

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0858.01 Caroline Martin x5902

SENATE BILL 26-150

SENATE SPONSORSHIP

Ball and Jodeh,

HOUSE SPONSORSHIP

Froelich and Jackson,

Senate Committees
Transportation & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING REFORMS TO THE REGIONAL TRANSPORTATION DISTRICT**
102 **TO INCREASE ACCOUNTABILITY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill changes requirements for the regional transportation district (RTD). **Section 3** requires RTD, on or before December 31, 2027, to contract with a third party to complete and submit to the general assembly a comprehensive analysis and planning effort that informs a holistic vision and plan for providing service to riders with disabilities in the district and that includes:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

- A needs assessment of the population, needs, and service gaps for riders with disabilities in the district;
- An assessment of possible improvements to the integration of access-a-ride and access-on-demand paratransit services;
- An assessment of opportunities for the district to collaborate with local and regional partners to address service gaps;
- Engagement with paratransit users, riders with disabilities, service providers, and other key stakeholders;
- The establishment of an overarching framework and goals to guide future paratransit decision-making;
- A plan for fiscal sustainability that is informed by considerations of long-term cost projections, tradeoffs between services, and peer agency comparisons; and
- An assessment and plans for the use of any innovative and technology-enabled service models.

Section 4 changes elections for RTD board members (members) for the November 2028 election by requiring the office of legislative legal services and the legislative council staff to apportion the composition of the board so that the 5 elected directors will represent, to the extent practical, the people of the district on the basis of population. After the federal census in 2030, and after each federal census thereafter, the independent legislative redistricting commission is required to apportion the composition of the board so that the 5 elected directors will represent, to the extent practical, the people of the district on the basis of population. The office of legislative legal services, the legislative council staff, and the independent legislative redistricting commission are required to take into account the most recently available district ridership numbers when drawing director districts. Members elected from newly drawn districts may serve up to 2 4-year terms.

Section 5 makes conforming changes.

Section 6 specifies that the board may elect one member as chairperson of the board to serve for a term of 2 years, elect one member as chairperson pro tempore of the board, and elect one or more individuals as secretary and treasurer of the board. **Section 7** changes the number of members that constitutes a quorum of the RTD board from 8 to 5.

Section 8 changes the salary for a member that is not selected as board chairperson and is elected or appointed in 2028 or later from \$12,000 to \$36,000 annually, adjusted for inflation or deflation. The salary for a board chairperson selected after the general election in November 2028 equals 150% of the salary of a member who is not selected as board chairperson.

Section 9 changes the composition of the RTD board. Current law provides for 15 board members, all of whom are elected. The bill

provides that, beginning January 1, 2029, the current members' terms will expire and the terms of 9 new members will begin, with 5 of those members being elected and 4 being appointed by the governor. Of the 4 newly appointed members:

- 2 must be appointed from a list of nominees provided by the Denver regional council of governments; and
- 2 must be appointed at the governor's discretion.

On and after January 1, 2029, the 4 appointed members are each required to reside within the district, represent the district at large, and must be confirmed by the senate after appointment. At least one member must be a current or former member of the union that represents the largest collective bargaining unit of employees of the district. The 4 appointed members are collectively required to possess expertise related to the following areas:

- Finance;
- Land use and multimodal transportation planning;
- Transit operations; and
- Transit agency programs serving disproportionately impacted communities.

Beginning in 2028, the Denver regional council of governments shall provide the governor with a list of nominees for board member, from which list the governor shall select members. The list must contain at least 3 times the number of qualified nominees as there are member positions to be filled, and the Denver regional council of governments is required to comply with certain requirements when compiling the list.

Newly appointed members may serve up to 2 terms, with each term expiring after a member has served for 4 consecutive calendar years; except that 2 of the initial appointees will serve an initial term of 2 years. Any term served by a member that lasts for less than 2 years does not count towards the member's 2-term limit.

The member terms are staggered such that, on January 1, 2031, 4 of the 9 members' terms expire. At the November 2030 general election, and at every general election in an even-numbered year thereafter, the number of members to be elected at the election equals the number of member terms expiring on January 1 of the following year. On or before the day of the November 2030 general election, and on or before the day of the November general election in every even-numbered year thereafter, the governor shall appoint 2 new board members, one of whom is from a list of nominees provided by the Denver regional council of governments, and one of whom is appointed at the governor's discretion.

If the seat of a member that was chosen from a list of nominees provided by the Denver regional council of governments is vacant, the Denver regional council of governments shall, within 60 days after the vacancy occurs, provide the governor with a list of at least 3 qualified nominees for the vacant member seat. The governor shall, within 60 days

after receiving the list or 60 days after the vacancy occurs, whichever is later, select a member from the list to fill the vacancy. If the seat of a member that the governor appointed at the governor's discretion is vacant, the governor shall, within 60 days after the vacancy occurs, select a member to fill the vacancy at the governor's discretion.

The governor may remove an appointed member for malfeasance in office, neglect of duty, failure to regularly attend meetings, or any other cause that renders the member incapable or unfit to discharge the duties of the board. If any member is absent from 2 consecutive meetings without reasonable cause, the chairperson shall notify the governor, who may remove the absent member and appoint a qualified replacement for the unexpired term. A prospective member to be appointed shall disclose any potential conflicts of interest prior to confirmation and shall disclose any conflicts that arise during the member's term at a public board meeting. Failure to disclose, or taking action on a matter in which the member has an undisclosed conflict of interest, constitutes cause for removal by the governor.

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

2 **SECTION 1. Short title.** The short title of this act is the
3 "Modernizing the Regional Transportation District Act".

4 **SECTION 2.** In Colorado Revised Statutes, 32-9-102, **add** (3)
5 and (4) as follows:

6 **32-9-102. Legislative declaration.**

7 (3) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

8 (a) SENATE BILL 25-161, ENACTED IN 2025, DIRECTED THE
9 REGIONAL TRANSPORTATION DISTRICT TO MAXIMIZE RIDERSHIP LEVELS
10 ACROSS THE REGION AND CREATED A REGIONAL TRANSPORTATION
11 DISTRICT ACCOUNTABILITY COMMITTEE. THE ACCOUNTABILITY
12 COMMITTEE WAS CREATED TO EVALUATE AND MAKE RECOMMENDATIONS
13 RELATED TO GOVERNANCE, WORKFORCE RETENTION, AND PARATRANSIT
14 SERVICES.

15 (b) THE ACCOUNTABILITY COMMITTEE WAS COMPOSED OF A
16 DIVERSE SET OF APPOINTMENTS REPRESENTING KEY CONSTITUENCIES OF

1 THE DISTRICT, INCLUDING LOCAL GOVERNMENTS, DISTRICT BOARD
2 MEMBERS, TRANSIT RIDERS WITH DISABILITIES, TRANSPORTATION EQUITY
3 ADVOCATES, ENVIRONMENTAL ADVOCATES, FINANCIAL EXPERTS, AND
4 MORE;

5 (c) TO CARRY OUT ITS STATUTORY RESPONSIBILITIES, THE
6 ACCOUNTABILITY COMMITTEE IMPLEMENTED A ROBUST PROCESS GUIDED
7 BY A NEUTRAL FACILITATOR, WHICH GENERATED THIRTY-ONE
8 RECOMMENDATIONS SUPPORTED BY A MAJORITY OF THE COMMITTEE;

9 (d) THE ACCOUNTABILITY COMMITTEE IDENTIFIED SEVERAL
10 SYSTEMIC CHALLENGES FACING THE DISTRICT, INCLUDING LOW AND
11 STAGNATING RIDERSHIP, MOUNTING BUDGET CHALLENGES, A LOSS OF
12 PUBLIC TRUST AND CONFIDENCE, AND A LACK OF A COORDINATED,
13 STRATEGIC VISION;

14 (e) THE ACCOUNTABILITY COMMITTEE IDENTIFIED SEVERAL
15 GOVERNANCE-RELATED CHALLENGES FACING THE DISTRICT, INCLUDING
16 THE LARGE SIZE OF THE BOARD;

17 (f) THE ACCOUNTABILITY COMMITTEE FOUND THAT THE SIZE OF
18 THE BOARD POSED CHALLENGES TO BRIEFING MEMBERS, DEVELOPMENT OF
19 PRODUCTIVE WORKING RELATIONSHIPS AMONG MEMBERS, REACHING
20 COMMON UNDERSTANDINGS, AND NAVIGATING DIFFICULT DECISIONS.
21 THOSE FINDINGS ECHO THE 2021 RTD GOVERNANCE EVALUATION FINAL
22 REPORT, WHICH STATED: "BEST PRACTICE SHOWS THAT AS GOVERNING
23 BOARDS GROW IN SIZE, THE EFFICACY OF THEIR WORK DECREASES."

24 (g) THE ACCOUNTABILITY COMMITTEE ALSO IDENTIFIED THE LACK
25 OF COMPETITION FOR ELECTED SEATS AND THE LACK OF EXPERTISE ON THE
26 BOARD AS GOVERNANCE-RELATED CHALLENGES FACING THE DISTRICT.
27 ACCORDING TO THE SECRETARY OF STATE, OUT OF ONE HUNDRED

1 SEVENTY-TWO DISTRICT ELECTORAL CONTESTS OCCURRING SINCE 1980,
2 FORTY PERCENT WERE UNCONTESTED. THE ACCOUNTABILITY COMMITTEE
3 IDENTIFIED A NEED FOR KEY AREAS OF BOARD EXPERTISE TO ENSURE THE
4 BOARD COULD PROVIDE THE NECESSARY POLICY LEADERSHIP AND FISCAL
5 OVERSIGHT TO GUIDE THE DISTRICT THROUGH ITS CHALLENGES.

6 (h) WHILE THE DISTRICT HAS SERVED THE REGION FOR DECADES
7 UNDER ITS CURRENT GOVERNANCE MODEL, THE ACCOUNTABILITY
8 COMMITTEE DETERMINED THAT THE STRUCTURES, PRACTICES, AND
9 EXPECTATIONS THAT MAY HAVE BEEN ADEQUATE IN THE PAST ARE NO
10 LONGER SUFFICIENT TO MEET THE SCALE, COMPLEXITY, AND URGENCY OF
11 THE DISTRICT'S CURRENT AND FUTURE CHALLENGES;

12 (i) THE ACCOUNTABILITY COMMITTEE CONCLUDED THAT THE
13 CURRENT GOVERNANCE STRUCTURE DOES NOT ADEQUATELY PROVIDE THE
14 LEVEL OF EXPERTISE, ACCOUNTABILITY, AND STRATEGIC LEADERSHIP
15 REQUIRED TO SUPPORT THE DISTRICT'S SCALE, FISCAL COMPLEXITY, AND
16 REGIONAL IMPORTANCE, AND THAT THERE IS AN URGENT NEED FOR
17 REFORM; AND

18 (j) THE ACCOUNTABILITY COMMITTEE FURTHER CONCLUDED THAT
19 THE DISTRICT IS AT A CRITICAL CROSSROADS, THE DISTRICT'S CURRENT
20 GOVERNANCE STRUCTURE DOES NOT WORK IN THE PRESENT AND WILL NOT
21 WORK IN THE FUTURE, AND SIGNIFICANT CHANGE IS NEEDED IN THE FORM
22 OF A DIFFERENT DISTRICT GOVERNANCE STRUCTURE.

23 (4) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
24 THIS SENATE BILL 26-____ ADVANCES IMPLEMENTATION OF THE
25 REGIONAL TRANSPORTATION DISTRICT ACCOUNTABILITY COMMITTEE
26 RECOMMENDATIONS THAT ARE RELEVANT TO THE REGIONAL
27 TRANSPORTATION DISTRICT STATUTES, WHILE SOME RECOMMENDATIONS

1 WERE MADE DIRECTLY TO THE DISTRICT OR OTHER KEY STAKEHOLDERS.
2 THE GENERAL ASSEMBLY EXPECTS THE DISTRICT TO EXECUTE AND REPORT
3 ON THE STATUS OF ALL RECOMMENDATIONS OF THE 2025-2026
4 COMMITTEE, REGARDLESS OF WHETHER THOSE RECOMMENDATIONS ARE
5 IMPLEMENTED IN THIS SENATE BILL 26_____.

6 **SECTION 3.** In Colorado Revised Statutes, 32-9-165, **add (3)(c),**
7 **(3)(d), and (3)(e)** as follows:

8 **32-9-165. Planning - ten-year plan - comprehensive**
9 **operational analysis - reporting - funding study - transit-oriented**
10 **community infrastructure - budget transparency and oversight.**

11 (3) **Reports.**

12 (c) ON OR BEFORE DECEMBER 31, 2026, THE DISTRICT SHALL
13 CONTRACT WITH AN INDEPENDENT THIRD-PARTY ENTITY TO CONDUCT A
14 COMPREHENSIVE PARATRANSIT SERVICE STUDY AND SHALL SUBMIT THE
15 STUDY TO THE HOUSE OF REPRESENTATIVES TRANSPORTATION, HOUSING,
16 AND LOCAL GOVERNMENT COMMITTEE AND THE SENATE TRANSPORTATION
17 AND ENERGY COMMITTEE. WITHIN NINETY DAYS OF COMPLETING THE
18 STUDY, THE DISTRICT SHALL PRESENT THE STUDY TO A JOINT MEETING OF
19 THE HOUSE OF REPRESENTATIVES TRANSPORTATION, HOUSING, AND LOCAL
20 GOVERNMENT COMMITTEE AND THE SENATE TRANSPORTATION AND
21 ENERGY COMMITTEE. THE DISTRICT SHALL REQUIRE THAT THE
22 INDEPENDENT THIRD-PARTY ENTITY PROVIDE QUARTERLY UPDATES ON
23 THE PROGRESS OF THE STUDY TO THE BOARD. THE STUDY MUST INCLUDE:

24 (I) A NEEDS ASSESSMENT OF THE POPULATION, NEEDS, AND
25 SERVICE GAPS FOR RIDERS IN THE DISTRICT WITH DISABILITIES THAT
26 INCLUDES AN ANALYSIS OF RIDER-LEVEL AND TRIP-LEVEL DATA,
27 INCLUDING THE DISTRIBUTION OF TRIP FREQUENCY, IDENTIFICATION OF

1 HIGH-UTILIZATION RIDERS, CHANGES IN RIDERSHIP PATTERNS FOLLOWING
2 THE JANUARY 1, 2026, FARE AND SUBSIDY CHANGES, IMPACTS OF THOSE
3 CHANGES ON FREQUENT AND HIGH-NEED RIDERS, AND REDUCTION OF
4 ACCESS TO SERVICE DUE TO LOSS SERVICE OR ECONOMIC HARDSHIP FROM
5 FARE CHANGES;

6 (II) A COST-BENEFIT ASSESSMENT WITH LONG-TERM PROJECTIONS
7 BETWEEN COST REDUCTIONS AND SERVICE AVAILABILITY OR ACCESS OF
8 PARATRANSIT SERVICE DELIVERY MODELS FOR ACCESS-A-RIDE AND
9 ACCESS-ON-DEMAND, INCLUDING INTEGRATED, HYBRID, STAND-ALONE,
10 AND ALTERNATIVE SERVICE SCENARIOS, AND INCLUDING ANALYSIS OF
11 CHANGES TO FARE LEVELS, SUBSIDIES, AND SERVICE LIMITS. THE
12 ASSESSMENT MUST INCLUDE PEER AGENCY COMPARISONS AND USE
13 STANDARDIZED COST DEFINITIONS AND METHODOLOGY, ANALYSIS OF COST
14 PER TRIP AND PER RIDER, AND IDENTIFICATION OF KEY COST DRIVERS,
15 SUCH AS DISTINCTIONS BETWEEN FIXED AND VARIABLE COSTS;

16 (III) A DEFINITION OF MEASURABLE PERFORMANCE METRICS
17 RELATED TO ACCESS, RELIABILITY, EQUITY, AND COST-EFFECTIVENESS;

18 (IV) AN ASSESSMENT OF OPPORTUNITIES TO COLLABORATE WITH
19 LOCAL AND REGIONAL PARTNERS TO ADDRESS SERVICE GAPS;

20 (V) ENGAGEMENT WITH PARATRANSIT USERS, RIDERS WITH
21 DISABILITIES, SERVICE PROVIDERS, AND OTHER KEY STAKEHOLDERS AND
22 DOCUMENTATION OF HOW STAKEHOLDER INPUT INFORMED FINDINGS;

23 (VI) AN ASSESSMENT OF SYSTEM PERFORMANCE, INCLUDING
24 RELIABILITY METRICS, TRIP DENIALS, WAIT TIMES, ON-TIME PERFORMANCE,
25 AND RIDER EXPERIENCE ACROSS SERVICE MODES, IDENTIFICATION OF ANY
26 CAPACITY CONSTRAINTS OR SERVICE LIMITATIONS, AND AN ASSESSMENT
27 OF INNOVATIVE, TECHNOLOGY-ENABLED SERVICE MODELS; AND

1 (VII) AN ASSESSMENT OF BARRIERS FOR PARATRANSIT RIDERS
2 ANDRIDERS WITH DISABILITIES TO ACCESS A LOW-INCOME FARE DISCOUNT.

3 (d) ON OR BEFORE DECEMBER 31, 2027, THE DISTRICT SHALL
4 COMPLETE, ADOPT, AND BEGIN IMPLEMENTING AN ACCESSIBLE
5 TRANSPORTATION SERVICE PLAN INFORMED BY THE COMPREHENSIVE
6 PARATRANSIT SERVICE STUDY. THE DISTRICT SHALL PRESENT THE PLAN TO
7 A JOINT MEETING OF THE HOUSE OF REPRESENTATIVES TRANSPORTATION,
8 HOUSING, AND LOCAL GOVERNMENT COMMITTEE AND THE SENATE
9 TRANSPORTATION AND ENERGY COMMITTEE WITHIN NINETY DAYS OF
10 COMPLETING THE PLAN. THE PLAN MUST INCLUDE:

11 (I) A HOLISTIC VISION FOR PROVIDING APPROPRIATE AND
12 ACCESSIBLE TRANSPORTATION SERVICE TO RIDERS WITH DISABILITIES IN
13 THE DISTRICT;

14 (II) THE ESTABLISHMENT OF AN OVERARCHING FRAMEWORK TO
15 GUIDE FUTURE PARATRANSIT DECISION-MAKING, INCLUDING MEASURABLE
16 METRICS OF PERFORMANCE IN ACCESS, RELIABILITY, EQUITY, AND
17 COST-EFFECTIVENESS;

18 (III) A FRAMEWORK FOR FISCAL SUSTAINABILITY INFORMED BY
19 CONSIDERATIONS OF LONG-TERM COST PROJECTIONS, TRADEOFFS BETWEEN
20 SERVICES, AND PEER AGENCY COMPARISONS;

21 (IV) A FRAMEWORK FOR THE USE OF ANY INNOVATIVE AND
22 TECHNOLOGY-ENABLED SERVICE MODELS; AND

23 (V) AN IMPLEMENTATION FRAMEWORK WITH TIMELINES, PRIORITY
24 ACTIONS, REPORTING ON IMPLEMENTATION PROGRESS.

25 (e) ON OR BEFORE DECEMBER 31, 2027, THE DISTRICT SHALL
26 SUBMIT TO THE HOUSE OF REPRESENTATIVES TRANSPORTATION, HOUSING,
27 AND LOCAL GOVERNMENT COMMITTEE AND THE SENATE TRANSPORTATION

1 AND ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND TO THE
2 GOVERNOR, A REPORT CONTAINING RESPONSES TO AND THE DISTRICT'S
3 IMPLEMENTATION TIMELINE OF ALL RECOMMENDATIONS MADE TO THE
4 DISTRICT BY THE 2025-2026 REGIONAL TRANSPORTATION DISTRICT
5 ACCOUNTABILITY COMMITTEE.

6 **SECTION 4.** In Colorado Revised Statutes, 32-9-111, **amend**
7 (1)(a) and (5)(a); and **add** (1)(c), (1)(d), (1)(e), (1)(f), and (7) as follows:

8 **32-9-111. Election of directors - dates - terms.**

9 (1) (a) After the federal census in 1980 and each federal census
10 thereafter BEFORE THE 2030 FEDERAL CENSUS, the board of directors shall
11 apportion the composition of the board into compact and contiguous
12 director districts so that the fifteen directors will represent, to the extent
13 practical, the people of the district on the basis of population. Such
14 apportionment ~~shall~~ MUST be completed before March 15 of the second
15 year following that in which the federal census is taken and ~~shall~~ MUST
16 be made only upon the affirmative vote of two-thirds of the total
17 membership of the board. If such apportionment is not completed before
18 March 15 of such year, the legislative council, with the assistance of the
19 director of research of the legislative council and the director of the office
20 of legislative legal services, shall, by April 15, apportion the composition
21 of the board into compact and contiguous director districts so that the
22 fifteen directors will represent, to the extent practicable, the people of the
23 district on the basis of population. The apportionment recommended by
24 the legislative council ~~shall~~ MUST be submitted to the general assembly
25 which shall approve or amend the apportionment before May 1 of such
26 year.

27 (c) ON OR BEFORE SEPTEMBER 15, 2027, THE OFFICE OF

1 LEGISLATIVE LEGAL SERVICES AND THE LEGISLATIVE COUNCIL STAFF
2 SHALL APPORTION THE COMPOSITION OF THE BOARD INTO COMPACT AND
3 CONTIGUOUS DIRECTOR DISTRICTS SO THAT THE FIVE ELECTED DIRECTORS
4 WILL REPRESENT, TO THE EXTENT PRACTICAL, THE PEOPLE OF THE DISTRICT
5 ON THE BASIS OF POPULATION. THE OFFICE OF LEGISLATIVE LEGAL
6 SERVICES SHALL TAKE INTO ACCOUNT THE MOST RECENTLY AVAILABLE
7 DISTRICT RIDERSHIP NUMBERS WHEN CREATING DIRECTOR DISTRICTS. THE
8 FIVE ELECTED DIRECTORS WHO WILL BE ELECTED AT THE GENERAL
9 ELECTION IN NOVEMBER 2028 WILL BE ELECTED FROM THESE FIVE
10 DIRECTOR DISTRICTS.

11 (d) ON OR BEFORE JULY 1, 2027, THE DISTRICT SHALL PROVIDE
12 DATA REGARDING THE GEOGRAPHIC DISTRIBUTION OF RIDERSHIP AND ANY
13 OTHER DISTRICT RIDERSHIP INFORMATION NEEDED TO CREATE DIRECTOR
14 DISTRICTS TO THE OFFICE OF LEGISLATIVE LEGAL SERVICES AND THE
15 LEGISLATIVE COUNCIL STAFF.

16 (e) AFTER THE FEDERAL CENSUS IN 2030 AND AFTER EACH
17 FEDERAL CENSUS THEREAFTER, THE INDEPENDENT LEGISLATIVE
18 REDISTRICTING COMMISSION CREATED PURSUANT TO SECTION 46 OF
19 ARTICLE V OF THE STATE CONSTITUTION SHALL APPORTION THE
20 COMPOSITION OF THE BOARD INTO COMPACT AND CONTIGUOUS DIRECTOR
21 DISTRICTS SO THAT THE FIVE ELECTED DIRECTORS WILL REPRESENT, TO
22 THE EXTENT PRACTICAL, THE PEOPLE OF THE DISTRICT ON THE BASIS OF
23 POPULATION. THE INDEPENDENT LEGISLATIVE REDISTRICTING COMMISSION
24 SHALL TAKE INTO ACCOUNT THE MOST RECENTLY AVAILABLE DISTRICT
25 RIDERSHIP NUMBERS WHEN DRAWING DIRECTOR DISTRICTS. THE
26 APPORTIONMENT OF DIRECTOR DISTRICTS MUST BE COMPLETED ON THE
27 SAME TIMELINE AND USING THE SAME PROCEDURES AS THOSE SPECIFIED

1 FOR THE APPORTIONMENT OF SENATORIAL AND REPRESENTATIVE
2 DISTRICTS IN SECTIONS 46 TO 48.3 OF ARTICLE V OF THE STATE
3 CONSTITUTION.

4 (f) ON OR BEFORE THE FIRST DAY OF EACH YEAR THAT THE
5 INDEPENDENT LEGISLATIVE REDISTRICTING COMMISSION MEETS TO
6 APPORTION THE COMPOSITION OF THE BOARD IN ACCORDANCE WITH
7 SUBSECTION (1)(e) OF THIS SECTION, THE DISTRICT SHALL PROVIDE DATA
8 REGARDING THE GEOGRAPHIC DISTRIBUTION OF RIDERSHIP AND ANY
9 OTHER DISTRICT RIDERSHIP INFORMATION NEEDED TO CREATE DIRECTOR
10 DISTRICTS TO THE INDEPENDENT LEGISLATIVE REDISTRICTING
11 COMMISSION.

12 (5) (a) Except as provided in this subsection (5), nominations for
13 an election of directors shall be made in accordance with the general
14 election laws of the state. Nominations for directors shall be made by
15 petition and filed in the office of the secretary of state in the manner
16 provided for independent candidates pursuant to section 1-4-802 and part
17 9 of article 4 of title 1, C.R.S. The petitions shall be signed by at least ~~two~~
18 ~~hundred fifty~~ ONE THOUSAND eligible electors residing within the director
19 district in which the officer is to be elected.

20 (7) MEMBERS ELECTED FROM DISTRICTS DRAWN IN ACCORDANCE
21 WITH SUBSECTION (1)(c) OR (1)(d) OF THIS SECTION MAY SERVE UP TO TWO
22 TERMS, WITH EACH TERM EXPIRING AFTER A MEMBER HAS SERVED FOR
23 FOUR CONSECUTIVE CALENDAR YEARS. ANY TERM SERVED BY A MEMBER
24 THAT LASTS FOR LESS THAN TWO YEARS DOES NOT COUNT TOWARD THE
25 MEMBER'S TWO-TERM LIMIT, BUT A MEMBER SHALL NOT SERVE MORE THAN
26 EIGHT TOTAL YEARS ON THE BOARD. A TERM THAT A MEMBER SERVED ON
27 THE BOARD PRIOR TO JANUARY 1, 2029, COUNTS TOWARD THAT MEMBER'S

1 TWO-TERM LIMIT.

2 **SECTION 5.** In Colorado Revised Statutes, 32-9-112, **amend** (1),
3 (1.5), and (2) as follows:

4 **32-9-112. Vacancies - appointments - recall.**

5 (1) A change of residence of a member ~~of~~ ELECTED TO the board
6 to a place outside the director district from which the member was elected
7 ~~shall~~ automatically ~~create~~ CREATES a vacancy on the board. Upon a
8 vacancy OF AN ELECTED MEMBER occurring for any reason other than
9 normal expiration of a term, the vacancy ~~shall~~ MUST be filled by
10 appointment by the board of county commissioners of the county wherein
11 the director district is located or, in the case of a member elected in
12 Denver, by the mayor of the city and county of Denver, with the approval
13 of the city council of said city and county. In the case of a director district
14 which contains territory in two or more counties, or in the city and county
15 of Denver and in one or more counties, the vacancy ~~shall~~ MUST be filled
16 by appointment by the board of county commissioners of the county
17 wherein the largest number of eligible electors of the director district
18 reside; except that, if the largest number of eligible electors of the director
19 district reside in the city and county of Denver, the vacancy ~~shall~~ MUST
20 be filled by appointment by the mayor of the city and county of Denver,
21 with the approval of the city council of the city and county.

22 (1.5) Any director appointed ~~shall serve~~ PURSUANT TO THIS
23 SECTION SERVES until the next regular election, at which time the vacancy
24 ~~shall~~ MUST be filled by election for any remaining unexpired portion of
25 the term.

26 (2) Effective July 1, 1983, any ELECTED member of the board may
27 be recalled from office by the eligible electors of the director district such

1 member represents pursuant to the provisions of part 1 of article 12 of
2 title 1. ~~C.R.S.~~

3 **SECTION 6.** In Colorado Revised Statutes, 32-9-114, **amend**
4 (1)(c); and **add** (1)(c.5) and (2) as follows:

5 **32-9-114. Board's administrative powers - terms of elected**
6 **chairperson.**

7 (1) The board has the following administrative powers:

8 (c) To elect one director as ~~chairman~~ CHAIRPERSON of the board
9 ~~and another director as chairman pro tem of the board, and to appoint one~~
10 ~~or more persons as secretary and treasurer of the board~~ TO SERVE FOR A
11 TERM OF TWO YEARS;

12 (c.5) TO ELECT ONE DIRECTOR AS CHAIRPERSON PRO TEMPORE OF
13 THE BOARD AND TO ELECT ONE OR MORE INDIVIDUALS AS SECRETARY AND
14 TREASURER OF THE BOARD;

15 (2) A DIRECTOR ELECTED AS CHAIRPERSON PURSUANT TO
16 SUBSECTION (1)(c) OF THIS SECTION MAY SERVE AS CHAIRPERSON FOR
17 MULTIPLE TERMS.

18 **SECTION 7.** In Colorado Revised Statutes, 32-9-116, **amend** (3)
19 as follows:

20 **32-9-116. Meetings of board.**

21 (3) Effective January 1, 1983, any action of the board shall require
22 the affirmative vote of at least ~~eight~~ FIVE members present and voting.

23 **SECTION 8.** In Colorado Revised Statutes, 32-9-117, **amend** (2);
24 and **add** (5) and (6) as follows:

25 **32-9-117. Compensation of directors.**

26 (2) Effective January 1, 2009, each director elected at the 2008
27 general election or at any general election ~~thereafter~~ OCCURRING AFTER

1 2008 BUT BEFORE 2028 and each director appointed to fill a vacancy for
2 an unexpired term of a director elected at the 2008 general election or AT
3 any GENERAL election ~~thereafter~~ OCCURRING AFTER 2008 BUT BEFORE
4 2028 shall receive a sum of twelve thousand dollars per annum, payable
5 at the rate of one thousand dollars per month.

6 (5) EXCEPT AS PROVIDED IN SUBSECTION (6) OF THIS SECTION,
7 EACH DIRECTOR ELECTED AT THE GENERAL ELECTION IN NOVEMBER 2028
8 OR AT ANY GENERAL ELECTION THEREAFTER AND EACH DIRECTOR
9 APPOINTED IN 2028 OR LATER WILL RECEIVE AN ANNUAL SUM THAT
10 EQUALS THIRTY-SIX THOUSAND DOLLARS PER ANNUM ANNUALLY
11 ADJUSTED FOR INFLATION OR DEFLATION. INFLATION OR DEFLATION IS
12 MEASURED BY THE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES
13 DEPARTMENT OF LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE
14 INDEX, OR A SUCCESSOR INDEX, FOR DENVER-AURORA-LAKEWOOD FOR
15 ALL ITEMS PAID FOR BY URBAN CONSUMERS.

16 (6) A DIRECTOR SELECTED TO SERVE AS CHAIRPERSON IN
17 ACCORDANCE WITH SECTION 32-9-114 (1)(c) AT ANY TIME AFTER THE
18 GENERAL ELECTION IN NOVEMBER 2028 WILL RECEIVE AN ANNUAL SUM
19 EQUAL TO ONE HUNDRED FIFTY PERCENT OF THE SALARY OF A DIRECTOR
20 AS SPECIFIED IN SUBSECTION (5) OF THIS SECTION.

21 **SECTION 9.** In Colorado Revised Statutes, 32-9-109.5, **amend**
22 (1), (2), (4) introductory portion, (4)(a), (4)(b), (4)(c), and (4)(d); and **add**
23 (5), (6), (7), (8), (9), and (10) as follows:

24 **32-9-109.5. Board of directors - membership - powers.**

25 (1) (a) Effective BEGINNING January 1, 1983, AND ENDING
26 DECEMBER 31, 2028, the governing body of the district ~~shall be~~ IS a board
27 of directors consisting of fifteen persons, each of whom is an eligible

1 elector residing within ~~the~~ A director district.

2 (b) EFFECTIVE JANUARY 1, 2029, THE GOVERNING BODY OF THE
3 DISTRICT IS A BOARD OF DIRECTORS CONSISTING OF NINE PERSONS, FIVE OF
4 WHOM ARE ELIGIBLE ELECTORS RESIDING WITHIN A DIRECTOR DISTRICT
5 AND FOUR OF WHOM ARE ELIGIBLE ELECTORS RESIDING WITHIN THE
6 DISTRICT AND WHO ARE APPOINTED BY THE GOVERNOR AND CONFIRMED
7 BY THE SENATE IN ACCORDANCE WITH THIS SECTION.

8 (2) (a) THE FIVE ELECTED members of the board of directors ~~shall~~
9 MUST be elected as provided in section 32-9-111.

10 (b) THE TERMS OF MEMBERS OF THE BOARD SERVING ON
11 DECEMBER 31, 2028, SHALL EXPIRE ON JANUARY 1, 2029, AND A NEW
12 BOARD, CONSTITUTED PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION,
13 SHALL TAKE OFFICE ON JANUARY 1, 2029.

14 (4) All powers, duties, functions, rights, and privileges vested in
15 the district ~~shall be~~ ARE exercised and performed by the board; except that
16 the exercise of any executive, administrative, or ministerial powers may
17 be delegated by the board to officers and employees of the district. These
18 powers, duties, functions, rights, and privileges include, in addition to any
19 other powers and duties specified in this article 9:

20 (a) Setting policy objectives, INCLUDING POLICY OBJECTIVES THAT
21 ARE DIRECTLY DESIGNED TO GROW RIDERSHIP WITHIN THE DISTRICT, to be
22 implemented by employees of the district;

23 (b) Hiring, ~~and~~ managing, AND EVALUATING the district's general
24 manager and chief executive officer BASED ON APPROPRIATE MEASURES
25 OF PERFORMANCE ALIGNED WITH THE DISTRICT'S STRATEGIC PLAN;

26 (c) HIRING, EVALUATING, AND overseeing the district's general
27 counsel, AND ENSURING THAT THE DISTRICT'S GENERAL COUNSEL REPORTS

1 DIRECTLY TO THE BOARD;

2 (d) Developing, adopting, and overseeing ~~the district's~~ A FISCALLY
3 RESPONSIBLE budget FOR THE DISTRICT, including an annual capital
4 budget with project costs and financing mechanisms;

5 (5) (a) ON OR BEFORE THE DAY OF THE NOVEMBER 2028 GENERAL
6 ELECTION, THE GOVERNOR SHALL APPOINT FOUR NEW BOARD MEMBERS
7 WHO MUST SUBSEQUENTLY BE CONFIRMED BY THE SENATE. THE
8 APPOINTED MEMBERS' TERMS COMMENCE ON JANUARY 1, 2029. THE
9 GOVERNOR SHALL APPOINT:

10 (I) TWO OF THE FOUR MEMBERS FROM A LIST OF NOMINEES
11 PROVIDED BY THE DENVER REGIONAL COUNCIL OF GOVERNMENTS IN
12 ACCORDANCE WITH SUBSECTION (6) OF THIS SECTION; AND

13 (II) TWO OF THE FOUR MEMBERS AT THE GOVERNOR'S DISCRETION
14 AND IN COMPLIANCE WITH THIS SECTION.

15 (b) ON AND AFTER JANUARY 1, 2029, THE FOUR APPOINTED
16 MEMBERS SHALL EACH RESIDE WITHIN THE DISTRICT AND REPRESENT THE
17 DISTRICT AT LARGE. AT LEAST ONE MEMBER SHALL BE A CURRENT OR
18 FORMER MEMBER OF THE UNION THAT REPRESENTS THE LARGEST
19 COLLECTIVE BARGAINING UNIT OF EMPLOYEES OF THE DISTRICT. THE FOUR
20 MEMBERS SHALL REPRESENT DIVERSE GEOGRAPHIC AREAS OF THE
21 DISTRICT, INCLUDING SUBURBAN COUNTIES, AND SHALL COLLECTIVELY
22 POSSESS EXPERTISE RELATED TO THE FOLLOWING AREAS:

23 (I) FINANCE, SUCH AS PUBLIC FINANCE, MUNICIPAL BONDS,
24 CAPITAL PLANNING, OR BUDGET OVERSIGHT;

25 (II) LAND USE AND MULTIMODAL TRANSPORTATION PLANNING,
26 SUCH AS TRANSIT-ORIENTED DEVELOPMENT, REGIONAL PLANNING, OR
27 URBAN AND RURAL MOBILITY;

1 (III) TRANSIT OPERATIONS, SUCH AS PUBLIC TRANSPORTATION
2 MANAGEMENT, FLEET OPERATIONS, SCHEDULING, OR SYSTEM
3 PERFORMANCE; AND

4 (IV) TRANSIT AGENCY PROGRAMS SERVING DISPROPORTIONATELY
5 IMPACTED COMMUNITIES, AS THAT TERM IS DEFINED IN SECTION 24-4-109
6 (2)(b)(II).

7 (c) THE GOVERNOR SHALL CONSIDER AND GIVE PREFERENCE TO
8 INDIVIDUALS THAT HAVE EXPERIENCE AND A BACKGROUND IN MULTIPLE
9 AREAS LISTED IN SUBSECTION (5)(b) OF THIS SECTION WHEN APPOINTING
10 MEMBERS, AND SHALL ENSURE THAT THE APPOINTED MEMBERS REPRESENT
11 DIVERSE GEOGRAPHIC AREAS OF THE DISTRICT, INCLUDING SUBURBAN
12 COUNTIES. A MEMBER APPOINTED TO THE BOARD IN ACCORDANCE WITH
13 THIS SECTION IS NOT REQUIRED TO POSSESS EXPERTISE IN MORE THAN ONE
14 AREA LISTED IN SUBSECTION (5)(b) OF THIS SECTION.

15 (6) BEGINNING IN 2028, NO FEWER THAN THIRTY DAYS BEFORE THE
16 DAY OF THE NOVEMBER GENERAL ELECTION IN AN EVEN-NUMBERED YEAR,
17 THE DENVER REGIONAL COUNCIL OF GOVERNMENTS SHALL PROVIDE THE
18 GOVERNOR WITH A LIST OF NOMINEES FOR BOARD APPOINTMENTS, FROM
19 WHICH LIST THE GOVERNOR SHALL SELECT MEMBERS TO APPOINT TO THE
20 BOARD PURSUANT TO SUBSECTION (5)(a)(I) OR (7)(d)(I) OF THIS SECTION.
21 THE LIST MUST CONTAIN AT LEAST THREE TIMES THE NUMBER OF
22 QUALIFIED NOMINEES AS THERE ARE MEMBER POSITIONS TO BE FILLED IN
23 ACCORDANCE WITH SUBSECTION (5)(a)(I) OR (7)(d)(I) OF THIS SECTION. IF
24 THE DENVER REGIONAL COUNCIL OF GOVERNMENTS FAILS TO PROVIDE A
25 LIST WITHIN THE REQUIRED TIME FRAME, THE GOVERNOR MAY APPOINT
26 MEMBERS TO THE BOARD AT THE GOVERNOR'S DISCRETION AND IN
27 COMPLIANCE WITH THIS SECTION. WHEN SELECTING INDIVIDUALS FOR THE

1 LIST OF NOMINEES, THE DENVER REGIONAL COUNCIL OF GOVERNMENTS
2 SHALL:

3 (a) CONSIDER AND GIVE PREFERENCE TO INDIVIDUALS THAT HAVE
4 EXPERIENCE AND A BACKGROUND IN MULTIPLE AREAS LISTED IN
5 SUBSECTION (5)(b) OF THIS SECTION; AND

6 (b) MAKE REASONABLE EFFORTS TO ENSURE THAT THE NOMINEES
7 REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE
8 DISTRICT'S RIDERSHIP AND SERVICE AREA AND INCLUDE INDIVIDUALS FROM
9 DIVERSE RACIAL, CULTURAL, DISABILITY, AND GENDER BACKGROUNDS,
10 AND INDIVIDUALS REPRESENTING BOTH URBAN AND SUBURBAN
11 COMMUNITIES WITHIN THE DISTRICT.

12 (7) (a) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (7),
13 MEMBERS APPOINTED AND CONFIRMED IN ACCORDANCE WITH THIS
14 SECTION MAY SERVE UP TO TWO TERMS, WITH EACH TERM EXPIRING AFTER
15 A MEMBER HAS SERVED FOR FOUR CONSECUTIVE CALENDAR YEARS. ANY
16 TERM SERVED BY A MEMBER THAT LASTS FOR LESS THAN TWO YEARS DOES
17 NOT COUNT TOWARD THE MEMBER'S TWO-TERM LIMIT.

18 (b) THE FOLLOWING MEMBERS' TERMS LAST FOR TWO YEARS AND
19 EXPIRE ON JANUARY 1, 2031:

20 (I) TWO OF THE FIVE MEMBERS ELECTED AT THE NOVEMBER 2028
21 GENERAL ELECTION;

22 (II) ONE OF THE TWO MEMBERS APPOINTED BY THE GOVERNOR IN
23 ACCORDANCE WITH SUBSECTION (5)(a)(I) OF THIS SECTION; AND

24 (III) ONE OF THE TWO MEMBERS APPOINTED BY THE GOVERNOR IN
25 ACCORDANCE WITH SUBSECTION (5)(a)(II) OF THIS SECTION.

26 (c) AT THE NOVEMBER 2030 GENERAL ELECTION, AND AT EVERY
27 GENERAL ELECTION HELD IN AN EVEN-NUMBERED YEAR THEREAFTER, THE

1 NUMBER OF BOARD MEMBERS TO BE ELECTED EQUALS THE NUMBER OF
2 ELECTED MEMBER TERMS EXPIRING ON JANUARY 1 OF THE FOLLOWING
3 YEAR.

4 (d) ON OR BEFORE THE DAY OF THE NOVEMBER 2030 GENERAL
5 ELECTION, AND ON OR BEFORE THE DAY OF THE NOVEMBER GENERAL
6 ELECTION IN EVERY EVEN-NUMBERED YEAR THEREAFTER, THE GOVERNOR
7 SHALL APPOINT TWO NEW BOARD MEMBERS WHO MUST SUBSEQUENTLY BE
8 CONFIRMED BY THE SENATE. THE APPOINTED MEMBERS' TERMS COMMENCE
9 ON JANUARY 1 FOLLOWING THE APPLICABLE NOVEMBER GENERAL
10 ELECTION. THE GOVERNOR SHALL APPOINT:

11 (I) ONE OF THE TWO MEMBERS FROM A LIST OF NOMINEES
12 PROVIDED BY THE DENVER REGIONAL COUNCIL OF GOVERNMENTS IN
13 ACCORDANCE WITH SUBSECTION (6) OF THIS SECTION; AND

14 (II) ONE OF THE TWO MEMBERS AT THE GOVERNOR'S DISCRETION
15 AND IN COMPLIANCE WITH THIS SECTION.

16 (e) WHEN SELECTING MEMBERS IN ACCORDANCE WITH SUBSECTION
17 (7)(d) OF THIS SECTION, THE GOVERNOR SHALL ENSURE THAT THE MAKEUP
18 OF THE BOARD CONFORMS WITH THE CRITERIA SET FORTH IN SUBSECTIONS
19 (5)(b) AND (5)(c) OF THIS SECTION.

20 (8) (a) IF THE SEAT OF A MEMBER THAT WAS APPOINTED IN
21 ACCORDANCE WITH SUBSECTION (5)(a)(I) OR (7)(d)(I) OF THIS SECTION IS
22 VACANT, THE DENVER REGIONAL COUNCIL OF GOVERNMENTS SHALL,
23 WITHIN SIXTY DAYS AFTER THE VACANCY OCCURS AND IN COMPLIANCE
24 WITH SUBSECTION (6) OF THIS SECTION, PROVIDE THE GOVERNOR WITH A
25 LIST OF AT LEAST THREE QUALIFIED NOMINEES FOR THE VACANT MEMBER
26 SEAT. THE GOVERNOR SHALL, WITHIN SIXTY DAYS AFTER RECEIVING THE
27 LIST OR SIXTY DAYS AFTER THE VACANCY OCCURS, WHICHEVER IS LATER,

1 SELECT A MEMBER FROM THE LIST TO FILL THE VACANCY. IF THE DENVER
2 REGIONAL COUNCIL OF GOVERNMENTS FAILS TO PROVIDE A LIST WITHIN
3 THE REQUIRED TIME FRAME, THE GOVERNOR MAY APPOINT MEMBERS TO
4 THE BOARD AT THE GOVERNOR'S DISCRETION AND IN COMPLIANCE WITH
5 THIS SECTION.

6 (b) IF THE SEAT OF A MEMBER THAT WAS APPOINTED IN
7 ACCORDANCE WITH SUBSECTION (5)(a)(II) OR (7)(d)(II) OF THIS SECTION
8 IS VACANT, THE GOVERNOR SHALL, WITHIN SIXTY DAYS AFTER THE
9 VACANCY OCCURS, SELECT A MEMBER TO FILL THE VACANCY AT THE
10 GOVERNOR'S DISCRETION AND IN COMPLIANCE WITH THIS SECTION.

11 (c) THE TERM OF A MEMBER THAT FILLS A VACANCY IN
12 ACCORDANCE WITH THIS SUBSECTION (8) EXPIRES WHEN THE TERM OF THE
13 FORMER VACATING MEMBER WOULD HAVE EXPIRED.

14 (9) THE GOVERNOR MAY REMOVE A MEMBER APPOINTED IN
15 ACCORDANCE WITH THIS SECTION FOR MALFEASANCE IN OFFICE, NEGLECT
16 OF DUTY, FAILURE TO REGULARLY ATTEND MEETINGS, OR ANY OTHER
17 CAUSE THAT RENDERS THE MEMBER INCAPABLE OR UNFIT TO DISCHARGE
18 THE DUTIES OF THE BOARD. IF ANY MEMBER IS ABSENT FROM TWO
19 CONSECUTIVE MEETINGS WITHOUT REASONABLE CAUSE, AS DETERMINED
20 BY THE BOARD CHAIRPERSON, THE CHAIRPERSON SHALL NOTIFY THE
21 GOVERNOR, WHO MAY REMOVE THE ABSENT MEMBER AND APPOINT A
22 QUALIFIED REPLACEMENT FOR THE UNEXPIRED TERM.

23 (10) A PROSPECTIVE MEMBER TO BE APPOINTED IN ACCORDANCE
24 WITH THIS SECTION SHALL DISCLOSE ANY POTENTIAL CONFLICTS OF
25 INTEREST TO THE GOVERNOR AND THE RELEVANT COMMITTEE OF
26 REFERENCE OF THE GENERAL ASSEMBLY PRIOR TO CONFIRMATION BY THE
27 SENATE AND SHALL DISCLOSE ANY CONFLICTS THAT ARISE DURING THE

1 MEMBER'S TERM AT A PUBLIC BOARD MEETING. FAILURE TO DISCLOSE A
2 KNOWN CONFLICT OF INTEREST, OR TAKING ACTION ON A MATTER IN
3 WHICH THE MEMBER HAS AN UNDISCLOSED CONFLICT OF INTEREST,
4 CONSTITUTES CAUSE FOR REMOVAL BY THE GOVERNOR PURSUANT TO
5 SUBSECTION (9) OF THIS SECTION.

6 **SECTION 10. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2026 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.