

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0592.01 Thomas Morris

HOUSE BILL 11-1154

HOUSE SPONSORSHIP

Hamner,

SENATE SPONSORSHIP

Morse,

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE AUTHORITY OF A BOARD OF COUNTY
102 COMMISSIONERS TO ENACT A BUSINESS REGULATION PROGRAM
103 APPLICABLE TO LARGE UNINCORPORATED COMMUNITIES.

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 allows a board of county commissioners to enact an ordinance defining the boundaries of a "large community", which must be an unincorporated area having a population of at least 5,000, within which a business may not operate unless the business has registered with

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.

the board of county commissioners. "Business" is defined to exclude a commercial activity that does not have any employees and does not receive or initiate any commercial deliveries of supplies or products. The statute lists the type of information that the business can be required to provide and limits the registration fee to the county's administrative costs.

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

2 **SECTION 1.** The introductory portion to 30-15-401 (1), Colorado
3 Revised Statutes, is amended, and the said 30-15-401 (1) is further
4 amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

5 **30-15-401. General regulations.** (1) In addition to those powers
6 granted by sections 30-11-101 and 30-11-107 and by parts 1, 2, and 3 of
7 this article, the board of county commissioners has the power to adopt
8 ordinances for control or licensing of those matters of purely local
9 concern ~~which~~ THAT are described in the following enumerated powers:

10 (s) (I) TO CREATE A BUSINESS REGISTRATION PROGRAM THAT
11 APPLIES WITHIN EACH LARGE COMMUNITY.

12 (II) AS USED IN THIS PARAGRAPH (s):

13 (A) "BUSINESS" MEANS ANY TYPE OF COMMERCIAL ACTIVITY;
14 EXCEPT THAT "BUSINESS" DOES NOT INCLUDE A COMMERCIAL ACTIVITY
15 THAT DOES NOT HAVE ANY EMPLOYEES AND DOES NOT RECEIVE OR
16 INITIATE ANY COMMERCIAL DELIVERIES OF SUPPLIES OR PRODUCTS.

17 (B) "LARGE COMMUNITY" MEANS AN UNINCORPORATED
18 COMMUNITY THAT IS LOCATED ENTIRELY WITHIN A COUNTY, HAS
19 BOUNDARIES AS DETERMINED BY THE BOARD, AND HAS A POPULATION OF
20 AT LEAST FIVE THOUSAND PEOPLE.

21 (III) THE BOARD MAY ADOPT AN ORDINANCE THAT PROHIBITS A
22 BUSINESS FROM OPERATING WITHIN A LARGE COMMUNITY UNLESS THE
23 BUSINESS HAS REGISTERED WITH THE BOARD PURSUANT TO PROCEDURES

1 ESTABLISHED IN THE ORDINANCE. THE ORDINANCE MAY REQUIRE THE
2 BUSINESS TO PROVIDE THE FOLLOWING INFORMATION:

3 (A) THE NAME, ADDRESS, AND CONTACT INFORMATION OF THE
4 BUSINESS;

5 (B) THE NATURE OF THE BUSINESS AND THE LOCATION AND TIMING
6 OF THE BUSINESS' OPERATION;

7 (C) THE NUMBER OF PEOPLE EMPLOYED BY THE BUSINESS,
8 WHETHER THE NUMBER OF EMPLOYEES CHANGES DURING THE YEAR, AND,
9 IF SO, THE NUMBER OF EMPLOYEES DURING LOW, AVERAGE, AND PEAK
10 SEASONS;

11 (D) WHETHER THE BUSINESS OFFERS HEALTH INSURANCE TO ITS
12 EMPLOYEES; AND

13 (E) THE DOCUMENTATION THAT THE BUSINESS REQUIRES OF ITS
14 EMPLOYEES, INCLUDING WHETHER THE BUSINESS USES THE FEDERAL
15 E-VERIFY PROGRAM AS DEFINED IN SECTION 8-2-124 (1), C.R.S.

16 (IV) THE ORDINANCE MAY ESTABLISH A REGISTRATION FEE IN THE
17 MINIMUM AMOUNT NECESSARY TO OFFSET THE COUNTY'S COSTS IN
18 ADMINISTERING THE REGISTRATION PROGRAM.

19 **SECTION 2. Act subject to petition - effective date.** This act
20 shall take effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part shall not take effect
26 unless approved by the people at the general election to be held in

1 November 2012 and shall take effect on the date of the official
2 declaration of the vote thereon by the governor.