

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1024.01 Bob Lackner x4350

SENATE BILL 18-190

SENATE SPONSORSHIP

Gardner,

HOUSE SPONSORSHIP

(None),

Senate Committees

Local Government

House Committees

A BILL FOR AN ACT

101 CONCERNING THE ABILITY OF THE BOARDS OF COUNTY
102 COMMISSIONERS TO DELEGATE CERTAIN LAND USE
103 DETERMINATIONS.

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 any board of county commissioners (board), by resolution, to delegate to the county planning commission any power granted to or duty placed upon the board in connection with county planning law, providing that the right to appeal to the board of county commissioners is retained in any such delegation. The bill expressly

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

excludes from the authorized delegation the power to impose fines and penalties.

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

2 **SECTION 1.** In Colorado Revised Statutes, 30-28-103, **add** (4)
3 as follows:

4 **30-28-103. County planning commission.** (4) THE BOARD OF
5 COUNTY COMMISSIONERS MAY, BY RESOLUTION, DELEGATE TO THE
6 COUNTY PLANNING COMMISSION ANY POWER GRANTED TO OR DUTY
7 PLACED UPON THE BOARD OF COUNTY COMMISSIONERS BY THIS PART 1,
8 PROVIDING THAT THE RIGHT TO APPEAL TO THE BOARD OF COUNTY
9 COMMISSIONERS IS RETAINED IN ANY SUCH DELEGATION; EXCEPT THAT
10 THE POWER TO IMPOSE FINES AND PENALTIES SHALL NOT BE DELEGATED.

11 **SECTION 2. Act subject to petition - effective date.** This act
12 takes effect September 1, 2018; except that, if a referendum petition is
13 filed pursuant to section 1 (3) of article V of the state constitution against
14 this act or an item, section, or part of this act within the ninety-day period
15 after final adjournment of the general assembly, then the act, item,
16 section, or part will not take effect unless approved by the people at the
17 general election to be held in November 2018 and, in such case, will take
18 effect on the date of the official declaration of the vote thereon by the
19 governor.