

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-1114.01 Megan McCall x4215

SENATE BILL 24-193

SENATE SPONSORSHIP

Danielson and Simpson,

HOUSE SPONSORSHIP

Duran and Pugliese,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT ANY ANNEXATION OF LANDS
102 WITHIN THE EXTERIOR BOUNDARIES OF A RESERVATION OF A
103 FEDERALLY RECOGNIZED INDIAN TRIBE BE APPROVED BY THE
104 TRIBAL COUNCIL OF THE INDIAN TRIBE.

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 makes any annexation of lands within the exterior boundaries of a reservation of a federally recognized Indian tribe located within the state into the boundaries of a municipality invalid unless there

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

is a resolution or ordinance approving the annexation by the tribal council or other governing body of the federally recognized Indian tribe within whose reservation the annexation will occur.

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

2 **SECTION 1.** In Colorado Revised Statutes, 31-12-102, **amend**
3 (1)(f) and (1)(g); and **add** (1)(h) as follows:

4 **31-12-102. Legislative declaration.** (1) The general assembly
5 hereby declares that the policies and procedures in this part 1 are
6 necessary and desirable for the orderly growth of urban communities in
7 the state of Colorado, and to these ends this part 1 shall be liberally
8 construed. The general assembly further declares that it is the purpose of
9 this part 1:

10 (f) To reduce friction among contiguous or neighboring
11 municipalities; ~~and~~

12 (g) To increase the ability of municipalities in urban areas to
13 provide their citizens with the services they require; AND

14 (h) TO RESPECT THE SOVEREIGNTY OF FEDERALLY RECOGNIZED
15 INDIAN TRIBES WITH LANDS WITHIN THE EXTERIOR BOUNDARIES OF A
16 FEDERALLY RECOGNIZED INDIAN RESERVATION AND WITHIN THE EXTERIOR
17 BOUNDARIES OF THE STATE, TO REDUCE THE JURISDICTIONAL
18 COMPLEXITIES THAT ARISE WHEN MUNICIPALITIES ANNEX INDIAN
19 RESERVATION LAND, AND TO ENSURE COOPERATION AND COLLABORATION
20 BY MUNICIPALITIES WITH TRIBAL GOVERNMENTS.

21 **SECTION 2.** In Colorado Revised Statutes, 31-12-105, **amend**
22 (1) introductory portion; and **add** (1)(i) as follows:

23 **31-12-105. Limitations.** (1) Notwithstanding any provisions of
24 this part 1 to the contrary, the following limitations ~~shall~~ apply to all

1 annexations:

2 (i) FOR ANY ANNEXATION THAT WILL RESULT IN ANNEXATION OF
3 LANDS WITHIN THE EXTERIOR BOUNDARIES OF A RESERVATION OF A
4 FEDERALLY RECOGNIZED INDIAN TRIBE LOCATED WITHIN THE STATE, NO
5 ANNEXATION PURSUANT TO SECTION 31-12-106 OR ANNEXATION PETITION
6 OR PETITION FOR AN ANNEXATION ELECTION PURSUANT TO SECTION
7 31-12-107 IS VALID UNLESS ACCOMPANIED BY A RESOLUTION OR
8 ORDINANCE OF THE TRIBAL COUNCIL OR OTHER GOVERNING BODY OF THE
9 FEDERALLY RECOGNIZED INDIAN TRIBE WITHIN WHOSE RESERVATION THE
10 ANNEXATION WILL OCCUR APPROVING THE ANNEXATION. THIS
11 SUBSECTION (1)(i) APPLIES TO ANNEXATION OF ALL LANDS WITHIN THE
12 EXTERIOR BOUNDARIES OF A RESERVATION OF A FEDERALLY RECOGNIZED
13 INDIAN TRIBE LOCATED WITHIN THE STATE REGARDLESS OF THE STATUS OF
14 THE LANDS SOUGHT TO BE ANNEXED.

15 **SECTION 3. Applicability.** This act applies to annexations
16 pursuant to section 31-12-106, C.R.S., or annexation petitions or petitions
17 for an annexation election pursuant to section 31-12-107, C.R.S., on or
18 after the effective date of this act.

19 **SECTION 4. Safety clause.** The general assembly finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety or for appropriations for
22 the support and maintenance of the departments of the state and state
23 institutions.