

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0580.01 Kate Meyer x4348

**HOUSE BILL 13-1212**

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**HOUSE SPONSORSHIP**

**Moreno,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Local Government  
Finance

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ABILITY OF LOCAL GOVERNMENTS TO FORM JOB**  
102 **CREATION DISTRICTS.**

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

The bill creates a mechanism for a local government to create a job creation district (district) in which to support an eligible project (project) that generates jobs. The mechanism also creates a local job creation authority (authority) with the power to receive and utilize 90% of the portion of moneys derived from the increased tax revenues collected in

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.*



1 USES AND PURPOSES FOR WHICH PUBLIC MONEYS MAY BE EXPENDED AND  
2 THE POLICE POWER MAY BE EXERCISED AND THAT THE NECESSITY IN THE  
3 PUBLIC INTEREST FOR THE PROVISIONS ENACTED IN THIS ARTICLE IS  
4 DECLARED AS A MATTER OF LEGISLATIVE DETERMINATION; AND

5 (d) THIS ARTICLE PROMOTES THE PUBLIC INTEREST AND WELFARE  
6 BY UTILIZING A PORTION OF INCREASED TAX REVENUES GENERATED  
7 WITHIN JOB CREATION DISTRICTS TO CREATE NEW JOBS AND STIMULATE  
8 THE STATE'S ECONOMY.

9 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT  
10 EACH TAXING ENTITY IN A PROPOSED JOB CREATION DISTRICT HAS THE  
11 ABILITY TO OPT IN TO A DISTRICT PLAN AND THAT EACH TAXING ENTITY  
12 ELECTING TO PARTICIPATE SHALL MAINTAIN THE ABILITY TO SUPPORT THE  
13 PLAN OF THE JOB CREATION DISTRICT AND INDEPENDENTLY IDENTIFY THE  
14 TERMS AND CONDITIONS, INCLUDING THE AMOUNT OF REVENUE THE  
15 TAXING ENTITY WILL COMMIT TO THE JOB CREATION DISTRICT, BY WHICH  
16 THE TAXING ENTITY WILL COOPERATE WITH THE GOVERNING BODY AND  
17 THE AUTHORITY IN THE DEVELOPMENT AND IMPLEMENTATION OF A  
18 SUCCESSFUL JOB CREATION DISTRICT.

19 **29-30-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
20 CONTEXT OTHERWISE REQUIRES:

21 (1) "AUTHORITY" OR "LOCAL JOB CREATION AUTHORITY" MEANS  
22 A CORPORATE BODY ORGANIZED PURSUANT TO THIS ARTICLE FOR THE  
23 PURPOSES, WITH THE POWERS, AND SUBJECT TO THE RESTRICTIONS SET  
24 FORTH IN THIS ARTICLE.

25 (2) "BASE TAX REVENUES" MEANS THE AMOUNT OF TAX REVENUES  
26 GENERATED IN A JOB CREATION DISTRICT DURING THE BASE YEAR BY ALL  
27 TAXING ENTITIES, EXCLUSIVE OF THE STATE, AS ADJUSTED FOR

1 AGRICULTURAL LAND BY THE COUNTY ASSESSOR PURSUANT TO SECTION  
2 29-30-104 (7).

3 (3) "BASE YEAR" MEANS THE TWELVE-MONTH PERIOD  
4 IMMEDIATELY PRECEDING THE CREATION OF A JOB CREATION DISTRICT.

5 (4) "DISTRICT PLAN" MEANS THE DOCUMENT CREATED IN THE  
6 FORM AND CONTAINING THE SUBSTANCE REQUIRED BY A GOVERNING BODY  
7 AS SPECIFIED IN SECTION 29-30-104 (1).

8 (5) "ELIGIBLE PROJECT" MEANS ONE OR MORE PRIVATE ENTITIES  
9 THAT INDIVIDUALLY OR COLLECTIVELY MEET THE MINIMUM  
10 REQUIREMENTS SET FORTH IN SECTION 29-30-104 (3).

11 (6) "GOVERNING BODY" MEANS THE GOVERNING BODY OF ANY  
12 HOME RULE OR STATUTORY CITY, COUNTY, CITY AND COUNTY, OR TOWN,  
13 WITH LOCAL LAND USE JURISDICTION OVER THE TERRITORY WITHIN WHICH  
14 A JOB CREATION DISTRICT IS ESTABLISHED.

15 (7) "INCREASED TAX REVENUES" MEANS THE SALES, USE, LODGING,  
16 AND REAL AND PERSONAL PROPERTY TAXES, EXCLUSIVE OF ANY TAXES  
17 IMPOSED BY THE STATE, GENERATED OVER A MAXIMUM TERM OF FIFTEEN  
18 YEARS ABOVE THE BASE TAX REVENUES WITHIN A JOB CREATION DISTRICT.

19 (8) "JOB CREATION DISTRICT" MEANS A LEGALLY DESCRIBED AND  
20 CONTIGUOUS GEOGRAPHIC AREA OF REAL PROPERTY, THE BOUNDARIES OF  
21 WHICH ARE NARROWLY FIXED BY A GOVERNING BODY TO DEFINE THE LAND  
22 AREA WITHIN WHICH THE GOVERNING BODY HAS DETERMINED THAT:

23 (a) NEW JOBS WILL BE CREATED; AND

24 (b) INCREASED TAX REVENUES WILL BE GENERATED BY AN  
25 ELIGIBLE PROJECT.

26 (9) "LARGE COMMUNITY" MEANS A MUNICIPALITY THAT, BASED ON  
27 THE MOST RECENT DECENNIAL CENSUS OF THE UNITED STATES, AS

1 DETERMINED BY THE DEPARTMENT OF LABOR AND EMPLOYMENT, HAS:

2 (a) A POPULATION GREATER THAN SEVENTY-FIVE THOUSAND AND  
3 LESS THAN TWO HUNDRED FIFTY THOUSAND PERSONS; OR

4 (b) A POPULATION OF LESS THAN TWENTY-FIVE THOUSAND  
5 PERSONS AND SHARES A CONTIGUOUS BORDER WITH A MUNICIPALITY THAT  
6 HAS A POPULATION GREATER THAN SEVENTY-FIVE THOUSAND, AND LESS  
7 THAN TWO HUNDRED FIFTY THOUSAND, PERSONS.

8 (10) "MEDIUM COMMUNITY" MEANS A MUNICIPALITY THAT HAS A  
9 POPULATION OF GREATER THAN TWENTY-FIVE THOUSAND PERSONS AND  
10 FEWER THAN SEVENTY-FIVE THOUSAND PERSONS, BASED ON THE MOST  
11 RECENT DECENNIAL CENSUS OF THE UNITED STATES, AS DETERMINED BY  
12 THE DEPARTMENT OF LABOR AND EMPLOYMENT.

13 (11) "METROPOLITAN COMMUNITY" MEANS A MUNICIPALITY THAT,  
14 BASED ON THE MOST RECENT DECENNIAL CENSUS OF THE UNITED STATES,  
15 AS DETERMINED BY THE DEPARTMENT OF LABOR AND EMPLOYMENT, HAS:

16 (a) A POPULATION GREATER THAN TWO HUNDRED FIFTY THOUSAND  
17 PERSONS; OR

18 (b) A POPULATION OF LESS THAN TWENTY-FIVE THOUSAND  
19 PERSONS AND SHARES A CONTIGUOUS BORDER WITH A MUNICIPALITY THAT  
20 HAS A POPULATION GREATER THAN TWO HUNDRED FIFTY THOUSAND  
21 PERSONS.

22 (12) "MUNICIPALITY" MEANS A HOME RULE OR STATUTORY CITY,  
23 TOWN, OR CITY AND COUNTY OR A TERRITORIAL CHARTER CITY.

24 (13) "NEW JOBS" MEANS THE NUMBER OF JOBS CREATED WITHIN A  
25 JOB CREATION DISTRICT BY AN EMPLOYER OR EMPLOYERS IN EXCESS OF  
26 THE NUMBER OF FULL-TIME JOBS MAINTAINED BY THE EMPLOYER OR  
27 EMPLOYERS IN THE STATE PRIOR TO THE ESTABLISHMENT OF THE JOB

1 CREATION DISTRICT, AS DETERMINED BY THE DEPARTMENT OF LABOR AND  
2 EMPLOYMENT.

3 (14) "OBLIGATIONS" MEANS ANY BONDS, INCLUDING REFUNDING  
4 BONDS, NOTES, INTERIM CERTIFICATES OR RECEIPTS, TEMPORARY BONDS,  
5 CERTIFICATES OF INDEBTEDNESS, DEBENTURES, REIMBURSEMENT  
6 AGREEMENTS, OR OTHER FINANCIAL OBLIGATIONS.

7 (15) "PRIVATE ENTITY" MEANS AN INDIVIDUAL, COMMITTEE,  
8 CORPORATION, BUSINESS TRUST, TRUST, ESTATE, PARTNERSHIP, LIMITED  
9 LIABILITY COMPANY, ASSOCIATION, JOINT VENTURE, NONPROFIT  
10 CORPORATION, OR OTHER LEGAL ENTITY THAT IS NOT A PUBLIC ENTITY.

11 (16) "PRIVATE IMPROVEMENTS" MEANS THE DESIGN, FINANCING,  
12 CONSTRUCTION, RECONSTRUCTION, GRADING, PAVING, ACQUISITION,  
13 INSTALLATION, OPERATION, MANAGEMENT, REPAIR, REPLACEMENT,  
14 PROVISION, OR MAINTENANCE OF PROJECTS, PROGRAMS, ACTIVITIES,  
15 FACILITIES, OR SERVICES THAT ARE PAID FOR BY A PRIVATE ENTITY.

16 (17) "PUBLIC ENTITY" MEANS THE STATE AND ANY OF ITS  
17 DEPARTMENTS, BOARDS, AGENCIES, INSTRUMENTALITIES, AUTHORITIES,  
18 AND COMMISSIONS AND ANY POLITICAL SUBDIVISION, INCLUDING ANY  
19 COUNTY, CITY AND COUNTY, MUNICIPALITY, SCHOOL DISTRICT, LOCAL  
20 IMPROVEMENT DISTRICT, LAW ENFORCEMENT AUTHORITY, SPECIAL  
21 DISTRICT, AND ANY OF A POLITICAL SUBDIVISION'S DEPARTMENTS,  
22 BOARDS, AGENCIES, INSTRUMENTALITIES, AUTHORITIES, AND  
23 COMMISSIONS.

24 (18) "PUBLIC IMPROVEMENTS" MEANS THE DESIGN, FINANCING,  
25 CONSTRUCTION, RECONSTRUCTION, GRADING, PAVING, ACQUISITION,  
26 INSTALLATION, OPERATION, MANAGEMENT, REPAIR, REPLACEMENT,  
27 PROVISION, OR MAINTENANCE OF PROJECTS, PROGRAMS, ACTIVITIES,

1 FACILITIES, OR SERVICES THAT MAY BE PAID FOR BY A TAXING ENTITY AND  
2 MAY OR MAY NOT BE LOCATED WITHIN THE BOUNDARIES OF A JOB  
3 CREATION DISTRICT. "PUBLIC IMPROVEMENTS" INCLUDES RUNWAYS,  
4 PARKING FACILITIES, TAXIWAYS, BUILDINGS, FENCING, STREETS, ALLEYS,  
5 BRIDGES, CURBS, GUTTERS, SIDEWALKS, LIGHTING, TRAFFIC SAFETY  
6 DEVICES, FREEWAY INTERCHANGES, BICYCLE PATHS, UTILITIES, STORM  
7 WATER MANAGEMENT FACILITIES, WATER FACILITIES AND EQUIPMENT,  
8 SANITARY SEWER IMPROVEMENTS, FIRE PROTECTION FACILITIES AND  
9 EQUIPMENT, WATER DISTRIBUTION AND STORAGE SYSTEMS, FLOOD AND  
10 SURFACE DRAINAGE, MOSQUITO CONTROL, PARKS, OPEN SPACE,  
11 LANDSCAPING, IRRIGATION, PASSIVE AND ACTIVE RECREATIONAL  
12 AMENITIES, STREETSCAPING, STATUARIES, DECORATIVE STRUCTURES,  
13 ENERGY CONSERVATION PRODUCTS, SECURITY SERVICES, IDENTIFICATION  
14 SIGNS, AND AMENITIES IN SUPPORT OF SPACEFLIGHT ENTITIES AND  
15 SPACEFLIGHT ACTIVITIES.

16 (19) "PUBLIC IMPROVEMENTS COSTS" MEANS, WITHOUT  
17 LIMITATION, THE COSTS ASSOCIATED WITH PUBLIC IMPROVEMENTS AND  
18 THE INCURRENCE OR REPAYMENT OF ANY QUALIFIED OBLIGATION ARISING  
19 IN CONNECTION WITH THE PUBLIC IMPROVEMENTS.

20 (20) "QUALIFIED OBLIGATION" MEANS AN OBLIGATION ISSUED OR  
21 CREATED FOR A TERM OF FIFTEEN YEARS OR LESS BY AN AUTHORITY IN AN  
22 AMOUNT NO GREATER THAN THE AMOUNT OF INCREASED TAX REVENUES.

23 [REDACTED]

24 (21) "SALARY" MEANS THE TOTAL COMPENSATION PAID OR  
25 STIPULATED TO BE PAID BY THE EMPLOYER TO EMPLOYEES, BEFORE  
26 DEDUCTIONS, FOR SERVICES RENDERED WHILE ON THE PAYROLL OF THE  
27 ELIGIBLE PROJECT. "SALARY" DOES NOT INCLUDE ANY AMOUNT PAID BY

1 THE EMPLOYER ON BEHALF OF EMPLOYEES FOR FRINGE BENEFITS,  
2 INCLUDING CONTRIBUTIONS FOR GROUP HEALTH OR LIFE INSURANCE,  
3 EMPLOYEE RETIREMENT PLANS, SOCIAL SECURITY, AND WORKERS'  
4 COMPENSATION.

5 (22) "SMALL COMMUNITY" MEANS:

6 (a) A MUNICIPALITY WITH A POPULATION OF FEWER THAN  
7 TWENTY-FIVE THOUSAND PERSONS, BASED ON THE MOST RECENT  
8 DECENNIAL CENSUS OF THE UNITED STATES, AS DETERMINED BY THE  
9 DEPARTMENT OF LABOR AND EMPLOYMENT, THAT DOES NOT SHARE A  
10 CONTIGUOUS BORDER WITH EITHER A METROPOLITAN COMMUNITY OR A  
11 LARGE COMMUNITY; OR

12 (b) ANY UNINCORPORATED AREA OF A COUNTY.

13 (23) "TAXING ENTITY" MEANS ANY PUBLIC ENTITY, EXCLUSIVE OF  
14 THE STATE, THAT IS CAPABLE OF IMPOSING PROPERTY TAXES, SALES OR  
15 USE TAXES, OR LODGING TAXES WITHIN A JOB CREATION DISTRICT.

16 **29-30-104. Formation of a job creation district - definitions.**

17 (1) ANY PUBLIC ENTITY OR PRIVATE ENTITY MAY PRESENT A DISTRICT  
18 PLAN TO A GOVERNING BODY REQUESTING THE FORMATION OF A JOB  
19 CREATION DISTRICT. THE DISTRICT PLAN MUST BE SUBMITTED IN THE FORM  
20 REQUIRED BY THE GOVERNING BODY AND CONTAIN THE INFORMATION  
21 REQUIRED BY THE GOVERNING BODY, WHICH, AT A MINIMUM, MUST  
22 INCLUDE:

23 (a) A MAP AND LEGAL DESCRIPTION OF THE BOUNDARIES OF THE  
24 JOB CREATION DISTRICT;

25 (b) A DESCRIPTION OF THE ELIGIBLE PROJECT THAT IS ANTICIPATED  
26 TO GENERATE NEW JOBS, INCLUDING IDENTIFICATION OF THE PRIVATE  
27 IMPROVEMENTS TO BE CONSTRUCTED AND THE PUBLIC IMPROVEMENTS



1 NEEDED IN ORDER TO SUPPORT THE ELIGIBLE PROJECT WITHIN THE JOB  
2 CREATION DISTRICT;

3 (c) THE ESTIMATED INCREASED TAX REVENUES TO BE GENERATED  
4 ANNUALLY FROM WITHIN THE JOB CREATION DISTRICT OVER A  
5 THIRTY-YEAR PERIOD;

6 (d) THE NUMBER OF NEW JOBS AND ESTIMATED SALARY OF EACH  
7 NEW JOB TO BE CREATED WITHIN THE JOB CREATION DISTRICT, INCLUDING  
8 A CALCULATION OF THE AVERAGE SALARY PER EMPLOYEE;

9 (e) IDENTIFICATION OF EACH TAXING ENTITY THAT HAS ELECTED  
10 TO PARTICIPATE IN THE PLAN;

11 (f) A STATEMENT FROM EACH PARTICIPATING TAXING ENTITY  
12 IDENTIFYING THE ANNUAL AMOUNT OF OR PERCENTAGE OF INCREASED TAX  
13 REVENUES, IF ANY, THAT WILL BE USED BY THE TAXING ENTITY TO  
14 SUPPORT THE OBJECTIVES OF THE JOB CREATION DISTRICT OVER A  
15 MAXIMUM PERIOD OF FIFTEEN YEARS;

16 (g) A FINANCIAL PLAN EVIDENCING THE CAPABILITY OF THE  
17 AUTHORITY TO FUND THE PUBLIC IMPROVEMENTS TO SUPPORT THE  
18 ELIGIBLE PROJECT WITHIN THE JOB CREATION DISTRICT;

19 (h) A SCHEDULE FOR COMMENCEMENT AND COMPLETION OF THE  
20 PUBLIC IMPROVEMENTS AND PRIVATE IMPROVEMENTS AND A SCHEDULE  
21 FOR WHEN THE NEW JOBS WILL BE AVAILABLE WITHIN THE JOB CREATION  
22 DISTRICT;

23 (i) A COMPARISON OF THE AMOUNT OF STATE INCOME AND SALES  
24 TAXES CURRENTLY GENERATED WITHIN THE AREA COMPRISING THE JOB  
25 CREATION DISTRICT AND THOSE EXPECTED TO BE GENERATED WITHIN THE  
26 JOB CREATION DISTRICT AFTER COMPLETION OF THE ELIGIBLE PROJECT;

27 AND

1           (j) THE AMOUNT OF INCREASED PROPERTY TAX REVENUES TO BE  
2           GENERATED BY THE MILL LEVY IMPOSED BY ANY APPLICABLE SCHOOL  
3           DISTRICT LOCATED WHOLLY OR PARTIALLY WITHIN THE BOUNDARIES OF  
4           THE JOB CREATION DISTRICT.

5           (2) (a) (I) AFTER STAFF FOR THE GOVERNING BODY DETERMINES  
6           THAT A SUBMITTED DISTRICT PLAN IS COMPLETE, THE CLERK OF THE  
7           GOVERNING BODY SHALL SCHEDULE A PUBLIC HEARING REGARDING THE  
8           PROPOSED JOB CREATION DISTRICT. THE CLERK SHALL PROVIDE EACH  
9           TAXING ENTITY THAT HAS TERRITORY WITHIN THE BOUNDARIES OF THE  
10          PROPOSED JOB CREATION DISTRICT WITH WRITTEN NOTICE OF THE TIME,  
11          PLACE, AND PURPOSE OF THE PUBLIC HEARING NO FEWER THAN FORTY-FIVE  
12          DAYS PRIOR TO THE DAY ON WHICH THE PUBLIC HEARING IS TO BE HELD  
13          AND SHALL ALSO PUBLISH SUCH NOTICE, AT LEAST TEN DAYS PRIOR TO THE  
14          DATE ON WHICH THE PUBLIC HEARING IS TO BE HELD, IN A NEWSPAPER OF  
15          GENERAL CIRCULATION WITHIN THE JURISDICTIONAL BOUNDARIES OF THE  
16          PROPOSED JOB CREATION DISTRICT, OR, IF THERE IS NO SUCH NEWSPAPER,  
17          BY CONSPICUOUSLY POSTING SUCH NOTICE IN AT LEAST THREE PUBLIC  
18          PLACES WITHIN THE JURISDICTIONAL BOUNDARIES OF THE DISTRICT.

19          (II) AS USED IN THIS PARAGRAPH (a):

20          (A) "CLERK" MEANS THE INDIVIDUAL EMPLOYED BY THE  
21          GOVERNING BODY WITH RESPONSIBILITY FOR POSTING MEETING NOTICES  
22          OR AGENDAS.

23          (B) "STAFF" MEANS THE PERSON OR DIVISION EMPLOYED BY THE  
24          GOVERNING BODY TO WHICH RESPONSIBILITY FOR REVIEWING  
25          APPLICATIONS FOR THE FORMATION OF JOB CREATION DISTRICTS HAS BEEN  
26          DELEGATED.

27          (b) THE GOVERNING BODY SHALL PROVIDE THE NOTICES

1 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (2) AT ITS OWN  
2 EXPENSE UNLESS OTHERWISE PROVIDED FOR IN A DULY ADOPTED  
3 RESOLUTION, REGULATION, ORDINANCE, OR WRITTEN POLICY OF THE  
4 GOVERNING BODY.

5 (3) (a) THE GOVERNING BODY MAY, IN ITS SOLE DISCRETION, AFTER  
6 THE NOTICE AND HEARING SET FORTH IN SUBSECTION (2) OF THIS SECTION,  
7 APPROVE FORMATION OF A JOB CREATION DISTRICT UPON FINDING, AT A  
8 MINIMUM, THAT:

9 (I) THE ELIGIBLE PROJECT WILL CREATE A MINIMUM NUMBER OF  
10 NEW JOBS, AS FOLLOWS:

11 (A) FOR A METROPOLITAN COMMUNITY, A MINIMUM OF THREE  
12 HUNDRED NEW JOBS WITH AN AVERAGE SALARY EXCEEDING THE AVERAGE  
13 SALARY FOR ANY COUNTY OVERLYING THE JOB CREATION DISTRICT;

14 (B) FOR A LARGE COMMUNITY, A MINIMUM OF ONE HUNDRED  
15 TWENTY NEW JOBS WITH AN AVERAGE SALARY EXCEEDING THE AVERAGE  
16 SALARY FOR ANY COUNTY OVERLYING THE JOB CREATION DISTRICT;

17 (C) FOR A MEDIUM COMMUNITY, A MINIMUM OF FORTY NEW JOBS  
18 WITH AN AVERAGE SALARY EXCEEDING THE AVERAGE SALARY FOR ANY  
19 COUNTY OVERLYING THE JOB CREATION DISTRICT.

20 (D) FOR A SMALL COMMUNITY, A MINIMUM OF TEN NEW JOBS WITH  
21 AN AVERAGE SALARY EXCEEDING THE AVERAGE SALARY FOR ANY COUNTY  
22 OVERLYING THE JOB CREATION DISTRICT;

23 (II) THE ELIGIBLE PROJECT WILL MAKE A NET NEW MINIMUM  
24 CAPITAL INVESTMENT OF:

25 (A) FIFTY MILLION DOLLARS IN A METROPOLITAN COMMUNITY;

26 (B) SIXTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS IN A  
27 LARGE COMMUNITY;

1 (C) TEN MILLION DOLLARS IN A MEDIUM COMMUNITY; OR

2 (D) FIVE HUNDRED THOUSAND DOLLARS IN A SMALL COMMUNITY;

3 (III) SUFFICIENT INCREASED TAX REVENUES WILL BE AVAILABLE  
4 TO PAY FOR THE PUBLIC IMPROVEMENTS NEEDED BY THE ELIGIBLE PROJECT  
5 WITHIN THE JOB CREATION DISTRICT; EXCEPT THAT NO MORE THAN SIXTY  
6 PERCENT OF SUCH INCREASED TAX REVENUES SHALL DERIVE FROM A MILL  
7 LEVY IMPOSED BY ANY APPLICABLE SCHOOL DISTRICT LOCATED WHOLLY  
8 OR PARTIALLY WITHIN THE BOUNDARIES OF THE JOB CREATION DISTRICT;

9 (IV) BASED ON INFORMATION RECEIVED FROM THE APPLICABLE  
10 TAXING ENTITIES, SUFFICIENT MONEYS WILL BE AVAILABLE TO SUPPORT  
11 THE PROVISION OF PUBLIC SERVICES AND FACILITIES TO THE LAND,  
12 IMPROVEMENTS, AND PERSONS WITHIN THE JOB CREATION DISTRICT AS  
13 DEVELOPMENT OCCURS;

14 (V) NO BASE TAX REVENUES WILL BE USED TO CREATE  
15 OBLIGATIONS IN SUPPORT OF THE DISTRICT PLAN; AND

16 (VI) THERE IS EVIDENCE THAT A POSITIVE NET FISCAL IMPACT TO  
17 THE STATE GENERAL FUND WILL RESULT FROM THE ELIGIBLE PROJECT.

18 (b) (I) A JOB CREATION DISTRICT WITH BOUNDARIES THAT WHOLLY  
19 OR PARTIALLY OVERLAP THE BOUNDARIES OF AN AREA THAT HAS BEEN  
20 ESTABLISHED AS AN ENTERPRISE ZONE PURSUANT TO SECTION 39-20-103,  
21 C.R.S., IS ELIGIBLE ONLY TO RECEIVE TAX BENEFITS UNDER EITHER THIS  
22 ARTICLE OR ARTICLE 30 OF TITLE 39, C.R.S.

23 (II) A JOB CREATION DISTRICT WITH BOUNDARIES THAT WHOLLY  
24 OR PARTIALLY OVERLAP THE BOUNDARIES OF AN AREA THAT HAS BEEN  
25 ESTABLISHED AS A TOURISM OR ENTERTAINMENT FACILITY, AS DEFINED IN  
26 SECTION 24-46-303, C.R.S., IS ELIGIBLE ONLY TO RECEIVE TAX BENEFITS  
27 UNDER EITHER THIS ARTICLE OR ARTICLE 46 OF TITLE 24, C.R.S.

1 (4) THE GOVERNING BODY SHALL NOT APPROVE A JOB CREATION  
2 DISTRICT WITH BOUNDARIES THAT WHOLLY OR PARTIALLY OVERLAP THE  
3 BOUNDARIES OF AN URBAN RENEWAL AREA, AS THAT TERM IS DEFINED IN  
4 SECTION 31-25-103 (8), C.R.S.

5 (4.5) A TAXING ENTITY IN A JOB CREATION DISTRICT IS  
6 AUTHORIZED TO OPT IN TO THE JOB CREATION DISTRICT PLAN AND TO  
7 SPECIFY HOW MUCH OF THE PROPERTY, SALES, USE, OR LODGING TAXES IT  
8 LEVIES OR COLLECTS TO COMMIT TO THE DISTRICT PLAN.

9 (5) A DISTRICT PLAN MUST CONTAIN A PROVISION THAT ANY  
10 PROPERTY, SALES, USE, OR LODGING TAXES LEVIED OR COLLECTED IN A JOB  
11 CREATION DISTRICT AFTER APPROVAL OF THE PLAN AND COMMITTED  
12 PURSUANT TO SUBSECTION (4.5) OF THIS SECTION WILL BE DIVIDED FOR A  
13 PERIOD NOT TO EXCEED FIFTEEN YEARS AFTER THE EFFECTIVE DATE OF THE  
14 ADOPTION OF THE DISTRICT PLAN AS FOLLOWS:

15 (a) THE BASE TAX REVENUES PLUS TEN PERCENT OF THE  
16 INCREASED TAX REVENUES PRODUCED ANNUALLY BY THE LEVY FIXED  
17 EACH YEAR BY OR FOR EACH PARTICIPATING TAXING ENTITY ON PROPERTY  
18 OR ACTIVITIES WITHIN THE JOB CREATION DISTRICT MUST BE PAID INTO THE  
19 FUNDS OF EACH TAXING ENTITY AS ARE ALL OTHER TAXES COLLECTED BY  
20 OR FOR THE TAXING ENTITY; AND

21 (b) ALL MONEYS IN EXCESS OF THE AMOUNT PAID INTO THE FUNDS  
22 OF EACH TAXING ENTITY IN ACCORDANCE WITH THE REQUIREMENTS OF  
23 PARAGRAPH (a) OF THIS SUBSECTION (5) SHALL BE DEPOSITED INTO A  
24 SPECIAL FUND OF THE AUTHORITY TO:

25 (I) PAY THE PRINCIPAL OF, THE INTEREST ON, AND ANY PREMIUMS  
26 DUE IN CONNECTION WITH QUALIFIED OBLIGATIONS INCURRED BY THE  
27 AUTHORITY, WHETHER FUNDED, REFUNDED, ASSUMED, OR OTHERWISE, FOR

1 FINANCING OR REFINANCING, IN WHOLE OR IN PART, PUBLIC  
2 IMPROVEMENTS AND PUBLIC IMPROVEMENTS COSTS WITHIN OR OUTSIDE  
3 THE BOUNDARIES OF THE JOB CREATION DISTRICT; OR

4 (II) MAKE PAYMENTS UNDER AN AGREEMENT WITH A TAXING  
5 ENTITY OR AN ELIGIBLE PROJECT.

6 (6) THE MONEYS DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (5)  
7 OF THIS SECTION MAY BE IRREVOCABLY PLEDGED BY THE AUTHORITY FOR  
8 THE PAYMENT OF THE PRINCIPAL OF, THE INTEREST ON, AND ANY  
9 PREMIUMS DUE IN CONNECTION WITH ANY QUALIFIED OBLIGATIONS.

10 (7) (a) THE MANNER AND METHODS BY WHICH THE REQUIREMENTS  
11 OF THIS ARTICLE ARE TO BE IMPLEMENTED BY COUNTY ASSESSORS MUST  
12 BE CONTAINED IN SUCH MANUALS, APPRAISAL PROCEDURES, AND  
13 INSTRUCTIONS, AS APPLICABLE, THAT THE PROPERTY TAX ADMINISTRATOR  
14 IS AUTHORIZED TO PREPARE AND PUBLISH PURSUANT TO SECTION 39-2-109  
15 (1) (e), C.R.S. IF AGRICULTURAL LAND IS INCLUDED WITHIN A JOB  
16 CREATION DISTRICT, THE COUNTY ASSESSOR SHALL VALUE THAT LAND AT  
17 ITS FAIR MARKET VALUE WHEN CALCULATING THE BASE TAX REVENUES  
18 AND INCREASED TAX REVENUES AVAILABLE TO THE TAXING ENTITIES AND  
19 THE AUTHORITY PURSUANT TO SUBSECTION (5) OF THIS SECTION.

20 (b) NOTHING IN THIS SUBSECTION (7):

21 (I) AFFECTS THE ACTUAL CLASSIFICATION, OR REQUIRES  
22 RECLASSIFICATION, OF AGRICULTURAL LAND FOR PROPERTY TAX  
23 PURPOSES;

24 (II) AFFECTS THE ACTUAL TAXES TO BE PAID TO THE TAXING  
25 ENTITIES, WHICH TAXES CONTINUE TO BE BASED ON THE AGRICULTURAL  
26 CLASSIFICATION OF THE LAND UNLESS SUCH LAND IS RECLASSIFIED  
27 PURSUANT TO NORMAL ASSESSMENT PROCESSES.

1 (8) (a) EVERY GOVERNING BODY HAS THE POWERS NECESSARY OR  
2 CONVENIENT TO EFFECTUATE THE PURPOSES AND INTENT OF THIS ARTICLE,  
3 INCLUDING THE POWERS, WHETHER EXERCISED INDEPENDENTLY OR  
4 JOINTLY WITH ANOTHER GOVERNING BODY, TO FORM A LOCAL JOB  
5 CREATION AUTHORITY TO CARRY OUT THE PURPOSES OF THE DISTRICT  
6 PLAN FOR A SPECIFIC JOB CREATION DISTRICT OR FOR ALL JOB CREATION  
7 DISTRICTS THAT MAY BE FORMED.

8 (b) IF A GOVERNING BODY FORMS A LOCAL JOB CREATION  
9 AUTHORITY PURSUANT TO THIS ARTICLE, IT MUST APPOINT AN ODD  
10 NUMBER OF INDIVIDUALS TO SERVE AS MEMBERS OF THE AUTHORITY. NO  
11 FEWER THAN FIVE, AND NO MORE THAN ELEVEN, INDIVIDUALS MAY BE  
12 APPOINTED.

13 (c) NOTWITHSTANDING PARAGRAPH (b) OF THIS SUBSECTION (8),  
14 A GOVERNING BODY MAY DESIGNATE ITSELF AS THE AUTHORITY.

15 (9) THE GOVERNING BODY IN WHICH AN AUTHORITY HAS BEEN  
16 ESTABLISHED PURSUANT TO THIS ARTICLE SHALL TIMELY NOTIFY THE  
17 ASSESSOR OF THE COUNTY IN WHICH THE AUTHORITY HAS BEEN  
18 ESTABLISHED WHEN ANY OF THE FOLLOWING OCCURS:

- 19 (a) A DISTRICT PLAN HAS BEEN APPROVED;
- 20 (b) THE OBLIGATIONS INCURRED BY THE AUTHORITY HAVE BEEN  
21 PAID OFF; OR
- 22 (c) THE PURPOSES OF THE AUTHORITY HAVE BEEN ACHIEVED.

23 (10) IF THERE IS A GENERAL REASSESSMENT OF TAXABLE  
24 PROPERTY VALUATIONS IN ANY TAXING ENTITY INCLUDING ALL OR PART  
25 OF A JOB CREATION DISTRICT SUBJECT TO DIVISION OF VALUATION FOR  
26 ASSESSMENT UNDER SUBSECTION (5) OF THIS SECTION, THE PORTIONS OF  
27 VALUATIONS FOR ASSESSMENT OR SALES TAXES DIVIDED PURSUANT TO

1 BOTH PARAGRAPHS (a) AND (b) OF SUBSECTION (5) OF THIS SECTION MUST  
2 BE PROPORTIONATELY ADJUSTED IN ACCORDANCE WITH SUCH  
3 REASSESSMENT OR CHANGE.

4 **29-30-105. Modification of a job creation district.** A JOB  
5 CREATION DISTRICT MAY BE MODIFIED, SUBJECT TO THE APPROVAL OF THE  
6 GOVERNING BODY, IF THE NOTICE REQUIREMENTS SPECIFIED IN SECTION  
7 29-30-104 (2) ARE MET AND THE GOVERNING BODY FINDS THAT THE  
8 PROPOSED MODIFICATION SATISFIES THE REQUIREMENTS SPECIFIED IN  
9 SECTION 29-30-104 (3).

10 **29-30-106. Local job creation authority - scope - formation -**  
11 **terms - abolition.** (1) (a) EVERY LOCAL JOB CREATION AUTHORITY  
12 FORMED PURSUANT TO THIS ARTICLE HAS THE POWERS NECESSARY OR  
13 CONVENIENT TO CARRY OUT AND EFFECTUATE THE PURPOSES AND INTENT  
14 OF THIS ARTICLE, INCLUDING THE POWER TO ENTER INTO AGREEMENTS  
15 WITH TAXING ENTITIES AND ELIGIBLE PROJECTS.

16 (b) THE AUTHORITY SHALL CARRY OUT AND EFFECTUATE THE  
17 PURPOSES OF THE DISTRICT PLAN FOR A JOB CREATION DISTRICT OR ACT AS  
18 A LOCAL JOB CREATION AUTHORITY WITH JURISDICTION OVER ALL JOB  
19 CREATION DISTRICTS THAT MAY BE FORMED WITHIN THE JURISDICTIONAL  
20 BOUNDARIES OF THE GOVERNING BODY.

21 (2) (a) (I) UPON APPOINTING THE MEMBERS OF AN AUTHORITY, THE  
22 GOVERNING BODY SHALL FILE WITH THE DIVISION OF LOCAL GOVERNMENT  
23 IN THE DEPARTMENT OF LOCAL AFFAIRS A CERTIFICATE SIGNED BY THE  
24 AUTHORITY MEMBERS, WHICH CERTIFICATE MUST THERE REMAIN OF  
25 RECORD, SETTING FORTH THAT THE GOVERNING BODY CREATED A JOB  
26 CREATION DISTRICT, APPROVED A DISTRICT PLAN, AND APPOINTED THE  
27 SIGNATORIES AS THE MEMBERS OF THE AUTHORITY FOR THE RESPECTIVE



1 JOB CREATION DISTRICT. UPON THE FILING OF THE CERTIFICATE, THE  
2 MEMBERS AND THEIR SUCCESSORS ARE CONSTITUTED AS A LOCAL JOB  
3 CREATION AUTHORITY, WHICH IS A BODY CORPORATE AND POLITIC.

4 (II) IN ANY SUIT, ACTION, OR PROCEEDING INVOLVING THE  
5 VALIDITY OR ENFORCEMENT OF ANY OBLIGATION OR OTHER AGREEMENT  
6 OF THE AUTHORITY, THE AUTHORITY SHALL BE CONCLUSIVELY DEEMED TO  
7 HAVE BEEN ESTABLISHED IN ACCORDANCE WITH THIS ARTICLE UPON PROOF  
8 OF THE FILING OF THE CERTIFICATE DESCRIBED IN THIS PARAGRAPH (a). A  
9 COPY OF THE CERTIFICATE, DULY CERTIFIED BY THE DIRECTOR OF THE  
10 DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS,  
11 IS ADMISSIBLE AS EVIDENCE IN ANY SUCH SUIT, ACTION, OR PROCEEDING.

12 (b) THE AUTHORITY DOES NOT CONSTITUTE A STATE PUBLIC BODY,  
13 A LOCAL PUBLIC BODY, A LOCAL GOVERNMENT-FINANCED ENTITY, OR  
14 POLITICAL SUBDIVISION OF THE STATE.

15 (3) THE GOVERNING BODY SHALL APPOINT THE FIRST MEMBERS OF  
16 THE AUTHORITY TO SERVE STAGGERED TERMS SO THAT THE TERM OF AT  
17 LEAST ONE MEMBER WILL EXPIRE EACH YEAR. AFTER THE FIRST  
18 APPOINTMENT OF MEMBERS, EACH MEMBER SERVES A TERM OF FOUR  
19 YEARS. A MEMBER HOLDS OFFICE UNTIL HIS OR HER SUCCESSOR HAS BEEN  
20 APPOINTED AND QUALIFIED, UNLESS THE MEMBER HAS BEEN REMOVED FOR  
21 CAUSE, IN WHICH CASE TERMINATION OF SERVICE IS EFFECTIVE  
22 IMMEDIATELY. AN APPOINTMENT TO FILL A VACANCY MUST BE MADE IN  
23 THE SAME MANNER AS THE ORIGINAL APPOINTMENT. AN APPOINTMENT TO  
24 FILL AN UNEXPIRED TERM SHALL BE FOR THE UNEXPIRED PORTION OF THE  
25 TERM ONLY. MEMBERS SERVE WITHOUT COMPENSATION, BUT CAN BE  
26 REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES.

27 (4) (a) THE AUTHORITY SHALL ADOPT RULES GOVERNING ITS

1 PROCEDURES AND THE HOLDING OF MEETINGS.

2 (b) AN AUTHORITY MUST SELECT FROM AMONG ITS MEMBERS A  
3 CHAIRPERSON, VICE-CHAIRPERSON, AND SECRETARY.

4 (5) (a) AN AUTHORITY MAY REQUEST THE GOVERNING BODY FOR  
5 LEGAL SERVICES IT MAY REQUIRE, OR IT MAY EMPLOY ITS OWN LEGAL  
6 COUNSEL AND STAFF.

7 (b) AN AUTHORITY MAY DELEGATE TO ITS AGENTS OR EMPLOYEES  
8 SUCH DUTIES AS IT DEEMS PROPER.

9 (6) NO MEMBER, OTHER OFFICER, OR EMPLOYEE OF AN AUTHORITY,  
10 OR ANY IMMEDIATE FAMILY MEMBER OF SUCH PERSONS, MAY HAVE OR  
11 ACQUIRE ANY INTEREST, DIRECT OR INDIRECT, IN ANY PROJECT OR  
12 PROPERTY INCLUDED IN ANY DISTRICT PLAN OR IN ANY CONTRACT OR  
13 PROPOSED CONTRACT FOR MATERIALS OR SERVICES TO BE FURNISHED OR  
14 USED IN CONNECTION WITH ANY DISTRICT PLAN. IF ANY SUCH MEMBER,  
15 OFFICER, OR EMPLOYEE OWNS OR CONTROLS OR HAS AN IMMEDIATE  
16 FAMILY MEMBER WHO OWNS OR CONTROLS ANY SUCH INTEREST, HE OR  
17 SHE SHALL IMMEDIATELY DISCLOSE THAT FACT IN WRITING TO THE  
18 AUTHORITY. WHEN THE DISCLOSURE IS MADE, THE MEMBER, OFFICER, OR  
19 OTHER EMPLOYEE MAY NOT PARTICIPATE IN ANY ACTION BY THE  
20 AUTHORITY THAT AFFECTS IMPLEMENTATION OF THE DISTRICT PLAN  
21 UNLESS THE AUTHORITY DETERMINES THAT, IN LIGHT OF THE PERSONAL  
22 INTEREST DISCLOSED, THE PARTICIPATION OF THE MEMBER WOULD NOT BE  
23 CONTRARY TO THE PUBLIC INTEREST. WILLFUL FAILURE TO DISCLOSE AN  
24 INTEREST AS REQUIRED BY THIS SUBSECTION (6) CONSTITUTES  
25 MISCONDUCT IN OFFICE.

26 (7) THE GOVERNING BODY MAY REMOVE AN AUTHORITY MEMBER  
27 FOR INEFFICIENCY, NEGLIGENCE OF DUTY, OR MISCONDUCT IN OFFICE, BUT

1 ONLY AFTER THE MEMBER HAS BEEN GIVEN A COPY OF THE CHARGES MADE  
2 BY THE GOVERNING BODY AGAINST HIM OR HER AND THE MEMBER HAS  
3 HAD AN OPPORTUNITY TO BE HEARD IN PERSON OR THROUGH COUNSEL  
4 BEFORE THE GOVERNING BODY. IF A MEMBER IS REMOVED, THE  
5 GOVERNING BODY MUST FILE WITH THE COUNTY CLERK AND RECORDER A  
6 RECORD OF THE PROCEEDINGS, WITH THE CHARGES MADE AGAINST THE  
7 MEMBER AND THE FINDINGS THEREON.

8 (8) THE GOVERNING BODY MAY BY ORDINANCE ABOLISH AN  
9 AUTHORITY IF ADEQUATE ARRANGEMENTS ARE MADE FOR PAYMENT OF  
10 ANY OUTSTANDING OBLIGATIONS OF THE AUTHORITY.

11 **29-30-107. Powers of an authority - issuance of bonds.** (1) AN  
12 AUTHORITY HAS ALL POWERS NECESSARY OR CONVENIENT TO EFFECTUATE  
13 THE PURPOSES AND INTENT OF THIS ARTICLE, INCLUDING THE POWER TO:

14 (a) ENTER INTO AGREEMENTS WITH ANY TAXING ENTITY. SUCH  
15 AGREEMENTS MAY PROVIDE FOR THE ALLOCATION OF RESPONSIBILITY  
16 AMONG THE PARTIES TO THE AGREEMENTS FOR PAYMENT OF THE COSTS OF  
17 ANY PUBLIC IMPROVEMENTS OR SERVICES NECESSARY TO OFFSET THE  
18 IMPACTS OF A JOB CREATION DISTRICT OR AN ELIGIBLE PROJECT AND FOR  
19 THE SHARING OF ALL OR A PORTION OF THE INCREASED TAX REVENUES.  
20 SUCH AGREEMENTS MAY WAIVE ANY PROVISION OF THIS ARTICLE, IF THE  
21 WAIVER PROVIDES FOR NOTICE TO THE TAXING ENTITY, REQUIRES ANY  
22 FILING WITH OR BY THE TAXING ENTITY, REQUIRES OR PERMITS CONSENT  
23 FROM THE TAXING ENTITY, OR PROVIDES ANY ENFORCEMENT RIGHT TO THE  
24 TAXING ENTITY.

25 (b) ENTER INTO AGREEMENTS WITH ELIGIBLE PROJECTS WITHIN THE  
26 JOB CREATION DISTRICT, THE TERMS OF WHICH MAY INCLUDE REMEDIES TO  
27 ENFORCE THE TERMS OF SUCH AGREEMENTS, INCLUDING SANCTIONS,

1 TERMINATION OF THE AGREEMENTS OR ANY BENEFITS THEREUNDER, THE  
2 FORFEITURE OF REAL OR PERSONAL PROPERTY RIGHTS AND INTERESTS,  
3 AND PLACEMENT OF LIENS UPON REAL OR PERSONAL PROPERTY;

4 (c) FUND OR OTHERWISE ISSUE OBLIGATIONS FROM TIME TO TIME  
5 FROM INCREASED TAX REVENUES FOR THE PROVISION OF PUBLIC  
6 IMPROVEMENTS AND THE PAYMENT OF PUBLIC IMPROVEMENTS COSTS TO  
7 SUPPORT ELIGIBLE PROJECTS WITHIN A JOB CREATION DISTRICT;

8 (d) SUE AND TO BE SUED; TO ADOPT A SEAL AND ALTER IT AS  
9 NECESSARY; TO HAVE PERPETUAL SUCCESSION; TO MAKE, AND FROM TIME  
10 TO TIME AMEND AND REPEAL, BYLAWS, ORDERS, AND RULES TO  
11 EFFECTUATE THIS ARTICLE;

12 (e) MAKE AND EXECUTE ANY CONTRACTS AND OTHER  
13 INSTRUMENTS THAT THE AUTHORITY DEEMS NECESSARY OR CONVENIENT  
14 TO THE EXERCISE OF ITS POWERS UNDER THIS ARTICLE, INCLUDING  
15 CONTRACTS TO COLLECT AND BORROW MONEY AND CONTRACTS FOR  
16 ADVANCES, LOANS, GRANTS, OBLIGATIONS, AND CONTRIBUTIONS FROM  
17 THE FEDERAL GOVERNMENT OR ANY OTHER SOURCE;

18 (f) ACQUIRE, ACCEPT, OPERATE, MAINTAIN, SELL, LEASE, OR  
19 OTHERWISE TRANSFER REAL PROPERTY OR ANY INTEREST THEREIN;

20 (g) INVEST ANY OF ITS MONEYS NOT REQUIRED FOR IMMEDIATE  
21 DISBURSEMENT IN PROPERTY OR IN SECURITIES IN WHICH GOVERNING  
22 BODIES MAY LEGALLY INVEST MONEYS SUBJECT TO THEIR CONTROL  
23 PURSUANT TO PART 6 OF ARTICLE 75 OF TITLE 24, C.R.S., AND TO REDEEM  
24 SUCH BONDS AS IT HAS ISSUED AT THE REDEMPTION PRICE ESTABLISHED  
25 THEREIN OR TO PURCHASE SUCH BONDS AT LESS THAN REDEMPTION PRICE,  
26 ALL SUCH BONDS SO REDEEMED OR PURCHASED TO BE CANCELED;

27 (h) BORROW MONEY AND TO APPLY FOR AND ACCEPT ADVANCES;

1 (i) DEPOSIT ANY MONEYS NOT REQUIRED FOR IMMEDIATE  
2 DISBURSEMENT IN ANY DEPOSITORY AUTHORIZED IN SECTION 24-75-603,  
3 C.R.S. FOR THE PURPOSE OF MAKING SUCH DEPOSITS, THE AUTHORITY  
4 MAY APPOINT, BY WRITTEN RESOLUTION, ONE OR MORE PERSONS TO ACT  
5 AS CUSTODIANS OF THE MONEYS OF THE AUTHORITY. SUCH PERSONS  
6 SHALL GIVE SURETY BONDS IN SUCH AMOUNTS AND FORM AND FOR SUCH  
7 PURPOSES AS THE AUTHORITY REQUIRES.

8 (j) MAKE SUCH APPROPRIATIONS AND EXPENDITURES OF ITS  
9 MONEYS AND TO ESTABLISH AND MAINTAIN SUCH GENERAL, SEPARATE, OR  
10 SPECIAL FUNDS AND BANK ACCOUNTS OR OTHER ACCOUNTS AS IT DEEMS  
11 NECESSARY TO CARRY OUT THE PURPOSES OF THIS ARTICLE;

12 (k) RENT, ACCEPT, OR OBTAIN BY ANY OTHER MEANS SUITABLE  
13 OFFICE SPACE FOR THE USE OF THE AUTHORITY AND TO EQUIP SUCH OFFICE  
14 SPACE WITH THE FURNITURE, FURNISHINGS, EQUIPMENT, RECORDS, AND  
15 SUPPLIES THAT THE AUTHORITY DEEMS NECESSARY TO ENABLE IT TO  
16 EXERCISE ITS POWERS UNDER THIS ARTICLE; AND

17 (l) ESTABLISH A SEPARATE FUND FOR EACH JOB CREATION  
18 DISTRICT UNDER ITS OVERSIGHT.

19 (2) (a) IN ADDITION TO THE POWERS SPECIFIED IN SUBSECTION (1)  
20 OF THIS SECTION, AN AUTHORITY HAS THE POWER TO ISSUE BONDS SUBJECT  
21 TO THIS SUBSECTION (2).

22 (b) BONDS ISSUED BY THE AUTHORITY DO NOT CONSTITUTE AN  
23 INDEBTEDNESS OF THE STATE OF COLORADO, ANY GOVERNING BODY, OR  
24 ANY TAXING ENTITY AND ARE NOT SUBJECT TO ANY OTHER LAW OR  
25 CHARTER OF ANY GOVERNING BODY RELATING TO THE AUTHORIZATION,  
26 ISSUANCE, OR SALE OF BONDS.

27 (c) BONDS ISSUED BY THE AUTHORITY ARE DECLARED TO BE

1 ISSUED FOR AN ESSENTIAL PUBLIC AND GOVERNMENTAL PURPOSE AND,  
2 TOGETHER WITH INTEREST THEREON AND INCOME THEREFROM, ARE  
3 EXEMPT FROM ALL TAXES.

4 (d) BONDS ISSUED BY THE AUTHORITY ARE TO BE AUTHORIZED BY  
5 A RESOLUTION OF THE AUTHORITY AND MAY BE ISSUED IN ONE OR MORE  
6 SERIES. SUCH BONDS MUST BEAR SUCH DATE, BE PAYABLE UPON DEMAND  
7 OR MATURE AT SUCH TIME, BEAR INTEREST AT SUCH RATE, BE IN SUCH  
8 DENOMINATION, BE IN SUCH FORM, EITHER COUPON OR REGISTERED OR  
9 OTHERWISE, CARRY SUCH CONVERSION OR REGISTRATION PRIVILEGES,  
10 HAVE SUCH RANK OR PRIORITY, BE EXECUTED IN THE NAME OF THE  
11 AUTHORITY IN SUCH MANNER, BE PAYABLE IN SUCH MEDIUM OF PAYMENT,  
12 BE PAYABLE AT SUCH PLACE, BE SUBJECT TO SUCH CALLABILITY  
13 PROVISIONS OR TERMS OF REDEMPTION, WITH OR WITHOUT PREMIUMS, BE  
14 SECURED IN SUCH MANNER, BE OF SUCH DESCRIPTION, CONTAIN OR BE  
15 SUBJECT TO SUCH COVENANTS, PROVISIONS, TERMS, CONDITIONS, AND  
16 AGREEMENTS, INCLUDING PROVISIONS CONCERNING EVENTS OF DEFAULT,  
17 AND HAVE SUCH OTHER CHARACTERISTICS AS MAY BE PROVIDED BY SUCH  
18 RESOLUTION OR BY THE TRUST AGREEMENT, INDENTURE, OR MORTGAGE,  
19 IF ANY, ISSUED PURSUANT TO SUCH RESOLUTION. THE SEAL, OR A  
20 FACSIMILE THEREOF, OF THE AUTHORITY MUST BE AFFIXED, IMPRINTED,  
21 ENGRAVED, OR OTHERWISE REPRODUCED UPON EACH OF ITS BONDS ISSUED  
22 UNDER THIS SECTION. BONDS ISSUED UNDER THIS SECTION MUST BE  
23 EXECUTED IN THE NAME OF THE AUTHORITY BY THE MANUAL OR  
24 FACSIMILE SIGNATURES OF SUCH OFFICIALS AS MAY BE DESIGNATED IN  
25 SAID RESOLUTION OR TRUST AGREEMENT, INDENTURE, OR MORTGAGE;  
26 EXCEPT THAT AT LEAST ONE SIGNATURE ON EACH SUCH BOND SHALL BE A  
27 MANUAL SIGNATURE. COUPONS, IF ANY, ATTACHED TO SUCH BONDS MUST

1 BEAR THE FACSIMILE SIGNATURE OF SUCH OFFICIAL OF THE AUTHORITY AS  
2 MAY BE DESIGNATED PURSUANT TO THIS SUBSECTION (2). SAID  
3 RESOLUTION OR TRUST AGREEMENT, INDENTURE, OR MORTGAGE MAY  
4 PROVIDE FOR THE AUTHENTICATION OF THE PERTINENT BONDS BY THE  
5 TRUSTEE.

6 (e) BONDS ISSUED UNDER THIS SECTION MAY BE SOLD BY THE  
7 AUTHORITY IN SUCH MANNER AND FOR SUCH PRICE AS THE AUTHORITY, IN  
8 ITS DISCRETION, MAY DETERMINE, AT PAR, BELOW PAR, OR ABOVE PAR, AT  
9 PRIVATE SALE OR AT PUBLIC SALE AFTER NOTICE PUBLISHED PRIOR TO  
10 SUCH SALE IN A NEWSPAPER HAVING GENERAL CIRCULATION IN THE JOB  
11 CREATION DISTRICT, OR IN SUCH OTHER MEDIUM OF PUBLICATION AS THE  
12 AUTHORITY MAY DEEM APPROPRIATE, OR MAY BE EXCHANGED BY THE  
13 AUTHORITY FOR OTHER BONDS ISSUED BY IT UNDER THIS SECTION. BONDS  
14 ISSUED UNDER THIS SECTION MAY BE SOLD TO THE FEDERAL GOVERNMENT  
15 AT PRIVATE SALE AT PAR, BELOW PAR, OR ABOVE PAR, AND, IN THE EVENT  
16 THAT LESS THAN ALL OF THE AUTHORIZED PRINCIPAL AMOUNT OF SUCH  
17 BONDS IS SOLD BY THE AUTHORITY TO THE FEDERAL GOVERNMENT, THE  
18 BALANCE, OR ANY PORTION OF THE BALANCE, MAY BE SOLD BY THE  
19 AUTHORITY AT PRIVATE SALE AT PAR, BELOW PAR, OR ABOVE PAR, AT AN  
20 INTEREST COST TO THE AUTHORITY NOT TO EXCEED THE INTEREST COST TO  
21 THE AUTHORITY OF THE PORTION OF THE BONDS SOLD BY THE AUTHORITY  
22 TO THE FEDERAL GOVERNMENT.

23 (f) IF ANY OF THE OFFICIALS OF THE AUTHORITY WHOSE  
24 SIGNATURES OR FACSIMILE SIGNATURES APPEAR ON ANY OF ITS BONDS OR  
25 COUPONS ISSUED UNDER THIS SECTION CEASE TO BE SUCH OFFICIALS  
26 BEFORE THE DELIVERY OF SUCH BONDS, SUCH SIGNATURES OR FACSIMILE  
27 SIGNATURES, AS THE CASE MAY BE, ARE NEVERTHELESS VALID AND

1 SUFFICIENT FOR ALL PURPOSES, THE SAME AS IF SUCH OFFICIALS HAD  
2 REMAINED IN OFFICE UNTIL SUCH DELIVERY.

3 (g) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY  
4 BONDS THAT ARE ISSUED PURSUANT TO THIS SECTION ARE FULLY  
5 NEGOTIABLE.

6 (h) PENDING THE PREPARATION OF ANY DEFINITIVE BONDS UNDER  
7 THIS SECTION, AN AUTHORITY MAY ISSUE ITS INTERIM CERTIFICATES OR  
8 RECEIPTS OR ITS TEMPORARY BONDS, WITH OR WITHOUT COUPONS,  
9 EXCHANGEABLE FOR SUCH DEFINITIVE BONDS WHEN THE LATTER HAVE  
10 BEEN EXECUTED AND ARE AVAILABLE FOR DELIVERY.

11 (i) PERSONS RETAINED OR EMPLOYED BY AN AUTHORITY AS  
12 ADVISORS OR CONSULTANTS FOR THE PURPOSE OF RENDERING FINANCIAL  
13 ADVICE AND ASSISTANCE MAY PURCHASE OR PARTICIPATE IN THE  
14 PURCHASE OR IN THE DISTRIBUTION OF ITS BONDS WHEN SUCH BONDS ARE  
15 OFFERED AT PUBLIC OR PRIVATE SALE.

16 (j) NO MEMBER OR OTHER OFFICER OF AN AUTHORITY ISSUING  
17 BONDS UNDER THIS SECTION AND NO PERSON EXECUTING SUCH BONDS IS  
18 LIABLE PERSONALLY ON SUCH BONDS OR IS SUBJECT TO ANY PERSONAL  
19 LIABILITY OR ACCOUNTABILITY BY REASON OF THE ISSUANCE THEREOF.

20 (3) ALL PROPERTY OF AN AUTHORITY USED OR OWNED FOR THE  
21 PURPOSES OF THIS ARTICLE IS EXEMPT FROM LEVY AND SALE BY VIRTUE OF  
22 AN EXECUTION. A PERSON SHALL NOT ISSUE SUCH EXECUTION OR OTHER  
23 JUDICIAL PROCESS AGAINST THE PROPERTY OF AN AUTHORITY USED OR  
24 OWNED FOR THE PURPOSES OF THIS ARTICLE, AND A JUDGMENT AGAINST  
25 THE AUTHORITY IS NOT A CHARGE OR LIEN UPON SUCH PROPERTY; EXCEPT  
26 THAT THIS SUBSECTION (3) DOES NOT APPLY TO OR LIMIT THE RIGHT OF  
27 OBLIGEEES TO FORECLOSE OR OTHERWISE ENFORCE ANY MORTGAGE, DEED



1 OF TRUST, TRUST AGREEMENT, INDENTURE, OR OTHER ENCUMBRANCE OF  
2 THE AUTHORITY OR THE RIGHT OF OBLIGEEES TO PURSUE ANY REMEDIES FOR  
3 THE ENFORCEMENT OF ANY PLEDGE OR LIEN GIVEN BY THE AUTHORITY  
4 PURSUANT TO THIS ARTICLE ON ITS RENTS, INCOME, PROCEEDS, REVENUES,  
5 LOANS, GRANTS, CONTRIBUTIONS, AND OTHER FUNDS AND ASSETS DERIVED  
6 OR ARISING FROM ANY PROJECT OF THE AUTHORITY OR FROM ANY OF ITS  
7 OPERATIONS OR ACTIVITIES UNDER THIS ARTICLE.

8 (4) ALL PROPERTY OF AN AUTHORITY ACQUIRED OR HELD BY IT FOR  
9 ANY OF THE PURPOSES OF THIS ARTICLE, INCLUDING ALL MONEYS OF AN  
10 AUTHORITY ACQUIRED OR HELD BY IT FOR ANY OF THE PURPOSES OF THIS  
11 ARTICLE, ARE DECLARED TO BE PUBLIC PROPERTY USED FOR ESSENTIAL  
12 PUBLIC AND GOVERNMENTAL PURPOSES, AND SUCH PROPERTY AND THE  
13 AUTHORITY ARE EXEMPT FROM ALL TAXES OF THE STATE OR ANY OTHER  
14 PUBLIC ENTITY; EXCEPT THAT SUCH TAX EXEMPTION TERMINATES WHEN  
15 THE AUTHORITY SELLS, LEASES, OR OTHERWISE DISPOSES OF THE  
16 PARTICULAR PROPERTY TO A PURCHASER, LESSEE, OR OTHER ENTITY THAT  
17 IS NOT A PUBLIC ENTITY ENTITLED TO TAX EXEMPTION WITH RESPECT TO  
18 SUCH PROPERTY.

19 (5) ANY INSTRUMENT EXECUTED BY AN AUTHORITY PURPORTING  
20 TO CONVEY ANY RIGHT, TITLE, OR INTEREST OF THE AUTHORITY IN ANY  
21 PROPERTY UNDER THIS ARTICLE IS CONCLUSIVELY PRESUMED TO HAVE  
22 BEEN MADE AND EXECUTED IN COMPLIANCE WITH THIS ARTICLE INsofar  
23 AS TITLE OR OTHER INTEREST OF ANY BONA FIDE PURCHASERS, LESSEES,  
24 OR TRANSFEREES OF SUCH PROPERTY IS CONCERNED.

25 (6) AN AUTHORITY DOES NOT HAVE ANY POWER TO LEVY OR  
26 ASSESS ANY AD VALOREM TAXES, PERSONAL PROPERTY TAXES, OR ANY  
27 OTHER TAXES, INCLUDING SPECIAL ASSESSMENTS AGAINST ANY PROPERTY.

1           **29-30-108. Powers of a taxing entity.** (1) A TAXING ENTITY,  
2           WITHIN ITS POWERS, PURPOSES, AND FUNCTIONS AND FOR THE PURPOSE OF  
3           AIDING A JOB CREATION DISTRICT MAY, UPON SUCH TERMS AS SUCH  
4           TAXING ENTITY DETERMINES:

5           (a) SELL, CONVEY, OR LEASE ANY OF THE TAXING ENTITY'S  
6           PROPERTY OR GRANT EASEMENTS, LICENSES, OR OTHER RIGHTS OR  
7           PRIVILEGES THEREIN TO AN AUTHORITY;

8           (b) INCUR THE ENTIRE EXPENSE OF ANY PUBLIC IMPROVEMENTS OR  
9           PUBLIC IMPROVEMENTS COSTS;

10          (c) DO ALL THINGS NECESSARY TO AID OR COOPERATE WITH AN  
11          AUTHORITY IN OR IN CONNECTION WITH THE PROVISION OF PUBLIC  
12          IMPROVEMENTS;

13          (d) ENTER INTO AN AGREEMENT WITH AN AUTHORITY FOR ANY  
14          PURPOSE THAT THE TAXING ENTITY IS OTHERWISE EMPOWERED TO  
15          UNDERTAKE; AND

16          (e) APPROPRIATE AND MAKE EXPENDITURES OF SUCH OF ITS  
17          MONEYS AS IT DEEMS NECESSARY FOR IT TO UNDERTAKE, CARRY OUT, OR  
18          ACCOMPLISH ANY OF ITS POWERS, FUNCTIONS, OR ACTIVITIES MENTIONED  
19          IN THIS ARTICLE.

20          **29-30-109. Cumulative clause.** THE POWERS CONFERRED BY THIS  
21          ARTICLE ARE IN ADDITION TO AND SUPPLEMENTAL TO THE POWERS  
22          CONFERRED BY ANY OTHER LAW.

23          **SECTION 2. Act subject to petition - effective date.** This act  
24          takes effect at 12:01 a.m. on the day following the expiration of the  
25          ninety-day period after final adjournment of the general assembly (August  
26          7, 2013, if adjournment sine die is on May 8, 2013); except that, if a  
27          referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act  
2 within such period, then the act, item, section, or part will not take effect  
3 unless approved by the people at the general election to be held in  
4 November 2014 and, in such case, will take effect on the date of the  
5 official declaration of the vote thereon by the governor.