

# An Act

HOUSE BILL 17-1363

BY REPRESENTATIVE(S) Hansen, Arndt, Becker K., Bridges, Esgar, Garnett, Gray, Jackson, Kraft-Tharp, Michaelson Jenet, Mitsch Bush, Pabon, Rosenthal, Salazar, Singer, Valdez, Winter, Young, Duran; also SENATOR(S) Martinez Humenik, Court.

CONCERNING AN EXEMPTION FROM OTHERWISE APPLICABLE REQUIREMENTS FOR FINANCING FROM THE COLORADO NEW ENERGY IMPROVEMENT DISTRICT IF A RESIDENTIAL PROPERTY OWNER IS NOT SEEKING TO SUBORDINATE THE PRIORITY OF EXISTING MORTGAGES.

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

**SECTION 1.** In Colorado Revised Statutes, 32-20-105, **amend** (3) introductory portion as follows:

**32-20-105. District - purpose - general powers and duties - new energy improvement program.** (3) The district shall establish, develop, finance, and administer a new energy improvement program. However, the district may conduct the program within any given county only if the board of county commissioners of the county has adopted a resolution authorizing the district to conduct the program within the county. If a county adopts a resolution authorizing the district to conduct the program within the county, the county treasurer shall retain a collection fee as specified in section

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

district shall prepare a preliminary special assessment roll listing all special assessments to be levied. The district may post notice of the hearing on the special assessment on any district internet website and shall, EXCEPT AS SPECIFIED IN SECTION 32-20-111, send notice that the special assessment roll has been completed and notice of a hearing on the special assessment roll no later than thirty days before the hearing date to:

**SECTION 3.** In Colorado Revised Statutes, add 32-20-111 as follows:

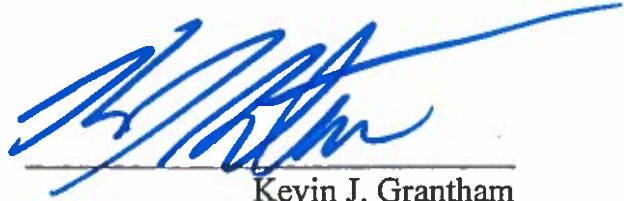
**32-20-111. Procedure if lien subordination not sought.** THE PROVISIONS OF THIS ARTICLE 20 PERTAINING TO THE REQUIREMENT OF TITLE INSURANCE CONTAINED IN SECTION 32-20-105 (3) AND THE PROVISION OF NOTICE, OBJECTION, AND APPEAL CONTAINED IN SECTION 32-20-106 (3)(a)(I), (3)(a)(II), (3)(b), AND (3)(c), AND ALL SECTIONS REFERENCING THESE SECTIONS, DO NOT APPLY TO RESIDENTIAL ELIGIBLE REAL PROPERTY IF THE PROPERTY OWNER OR PRIVATE THIRD PARTY THAT IS FINANCING THE IMPROVEMENTS ARE NOT SEEKING TO SUBORDINATE THE PRIORITY OF EXISTING MORTGAGES PURSUANT TO SECTION 32-20-105 (3)(i).

**SECTION 4. 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 9, 2017, if adjournment sine die is on May 10, 2017); 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 2018 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 applications filed on or after the applicable effective date of this act.



Crisanta Duran  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES



Kevin J. Grantham  
PRESIDENT OF  
THE SENATE




Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES



Effie Ameen  
SECRETARY OF  
THE SENATE

APPROVED

3:58 pm 6/5/17



John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO