

CHAPTER 5

GOVERNMENT - LOCAL

HOUSE BILL 16-1069

BY REPRESENTATIVE(S) Rankin and Moreno, Arndt, Duran, Garnett, Ginal, Kraft-Tharp, Lebsock, Lee, Mitsch Bush, Pettersen, Rosenthal, Tyler, Vigil, Winter, Fields, Singer;
also SENATOR(S) Grantham, Crowder, Kefalas, Martinez Humenik, Steadman.

AN ACT

CONCERNING THE ABILITY OF A CITY'S GOVERNING BODY TO DETERMINE THE LENGTH OF TERMS FOR ITS HOUSING AUTHORITY COMMISSIONERS.

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

SECTION 1. In Colorado Revised Statutes, 29-4-205, **amend** (3) (b) as follows:

29-4-205. Appointment of commissioners. (3) (b) The commissioners ~~who are~~ appointed under ~~the provisions of~~ this subsection (3) shall be designated by the mayor or such other appointing authority as is otherwise provided by charter or ordinance to serve for terms that are staggered from the date of their appointment such that, to the extent possible, the terms of an equal number of commissioners end each year. Thereafter, the term of office ~~shall be~~ IS THE NUMBER OF YEARS AS SET BY THE COUNCIL BY RESOLUTION, NOT TO EXCEED FIVE YEARS IN LENGTH, OR, IF THE COUNCIL HAS NOT SO ACTED, five years. A commissioner shall hold office until his or her successor has been appointed and has qualified. Vacancies other than by reason of expiration of terms shall be filled for the unexpired term. A majority of the commissioners ~~shall constitute~~ CONSTITUTES a quorum. The mayor or such other appointing authority as is otherwise provided by charter or ordinance shall file with the city clerk a certificate of the appointment or reappointment of any commissioner, and such certificate ~~shall be~~ IS conclusive evidence of the due and proper appointment of ~~such~~ EACH commissioner. The authority shall select from its members a vice-chairman and a chairman when the office of the first chairman becomes vacant.

SECTION 2. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to the terms of commissioners appointed on or after the applicable effective date of this act.

Approved: March 9, 2016