

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 11-1011

BY REPRESENTATIVE(S) Peniston, Kerr J., Solano, Todd, Vigil, Fields;
also SENATOR(S) Giron, Aguilar.

CONCERNING THE PARTICIPATION OF ADDITIONAL INDIVIDUALS IN A
PROCEEDING PENDING BEFORE THE BOARD OF ASSESSMENT APPEALS.

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

SECTION 1. 39-2-127 (2), Colorado Revised Statutes, is amended, and the said 39-2-127 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

39-2-127. Board of assessment appeals meetings - proceedings - representation before board. (2) At the direction of the chairman and with the agreement of the parties before the board, one or more of the members of the board of assessment appeals may conduct hearings ~~which may be held~~ in Denver or in a county of closer location to the subject property, administer oaths, examine witnesses, receive evidence, issue subpoenas, and render preliminary decisions subject to concurrence and modification by agreement of at least two members of the board. AN ADDITIONAL BOARD MEMBER MAY BE ADDED AFTER A HEARING TO REVIEW THE EVIDENCE AND HEARING TRANSCRIPT OR RECORDING AND RENDER A DECISION IN THE EVENT THE BOARD MEMBERS WHO CONDUCTED THE

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

HEARING ARE UNABLE TO REACH A DECISION.

(5) THE BOARD MAY PERMIT, IN ITS DISCRETION AND UPON PRIOR WRITTEN APPLICATION, THE INTERVENTION OF ANOTHER AFFECTED PARTY IN A MATTER PENDING BEFORE THE BOARD. THE BOARD MAY LIMIT OR RESTRICT THE PARTICIPATION OF AN INTERVENOR IN SUCH MANNER AS THE BOARD, IN ITS DISCRETION, ORDERS.

SECTION 2. Act subject to petition - effective date - applicability. (1) This act shall take 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 10, 2011, if adjournment sine die is on May 11, 2011); 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 shall not take effect unless approved by the people at the general election to be held in November 2012 and shall take effect on the date of the official declaration of the vote thereon by the governor.

(2) The provisions of this act shall apply to appeals filed with the board of assessment appeals on or after the applicable effective date of this act.

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO