



Local Government

During the 2021 legislative session, the General Assembly considered several measures related to local governments, including the powers and duties of local governments and matters related to special and local improvement districts, community revitalization, procurement, the limited gaming impact fund, and property rights.

Powers and Duties of Local Governments

House Bill 21-1032, which was postponed indefinitely, would have allowed a local governing body to adopt a resolution, ordinance, law, or rule repealing all or any portion of a disaster emergency order issued by the Governor when the disaster emergency lasts longer than 30 days.

House Bill 21-1047 establishes a process for county redistricting. In counties that meet certain requirements, the board of county commissioners must designate a county commissioner district redistricting commission. The bill encourages the creation of independent redistricting commissions, establishes rules for their composition, and the eligibility of commission applicants. Alternatively, a redistricting commission may be comprised of the elected county commissioners.

Senate Bill 21-070 gives a board of county commissioners the authority to require the registration of businesses in unincorporated

portions of the county. The bill does not grant a board the power to license or collect fees or fines for these business registrations.

Special and Local Improvement Districts

In an effort to increase transparency, *Senate Bill 21-262* makes a number of changes to laws concerning special districts, including:

- changing the call for nominations methods for regular local government elections;
- requiring that certain special districts maintain a website with specified content;
- requiring special districts created after July 1, 2000, to file an annual report;
- limiting certain special districts' powers of eminent domain; and
- requiring sellers of newly constructed residences to provide home buyers certain information and disclosures related to certain special districts in which the home is located.

Senate Bill 21-160 allows special districts, by resolution, to establish director districts for their board of directors, or to consolidate into a single-district board structure. Special districts that create director districts must specify if board members are elected by special district voters at-large or by registered voters within each director district. The bill also makes technical updates and administrative clarifications to the Local Government Election

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Code and related statutes pertaining to special districts.

House Bill 21-1008 allows the creation of special or local improvement districts to levy property taxes to finance a district's work, which may include forest health projects. The bill empowers the following entities to participate in and financially contribute to forest health projects: counties, municipalities, special districts, water conservancy districts, forest improvement districts, the Colorado River Water Conservation District, and the Southwestern Water Conservation District.

Finally, *House Bill 21-1278* allows special district boards of directors to conduct virtual meetings.

Community Revitalization

Senate Bill 21-252 creates the Community Revitalization Grant Program to provide grants to for-profit and nonprofit entities and local governments to support creative projects that revitalize or construct mixed-use commercial centers that combine commercial spaces with public or community spaces.

Procurement

House Bill 21-1168 requires the Department of Local Affairs to establish a pilot program to help local governments identify perceptual and substantial barriers to entry for historically underutilized businesses in local government procurement. At least five local governments must opt-in to the pilot program. Local governments participating in the program must identify implementation needs, create a sample program that all local governments may use, and complete other tasks outlined in the bill.

Limited Gaming Impact Fund

The Local Government Limited Gaming Impact Fund provides financial assistance to eligible local governments for gaming impacts, and awards grants to provide gambling addiction counseling, prevention, and education. *House Bill 21-1132* refines the definition of "documented gaming impacts" to include documented negative gaming impacts that harm, damage, hurt, interfere, or undermine a local government. Additionally, the bill requires that grants from the fund be prioritized for eligible local governments with lower property values compared to the property values of all eligible local governments. Also, grants from the gambling addiction account of the fund can be used to train staff at nonprofit community mental health centers or clinics administered by the Department of Human Services.

Property Rights

Under *House Bill 21-1310*, a home owners' association (HOA) cannot prohibit or regulate the display of flags or signs based on subject matter, message, or content. However, HOAs may establish content-neutral regulations regarding the display of flags and signs.