

**First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 21-0958.01 Pierce Lively x2059

**HOUSE BILL 21-1278**

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**HOUSE SPONSORSHIP**

**Exum,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Transportation & Local Government

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MEETING REQUIREMENTS FOR THE BOARDS OF SPECIAL**  
102 **DISTRICTS.**

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**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 clarifies what qualifies as a meeting and a location for purposes of the meeting of a board of a special district. The bill also prohibits a challenge to the method of conducting any special district board meeting that was held virtually before the effective date of the bill.

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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.

HOUSE  
Amended 2nd Reading  
May 10, 2021

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 32-1-903 as  
3 follows:

4 **32-1-903. Meetings - definitions.** (1) The board shall meet  
5 regularly at a time and in a ~~place~~ LOCATION to be designated by the board.  
6 Special meetings may be held as often as the needs of the special district  
7 require, upon notice to each director. Special meetings include study  
8 sessions at which a quorum of the board is in attendance and notice of the  
9 meetings has been given in accordance with subsection (2) of this section  
10 or section 24-6-402 (2)(c), and at which information is presented but no  
11 official action can be taken by the board.

12 (1.5) All ~~special and regular~~ meetings of the board ~~shall~~ THAT ARE  
13 HELD SOLELY AT PHYSICAL LOCATIONS MUST be held at PHYSICAL  
14 locations ~~which~~ THAT are within the boundaries of the district or ~~which~~  
15 THAT are within the boundaries of any county in which the district is  
16 located, in whole or in part, or in any county so long as the ~~meeting~~  
17 PHYSICAL location does not exceed twenty miles from the district  
18 boundaries. The provisions of this ~~subsection (1)~~ SUBSECTION (1.5)  
19 governing the PHYSICAL location of meetings may be waived only if the  
20 following criteria are met:

21 (a) The proposed change of THE PHYSICAL location of a meeting  
22 of the board appears on the agenda of a ~~regular or special~~ meeting of the  
23 board; and

24 (b) A resolution is adopted by the board stating the reason for  
25 which a ~~meeting~~ MEETINGS of the board ~~is~~ ARE to be held in a PHYSICAL  
26 location other than under the provisions of this ~~subsection (1)~~  
27 SUBSECTION (1.5) and further stating the date, time, and ~~place~~ PHYSICAL

1        ~~LOCATION~~ of such meeting.

2            (2) Notice of time and ~~place~~ ~~LOCATION~~ designated for all ~~regular~~  
3 ~~and special~~ meetings ~~shall be~~ IS provided in accordance with section  
4 24-6-402. Special meetings may be called by any director by informing  
5 the other directors of the date, time, and ~~place~~ ~~LOCATION~~ of such special  
6 meeting, and the purpose for which it is called, and by providing notice  
7 in accordance with section 24-6-402. All official business of the board  
8 ~~shall~~ MUST be conducted only during ~~said regular or special~~ meetings at  
9 which a quorum is ~~present~~ IN ATTENDANCE AT ANY LOCATION, and all said  
10 meetings shall be open to the public.

11            (3) The notice posted pursuant to subsection (2) of this section for  
12 any regular or special meeting at which the board intends to make a final  
13 determination to issue or refund general obligation indebtedness, to  
14 consolidate the special district with another special district, to dissolve the  
15 special district, to file a plan for the adjustment of debt under federal  
16 bankruptcy law, or to enter into a private contract with a director, or not  
17 to make a scheduled bond payment, shall set forth such proposed action.

18            (4) THE METHOD OF CONDUCTING ANY MEETING HELD PRIOR TO  
19 THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, BY TELEPHONIC,  
20 ELECTRONIC, OR OTHER VIRTUAL MEANS IS VALIDATED, RATIFIED,  
21 CONFIRMED, AND MAY NOT BE CHALLENGED.

22            (5) AS USED IN THIS PART 9, UNLESS THE CONTEXT OTHERWISE  
23 REQUIRES:

24            (a) "LOCATION" MEANS THE PHYSICAL, TELEPHONIC, ELECTRONIC,  
25 OTHER VIRTUAL PLACE, OR COMBINATION OF SUCH MEANS WHERE A  
26 MEETING CAN BE ATTENDED.

27            (b) "MEETING" HAS THE SAME MEANING AS SET FORTH IN SECTION

1 24-6-402 (1)(b).

2           **SECTION 2. Safety clause.** The general assembly hereby finds,  
3 determines, and declares that this act is necessary for the immediate  
4 preservation of the public peace, health, or safety.