



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 20-1133

FINAL FISCAL NOTE

Drafting Number:	LLS 20-0478	Date:	July 28, 2020
Prime Sponsors:	Rep. Kraft-Tharp; McKean Sen. Tate	Bill Status:	Signed into Law
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Bill Topic: LAND USE ENTITLEMENTS AND MUNICIPAL DISCONNECTION

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill modifies the process for municipal disconnection. The bill minimally increases administrative workload for local governments and for the Department of Local Affairs.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the enacted bill.

Summary of Legislation

The bill modifies the process for municipal disconnection. Under current law, if the owner of a tract of land within or adjacent to a municipality desires to have the tract disconnected from the municipality, the owner files an application for disconnection with the governing board of the municipality. If the governing board determines that disconnecting the land does not negatively impact the municipality, the board can disconnect the land via ordinance.

This bill prohibits a land owner from applying for disconnection until all vested property rights affecting the tract have either been terminated or have expired. Additionally, any tract of land that has been disconnected from a municipality becomes subject to the applicable county's zoning and other land development regulations within 90 days of the effective date of the disconnection. During this 90-day period, the county may elect not to issue building or occupancy permits for any portion of the land subject to disconnection. County regulations that apply a uniform zoning classification to any land that may be disconnected are nullified, and counties may only allow land development entitlements to tracts after the county receives notice that the municipality is disconnecting via ordinance.

State Expenditure

The Department of Local Affairs will have a minimal increase in workload to update technical assistance and guidance documents. The DOLA provides this type of assistance to municipalities infrequently and within the existing scope of work for the department. No additional appropriations are required.

Local Government

The bill modifies the procedures and conditions for disconnecting land from a municipality. The bill will minimally increase the workload of municipal and county staff when processing a disconnection application. Local governments may have increased administrative costs to update relevant land development regulations; however, these updates are discretionary and generally within the scope of existing workload.

Effective Date

The bill was signed into law by the Governor on April 1, 2020, and takes effect September 14, 2020, assuming no referendum petition is filed. The act applies to applications for disconnection submitted on or after that date.

State and Local Government Contacts

Counties Local Affairs Municipalities