

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0462.01 Conrad Imel x2313

HOUSE BILL 24-1131

HOUSE SPONSORSHIP

Lukens and Velasco,

SENATE SPONSORSHIP

Roberts and Will,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING LOCAL COLLEGE DISTRICTS.

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 authorizes the board of trustees (board) of any local college district to determine the number of trustees on the board and permits certain-sized boards that establish board member districts to designate some board member districts as at-large districts.

Under existing law, voters must approve a school district's annexation into a local college district at a regular biennial school election. The bill removes that restriction so that the approval vote may occur at any regular election.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-71-110, **amend**
3 (3), (4), and (8) as follows:

4 **23-71-110. Election of board - members and terms.** (3) The
5 board of trustees of each local college district ~~existing on or after July 1,~~
6 ~~1984, and before July 1, 1986,~~ shall determine whether the board of
7 trustees consists of five, seven, nine, or eleven members. ~~The board of~~
8 ~~trustees of each local college district created after July 1, 1986, consists~~
9 ~~of five, seven, nine, or eleven members as specified in the organization~~
10 ~~petition, except that the~~ A board of trustees may subsequently increase the
11 number of board members ONLY as provided in subsection (8) of this
12 section. The board of trustees of each local college district shall
13 determine the number of vacancies existing and the length of term of each
14 vacancy for the next and subsequent regular elections for board members.
15 Except for the election of members who were appointed pursuant to
16 subsection (8) of this section and section 23-71-121, the board of trustees
17 shall ensure that there are no more than three vacancies at any regular
18 election for a five-member board, no more than four vacancies at any
19 regular election for a seven-member board, no more than five vacancies
20 at any regular election for a nine-member board, and no more than six
21 vacancies at any regular election for an eleven-member board and that
22 each board member has a term of four years.

23 (4) A board of trustees may establish board member districts for
24 its local college district if it determines that ~~such~~ BOARD MEMBER districts
25 are in the best interests of the local college district. ~~Such~~ THE board
26 member districts ~~shall~~ MUST be established on the basis of nearly equal

1 population or on the basis of geography and population if the local
2 college district consists of more than one county. A NINE-MEMBER BOARD
3 OF TRUSTEES WITH BOARD MEMBER DISTRICTS MAY DESIGNATE ONE OR
4 TWO OF ITS BOARD MEMBER DISTRICTS AS AT-LARGE DISTRICTS THAT
5 INCLUDE THE ENTIRE AREA OF THE LOCAL COLLEGE DISTRICT. AN
6 ELEVEN-MEMBER BOARD OF TRUSTEES WITH BOARD MEMBER DISTRICTS
7 MAY DESIGNATE UP TO THREE OF ITS BOARD MEMBER DISTRICTS AS
8 AT-LARGE DISTRICTS THAT INCLUDE THE ENTIRE AREA OF THE LOCAL
9 COLLEGE DISTRICT.

10 (8) A local college district that has a five-member board of
11 trustees may increase the board membership to seven members at any
12 time by the appointment of two new members. A local college district that
13 has a seven-member board of trustees may increase the board members
14 to nine or eleven members by the appointment of new members. ~~if one or~~
15 ~~more additional school districts is annexed into the local college district~~
16 ~~as provided in section 23-71-128. Each person appointed pursuant to this~~
17 ~~subsection (8) must be appointed at least one hundred twenty days prior~~
18 ~~to the next regular biennial local district college election and may serve~~
19 ~~as an appointee only until the election and until the appointed person, if~~
20 ~~he or she seeks election, or his or her successor has been elected and has~~
21 ~~qualified~~ A LOCAL COLLEGE DISTRICT THAT HAS A NINE-MEMBER BOARD
22 OF TRUSTEES MAY INCREASE THE BOARD MEMBERSHIP TO ELEVEN
23 MEMBERS AT ANY TIME BY THE APPOINTMENT OF TWO NEW MEMBERS.

24 **SECTION 2.** In Colorado Revised Statutes, 23-71-128, **amend**
25 (1) as follows:

26 **23-71-128. Additions to district - procedure.** (1) If a school
27 district or group of districts that is adjacent to a local college district or

1 located entirely within the boundaries of the local district college's service
2 area, as determined by the Colorado commission on higher education,
3 desires to be annexed to the existing local college district, it may do so by
4 satisfying both of the following requirements:

5 (a) By obtaining approval of the existing local college district. The
6 approval ~~shall be~~ IS given only upon a majority vote of the eligible
7 electors of the existing local college district as expressed by a majority
8 polled at the time of ~~the~~ A regular ~~biennial school~~ election held in the
9 local college district. The election ~~shall be~~ IS called only upon ~~the~~ AN
10 affirmative vote of the board of trustees.

11 (b) ~~By~~ The school district desiring to be annexed ~~voting on the~~
12 ~~question of~~ VOTES TO APPROVE THE annexation at a regular ~~biennial~~
13 ~~school~~ election. The election ~~shall be~~ IS called only upon the affirmative
14 vote of the school district board of education. If a single school district
15 desires to be annexed, the annexation ~~shall be~~ IS effected by a majority
16 vote of the eligible electors of the district. If two or more school districts
17 desire annexation as a group, the annexation ~~shall be~~ IS effected only by
18 a majority vote in favor thereof in each district desiring annexation. If
19 there is not a majority vote in favor of the annexation in any district
20 ~~comprising~~ IN the group, then the annexation ~~shall~~ DOES not occur for the
21 group of districts, but any individual district in the group ~~which~~ THAT had
22 a majority vote in favor of the annexation ~~shall be~~ IS annexed to the local
23 college district.

24 **SECTION 3. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly; except
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2024 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.