

SUPPLEMENTAL DIGEST
OF
SENATE AND HOUSE BILLS ENACTED
BY THE
FIFTY-SIXTH GENERAL ASSEMBLY
OF THE
STATE OF COLORADO

(1987 - First Regular Session)

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Compiled by the
Legislative Drafting Office
and the
Office of Revisor of Statutes
State Capitol Building
Denver
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The supplemental digest includes all bills enacted by the General Assembly during the extended session dates, August 11, 1987, through August 13, 1987.

Bill statistics from the original 1987 digest of bills have been revised in accordance with extended session actions taken as follows:

	<u>Introduced</u>	<u>Passed</u>
HOUSE BILLS	385	212
SENATE BILLS	<u>249</u>	<u>144</u>
TOTALS	634	356

Of the House Bills passed: 188 were signed by the Governor
11 became law without the Governor's signature
13 were vetoed by the Governor

Of the Senate Bills passed: 131 were signed by the Governor
8 became law without the Governor's signature
5 were vetoed by the Governor

S.B. 161 Community corrections - referral of offenders by the department of corrections - condition of parole. Requires the department of corrections to refer any offender who has not received an enhanced sentence for a conviction of a violent crime to community corrections for short-term, prerelease placement. Specifies the maximum number of months that such offender may be placed in community corrections. Declares the legislative intent with respect to the public safety purposes of community corrections.

Gives the right of first refusal of placement of an offender to the corrections board in the community where the offender will reside after his release from custody. Authorizes the state board of parole to require participation in community corrections as a condition of parole. Requires the department of corrections to establish programs and procedures whereby offenders may contribute toward the restitution of their victims.

APPROVED by Governor August 27 EFFECTIVE August 27

S.B. 201 Private educational clinics for public school dropouts - appropriation. Authorizes the commissioner of education and counties to contract with certified private educational clinics to provide individualized instruction in basic academic skills and employment orientation. Encourages public school reentry for 13-21 year-olds who have dropped out of public school. Allows attendance at clinics to satisfy compulsory attendance requirements and, if certain attendance and performance requirements are met, allows a student to reenroll in a public school and graduate with his class.

Establishes standards and procedures for the commissioner to certify educational clinics and requires the department of education to report to the general assembly on the effect of the program on the school dropout problem.

Creates a cash fund for contributions from federal, local, and private sources, and appropriates \$400,000 therefrom to the department of education for implementation of the act.

APPROVED by Governor August 27 EFFECTIVE August 27

S.B. 219 Vested real property rights - establishment. Provides for the establishment of a vested property right to develop and use real property upon the approval or conditional approval of a site specific development plan

by the local government in which the property is located. Makes such approval subject to all rights of referendum and judicial review. Declares that the establishment of vested property rights is a matter of statewide concern. States that a vested property right is vested for 3 years but permits local governments to enter into agreements allowing such rights to vest for a longer period. States that zoning that is not part of a site specific plan does not result in the creation of a vested property right.

Provides that what constitutes a vested property right shall be finally determined by the local government either pursuant to ordinance or regulation or upon the agreement entered into by the local government and the landowner. Requires the identification of the document which triggers a vested right.

Once a vested property right vests, precludes any zoning or land use action by a local government or pursuant to an initiated measure which would alter, impair, prevent, diminish, or delay the development of use except with the landowner's consent or upon the discovery of natural or man-made hazards on or in the immediate vicinity of the property or if the landowner receives just compensation for all costs, expenses, and liabilities incurred.

Provides that a vested property right arising while one local government has jurisdiction over the property shall be effective against any other local government which may obtain or assert jurisdiction over the property.

States that statutory provisions shall not preclude judicial determination that a vested property right exists or that a compensable taking has occurred.

APPROVED by Governor August 27 EFFECTIVE Jan. 1, 1988

S.B. 247

Public highway authorities - creation - operation - financing. Authorizes the creation of public highway authorities for the purpose of financing, constructing, operating, and maintaining a public highway. Defines "public highway" and other necessary terms. Specifies which entities may combine to form an authority and the powers of such authority, including the power to establish tolls for traveling on a public highway and the power to establish local improvement districts and value capture areas to facilitate the construction of a public highway. Authorizes the authority to levy certain taxes and impose certain fees within the area of the authority

and to issue bonds. Requires that any action by an authority to establish or increase any tax or motor vehicle registration fee be submitted to a referendum for approval or rejection by a majority of registered electors. Authorizes governmental units to take specified actions, including pledging moneys received from the highway users tax fund, relating to a public highway.

APPROVED by Governor August 27 EFFECTIVE August 27

S.B. 248 "Colorado Children's Code" - correction of date. Conforms the date contained in the provision of the "Colorado Children's Code" governing previous court orders and decrees to the effective date of the act that repealed and reenacted such code, October 1, 1987.

APPROVED by Governor August 27 EFFECTIVE August 27

H.B. 1299 School district management and efficiency. Assigns to the interim school finance study committee the responsibility for overseeing a study of minimizing administrative costs of school districts which was authorized by a footnote to the general appropriation bill, S.B. 218. Requires school districts to comply with requests made in the conduct of such study. Delays the date for the department of education to report on the results of such study from January 15, 1988, to February 15, 1988.

APPROVED by Governor August 27 EFFECTIVE August 27

H.B. 1369 Mined land reclamation board - cash funding - transfer authorization. Establishes the cash funding of the mined land reclamation board. Authorizes the director of the office of state planning and budgeting, after consulting with the executive director of the department of natural resources and with the approval of the governor, to order the controller to transfer \$125,779 and 3.5 FTE from the Colorado mine safety program to the division of mined land reclamation for the minerals program.

APPROVED by Governor August 27 EFFECTIVE August 27

H.B. 1383 Closing of the books for the 1986-87 fiscal year - transfers between appropriations. Makes various transfers between appropriations for the purpose of closing the books for the 1986-87 fiscal year including intradepartmental transfers for the departments of administration, agriculture, corrections, health, higher education, institutions, natural resources, and social

services, the judicial department, and the department of the treasury, and a transfer of \$323,894 in general fund appropriations from the department of corrections to the department of administration.

APPROVED by Governor August 27 EFFECTIVE August 27

H.B. 1384 Surcharge on occupational license fees - changes to 1987 H.B. No. 1377. Amends 1987 H.B. No. 1377, which imposed a 25% surcharge on fees related to the licensing of individuals to practice a profession or occupation regulated by the department of regulatory agencies, by denominating the surcharge an "excise tax", eliminating the rule-making authority of the executive director of the department of regulatory agencies, removing a reference to the amount expected to be raised by the tax, listing various specific kinds of fees not subject to the tax, and authorizing rounding the dollar amount of the tax to the nearest whole dollar.

APPROVED by Governor August 27 EFFECTIVE August 27

H.B. 1385 Supplemental appropriation - department of education. Amends the 1987 general appropriation act to decrease the total appropriation to the department.

APPROVED by Governor August 27 EFFECTIVE August 27