
**Yellow grease disposal and collection**

Empowers the Colorado department of public health and environment to regulate the collection, transportation, and disposal of trap grease and yellow grease. Requires persons, facilities, and vehicles engaged in the collection, transportation, storage, processing, or disposal of grease to register annually with the department, which registration shall include completing an application, paying a fee, and posting a surety bond or other debt instrument or method of financial assurance. Requires the solid and hazardous

waste commission in the department to promulgate rules. Contains other provisions. Effective Aug. 11, 2010. Lobbyist: Geoff Wilson, gwilson@cml.org.

**SB 10-046** **SPECIAL DISTRICTS**  
**Forest improvement district boundaries**

Allows a governing body of a county or municipality to propose the creation of a forest improvement district with boundaries not necessarily encompassing the entire territory of the county or municipality. Effective March 10, 2010. Lobbyist: Kevin Bommer, kbommer@cml.org.

**HB 10-1243** **SPECIAL DISTRICTS**  
**Metropolitan districts – Transportation**

Authorizes the board of county commissioners in a county of any population to create a special district that is a metropolitan district organized with street improvement, safety protection, or transportation powers, which district may levy, with voter approval, a uniform sales tax in any unincorporated territory of the district. Requires proceeds of any sales tax levied to be used only to fund transportation-related safety protection and street improvement in areas of the metropolitan district in which the tax is levied and transportation, as described in, and limited by, specified existing statutory provisions. Requires the department of revenue to collect, administer, and enforce any sales tax levied; Contains other provisions. Effective Aug. 11, 2010. Lobbyist: Geoff Wilson, gwilson@cml.org.

**HB 10-1362** **SPECIAL DISTRICTS**  
**Inactive status**

The bill establishes procedures by which a special district may designate itself as inactive and by which an inactive special district may return to active status. The bill authorizes the board of directors (board) of an inactive special district to adopt a resolution that describes and affirms its qualifications for its inactive status and may direct that a notice of inactive status be filed with specified persons or entities. The act specifies that the special district shall be on inactive status during the period commencing with its notice of inactive status until such time as it has issued a notice of its determination to return to active status. During the period that a district is on inactive status, the act forbids such district from issuing any debt, imposing a mill levy, or conducting any other official business other than conducting elections and undertaking procedures necessary to implement the district’s intention to return to active status; Contains other provisions. Effective Aug. 11, 2010. Lobbyist: Geoff Wilson, gwilson@cml.org.

**HB 10-1327** **STATE BUDGET**  
**General fund augmentation with  
local government cash funds**

Among other cash fund transfers to the state general fund for the 2009-10 state fiscal year, requires the state treasurer to transfer specified amounts from the FML local government permanent fund, the local government