

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.



SENATE BILL 10-053

BY SENATOR(S) Foster;
also REPRESENTATIVE(S) Acree, Schafer S.

CONCERNING THE EXCEPTION OF WEIGHTED VOTES FROM VOTING
REQUIREMENTS GOVERNING THE BOARD OF DIRECTORS OF A
METROPOLITAN SEWAGE DISPOSAL DISTRICT.

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

SECTION 1. 32-4-509 (7) (c), Colorado Revised Statutes, is amended to read:

32-4-509. Board of directors. (7) The board of directors has the following powers:

(c) ~~No~~ Business of the board shall be transacted ~~except~~ at a regular or special meeting at which a quorum consisting of one-half of the total membership of the board of directors is present. Any action of the board shall require the affirmative vote of the majority of the directors present and voting, ~~but~~ EXCEPT WHEN A WEIGHTED VOTE IS CONDUCTED IN ACCORDANCE WITH THE BYLAWS OF THE DISTRICT, APPLICABLE RESOLUTIONS OF THE BOARD, OR OTHER LAWS OR RULES GOVERNING THE PROCEDURES OF THE BOARD. Questions involving inclusion or exclusion of territories or

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

authorizing any expenditures in excess of fifty thousand dollars shall require the approval of a majority of the entire membership of the board. A majority of the entire membership of the board may authorize by resolution any project authorized in this part 5 and also thereby authorize expenditures from time to time appertaining to such project in excess of fifty thousand dollars approved by an affirmative vote of the majority of the directors present and voting at any subsequent meeting. A smaller number of directors than a quorum may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as the board may provide.

SECTION 2. Act subject to petition - effective date. 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 11, 2010, if adjournment sine die is on May 12, 2010); 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 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO