

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0490.01 Ed DeCecco x4216

HOUSE BILL 16-1088

HOUSE SPONSORSHIP

Dore,

SENATE SPONSORSHIP

(None),

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE AUTHORIZATION FOR A FIRE PROTECTION DISTRICT
102 TO IMPOSE AN IMPACT FEE ON NEW DEVELOPMENT, AND, IN
103 CONNECTION THEREWITH, ENACTING THE "PUBLIC SAFETY
104 FAIRNESS ACT".

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://www.leg.state.co.us/billsummaries>.)

The bill authorizes the board of a fire protection district to impose an impact fee on the construction of new buildings, structures, facilities, or improvements, including oil and gas wells, on previously improved or

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

on unimproved real property, if the impact fee is:

- ! Reasonably related to the overall cost of the fire protection district's services; and
- ! Imposed in accordance with a fee schedule that is legislatively adopted by the board and that applies to all construction of new buildings, structures, facilities, or improvements.

At least 60 days before imposing the impact fee, a district shall notify in writing overlapping municipalities and counties of their right to comment on the district imposing impact fees.

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

SECTION 1. Short title. The short title of this act is the "Public Safety Fairness Act".

SECTION 2. In Colorado Revised Statutes, 32-1-1002, **add** (1) (d.5) as follows:

32-1-1002. Fire protection districts - additional powers and duties. (1) In addition to the powers specified in section 32-1-1001, the board of any fire protection district has the following powers for and on behalf of such district:

(d.5) (I) TO IMPOSE AN IMPACT FEE ON THE CONSTRUCTION OF NEW BUILDINGS, STRUCTURES, FACILITIES, OR IMPROVEMENTS, INCLUDING OIL AND GAS WELLS, ON PREVIOUSLY IMPROVED OR UNIMPROVED REAL PROPERTY WITHIN THE DISTRICT'S JURISDICTION, IF THE IMPACT FEE IS:

(A) REASONABLY RELATED TO THE OVERALL COST OF THE FIRE PROTECTION DISTRICT'S SERVICES; AND

(B) IMPOSED IN ACCORDANCE WITH A FEE SCHEDULE THAT IS LEGISLATIVELY ADOPTED BY THE BOARD AND THAT APPLIES TO ALL CONSTRUCTION OF NEW BUILDINGS, STRUCTURES, FACILITIES, OR IMPROVEMENTS.

(II) AT LEAST SIXTY CALENDAR DAYS BEFORE IMPOSING ANY

1 IMPACT FEES, A FIRE PROTECTION DISTRICT SHALL NOTIFY IN WRITING ALL
2 MUNICIPALITIES AND COUNTIES WITHIN THE DISTRICT'S JURISDICTION OF
3 THEIR RIGHT TO COMMENT ON THE DISTRICT IMPOSING IMPACT FEES.

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