

First Extraordinary Session  
Seventy-second General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 20B-0013.01 Bob Lackner x4350

SENATE BILL 20B-008

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SENATE SPONSORSHIP

Crowder,

HOUSE SPONSORSHIP

(None),

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Senate Committees

Finance

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE AUTHORITY OF COUNTY GOVERNMENTS TO REJECT  
102 COMPLIANCE WITH THE IMPOSITION OF STATEWIDE DISASTER  
103 EMERGENCY ORDERS HAVING LEGAL EFFECTS WITHIN THE  
104 UNINCORPORATED PORTIONS OF THE COUNTY.

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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 permits the majority of the board of county commissioners of any county (board), by adoption of a resolution, to reject all or any portion of a disaster emergency order applying to the county that has been

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.

issued by the governor under the governor's emergency management powers. Upon the enactment by the board of such a resolution, the order that is the subject of the resolution, or any portion of the order that is discussed in the resolution, has no legal force and effect within the unincorporated portions of the county.

The bill requires the board to notify the governor and any affected state agencies of the adoption of such resolution.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-704, **add**  
3 (10) as follows:

4 **24-33.5-704. The governor and disaster emergencies - response**  
5 **- duties and limitations.** (10) NOTWITHSTANDING ANY OTHER PROVISION  
6 OF THIS PART 7, BY APPROVAL OF A RESOLUTION PASSED BY A MAJORITY  
7 OF THE BOARD OF COUNTY COMMISSIONERS, ANY COUNTY MAY REJECT  
8 COMPLIANCE WITH ALL OR ANY PORTION OF AN ORDER APPLYING TO THE  
9 COUNTY THAT HAS BEEN ISSUED BY THE GOVERNOR PURSUANT TO THE  
10 GOVERNOR'S AUTHORITY UNDER THIS PART 7. UPON THE ENACTMENT BY  
11 THE BOARD OF SUCH A RESOLUTION, THE ORDER THAT IS THE SUBJECT OF  
12 THE RESOLUTION, OR ANY PORTION OF THE ORDER THAT IS DISCUSSED IN  
13 THE RESOLUTION, HAS NO LEGAL FORCE AND EFFECT WITHIN THE  
14 UNINCORPORATED PORTIONS OF THE COUNTY.

15 **SECTION 2.** In Colorado Revised Statutes, 30-11-107, **add**  
16 (1)(mm) as follows:

17 **30-11-107. Powers of the board.** (1) The board of county  
18 commissioners of each county has power at any meeting:

19 (mm) (I) TO ADOPT A RESOLUTION UNDER WHICH THE COUNTY  
20 REJECTS COMPLIANCE WITH ALL OR ANY PORTION OF AN ORDER APPLYING  
21 TO THE COUNTY THAT HAS BEEN ISSUED BY THE GOVERNOR PURSUANT TO  
22 THE GOVERNOR'S AUTHORITY UNDER PART 7 OF ARTICLE 33.5 OF TITLE 24.

1           (II) UPON ADOPTION OF A RESOLUTION PURSUANT TO SUBSECTION  
2 (1)(mm)(I) OF THIS SECTION, THE BOARD SHALL NOTIFY THE GOVERNOR  
3 AND ANY AFFECTED STATE AGENCIES OF THE ADOPTION OF THE  
4 RESOLUTION.

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