

**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. 26-0868.04 Pierce Lively x2059

**SENATE BILL 26-172**

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**SENATE SPONSORSHIP**

**Hinrichsen and Kipp,**

**HOUSE SPONSORSHIP**

**Boesenecker and Paschal,**

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**Senate Committees**

Transportation & Energy  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE FRONT RANGE PASSENGER RAIL DISTRICT.**

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**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 makes a number of changes to the boundaries and operation of the front range passenger rail district (district).

**Section 1** of the bill changes the boundaries of the district to include certain listed municipalities, any municipality whose governing board and, if necessary, electors, consent for the municipality to be included in the district, certain listed metropolitan districts, and any metropolitan district whose governing board consents for the metropolitan district to be included in the district and that is identified for inclusion in

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.

the district by a board resolution.

**Section 2** requires that directors of the board appointed on or after July 1, 2026, reside within the district, unless that director is already serving on the board.

**Section 3** allows the board to create subdistricts within the district.

**Section 4** changes the method for determining the distribution of the costs of a district or subdistrict election. Under the new method, the costs of such an election are distributed in the same method and manner as state primary, coordinated, general, congressional vacancy, special legislative, or recall elections conducted after July 1, 2024. **Section 4** also requires that any constitutionally required notice for a district or subdistrict election be included in the ballot information booklet.

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

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

4 **32-22-103. Front range passenger rail district - creation -**  
5 **purpose - boundaries - reports.**

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

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

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

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

19 ~~(d) All areas within Larimer county that are not located within the~~

1 ~~territory of a metropolitan planning organization and that are north of the~~  
2 ~~city of Fort Collins and located within five miles of the public~~  
3 ~~right-of-way of interstate highway 25.~~

4 (4.5) THE AREA THAT COMPRISES THE DISTRICT EXTENDS FROM  
5 WYOMING TO NEW MEXICO AND INCLUDES:

6 (a) THE ENTIRETY OF THE FOLLOWING MUNICIPALITIES:

- 7 (I) ARVADA;
- 8 (II) BOULDER;
- 9 (III) BOW MAR;
- 10 (IV) BROOMFIELD;
- 11 (V) CENTENNIAL;
- 12 (VI) CHERRY HILLS VILLAGE;
- 13 (VII) COLORADO SPRINGS;
- 14 (VIII) COLUMBINE VALLEY;
- 15 (IX) DENVER;
- 16 (X) EDGEWATER;
- 17 (XI) ENGLEWOOD;
- 18 (XII) FEDERAL HEIGHTS;
- 19 (XIII) FORT COLLINS;
- 20 (XIV) GLENDALE;
- 21 (XV) GREENWOOD VILLAGE;
- 22 (XVI) LAFAYETTE;
- 23 (XVII) LAKESIDE;
- 24 (XVIII) LAKEWOOD;
- 25 (XIX) LITTLETON;
- 26 (XX) LONGMONT;
- 27 (XXI) LOUISVILLE;

- 1 (XXII) LOVELAND;
- 2 (XXIII) MANITOU SPRINGS;
- 3 (XXIV) MOUNTAIN VIEW;
- 4 ==
- 5 (XXV) PUEBLO;
- 6 (XXVI) SHERIDAN;
- 7 (XXVII) STARKVILLE;
- 8 (XXVIII) SUPERIOR;
- 9 (XXIX) TRINIDAD; AND
- 10 (XXX) WESTMINSTER.

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

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

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

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

25 **32-22-104. Board of directors - appointment - meetings -**  
26 **compensation - conflicts of interest.**

27 (1.5) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ANY

1 DIRECTOR APPOINTED TO THE BOARD ON OR AFTER JULY 1, 2026, WHO IS  
2 NOT A DIRECTOR SERVING ON THE BOARD AS OF JULY 1, 2026, MUST  
3 RESIDE WITHIN THE DISTRICT. NOTHING IN THIS SUBSECTION (1)(h)  
4 INVALIDATES AN APPOINTMENT TO THE BOARD MADE PRIOR TO JULY 1,  
5 2026, OR OTHERWISE REQUIRES A DIRECTOR APPOINTED TO THE DISTRICT  
6 BEFORE JULY 1, 2026, TO BE REMOVED FROM THE BOARD.

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

9 **32-22-106. District - general powers and duties - funds**  
10 **created.**

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

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

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

27 **32-22-109. Taxes, assessments, and multiple-fiscal year**

1 **borrowing - voter approval required.**

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

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

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

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

26 (3) (a) Ballot issues proposed to the registered electors as required  
27 by subsections (1) and (2) of this section must be submitted in accordance

1 with the requirements of section 20 of article X of the state constitution.  
2 The action shall not take effect unless a majority of the registered electors  
3 voting on the ballot issue vote to approve the ballot issue. ANY DISTRICT  
4 OR SUBDISTRICT BALLOT ISSUE NOTICE REQUIRED BY SECTION 20 (3)(b) OF  
5 ARTICLE X OF THE STATE CONSTITUTION MUST BE INCLUDED IN THE  
6 BALLOT INFORMATION BOOKLET REQUIRED BY SECTION 1 (7.5) OF ARTICLE  
7 V OF THE STATE CONSTITUTION IN THE SAME MANNER AS DESCRIBED IN  
8 SECTION 1-40-124.5. THE DISTRICT'S DESIGNATED ELECTION OFFICIAL  
9 SHALL PROVIDE THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL  
10 OF THE GENERAL ASSEMBLY THE INFORMATION REQUIRED BY SECTION 20  
11 (3)(b) OF ARTICLE X OF THE STATE CONSTITUTION TO INCLUDE IN THE  
12 BALLOT INFORMATION BOOKLET.

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

25 (c) ~~Except for~~ FOLLOWING the certification of the ballot order and  
26 content by the secretary of state required by subsection (3)(b) of this  
27 section, the election must be conducted in substantially the same manner

1 as ~~county elections, and the county clerk and recorder of each county in~~  
2 ~~which the election is conducted shall assist the district in conducting the~~  
3 ~~election~~ STATEWIDE ELECTIONS. The ~~district shall pay the~~ costs incurred  
4 by each county in conducting the election on behalf of the district OR  
5 SUBDISTRICT WILL BE REIMBURSED as provided for in ~~section 1-7-116~~  
6 ~~(2)(b)~~ SECTION 1-5-505.5 (1)(a). No public money of the district may be  
7 used to urge or oppose passage of a ballot issue submitted for voter  
8 approval as required under this section.

9           **SECTION 5. Safety clause.** The general assembly finds,  
10 determines, and declares that this act is necessary for the immediate  
11 preservation of the public peace, health, or safety or for appropriations for  
12 the support and maintenance of the departments of the state and state  
13 institutions.