

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

REVISED

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

LLS NO. 22-0386.01 Megan McCall x4215

SENATE BILL 22-075

SENATE SPONSORSHIP

Simpson, Kirkmeyer, Moreno, Priola, Sonnenberg

HOUSE SPONSORSHIP

Catlin and Bird,

Senate Committees

Local Government

House Committees

Transportation & Local Government

A BILL FOR AN ACT

101 **CONCERNING REMOVAL BY A BOARD OF COUNTY COMMISSIONERS OF**
102 **A DIRECTOR ON THE BOARD OF DIRECTORS OF A CEMETERY**
103 **DISTRICT.**

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 allows a board of county commissioners, which appoints directors to a board of directors for a cemetery district, to remove any director from such a board for cause after giving the director notice and an opportunity to be heard.

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
2nd Reading Unamended
March 12, 2022

SENATE
3rd Reading Unamended
February 22, 2022

SENATE
2nd Reading Unamended
February 18, 2022

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 30-20-803 as
3 follows:

4 **30-20-803. Board of directors - meetings.** (1) Immediately after
5 the creation of ~~such~~ A cemetery district, the board of county
6 commissioners shall appoint a board of directors for ~~said~~ THE cemetery
7 district, consisting of the three members recommended in the petition
8 filed with the board of county commissioners. One of ~~such~~ THE members
9 shall hold ~~his~~ THE office for two years, one for four years, and one for six
10 years. Thereafter the term of office ~~shall be~~ FOR EACH DIRECTOR IS six
11 years. Vacancies in the board of directors shall be filled by the board of
12 county commissioners. THE BOARD OF COUNTY COMMISSIONERS MAY
13 REMOVE ANY DIRECTOR FOR CAUSE, BUT ONLY AFTER THE DIRECTOR IS
14 GIVEN NOTICE AND AN OPPORTUNITY TO BE HEARD BEFORE THE BOARD OF
15 COUNTY COMMISSIONERS AT A PUBLIC HEARING.

16 (2) All special and regular meetings of the board of directors ~~shall~~
17 MUST be held at locations ~~which~~ THAT are within the boundaries of the
18 cemetery district or ~~which~~ THAT are within the boundaries of any county
19 in which the cemetery district is located, in whole or in part, or in any
20 county so long as the meeting location does not exceed twenty miles from
21 the district boundaries. The provisions of this ~~section~~ SUBSECTION (2)
22 governing the location of meetings may be waived only if the proposed
23 change of location of a meeting of the board appears on the agenda of a
24 regular or special meeting of the board and if a resolution is adopted by
25 the board stating the reason for which a meeting of the board is to be held
26 in a location other than under the provisions of this ~~section~~ SUBSECTION

1 (2) and further stating the date, time, and place of such meeting.

2 **SECTION 2. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly; except
5 that, if a referendum petition is filed pursuant to section 1 (3) of article V
6 of the state constitution against this act or an item, section, or part of this
7 act within such period, then the act, item, section, or part will not take
8 effect unless approved by the people at the general election to be held in
9 November 2022 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.