

Green Mountain Water & Sanitation District Board

Information Regarding New Legislation Restricting Special District Authority

24 April 2024

Special Districts:

Your ability to set development fees and make decisions on new developments may be limited if new legislation passes. <http://leg.colorado.gov/bills/hb24-1463>

Representative Chris deGruy Kennedy introduced new legislation last night that proposes replacing a rational nexus for tap fees to using “reasonable” tap fees, in order to increase affordable housing. This not only suggests that special districts are being unreasonable but that tap fees may be adjusted lower by a court judge in order to achieve housing goals.

This clause directly limits the authority of a special district board to set fees.

A second clause in the legislation would mandate special districts provide service to anyone who asks unless there are capacity concerns. This oversimplification discounts the financial and environmental costs of increased capacity, the dependency on other agencies, and potential disagreement over Rules and Regulations. Special Districts are already currently obligated to serve those inside the district to the best of their ability.

We believe this proposal would remove or limit the specialized knowledge and authority of a water board.

The Special District Association is not publicly supporting or opposing this legislation. We do not feel they are not supporting water and sanitation districts. They helped write portions of the bill and have not notified their members.

Green Mountain W&SD strongly opposes. With the legislative session ending soon, we ask for you to consider joining GMWSD in asking to delay this legislation until there has been time to find a better solution.

If your concerns match ours, please reach out to the SDA or Representative Chris deGruy Kennedy (chris.kennedy.house@coleg.gov).

Feel free to contact us with any questions. Thank you for your consideration,

Karen Morgan, President

Green Mountain Water and Sanitary District

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