

Colorado Library Law –The Quick Guide Inclusion into an Existing Library District CRS 24-90-106.3

Inclusion into an Existing Library District CRS 24-90-106.3	Rough, non-legal summary of statute: Inclusion into an Existing Library District*
<p>24-90-106.3. Inclusion of a governmental unit into an existing library district - procedure.</p> <p>(1) Any governmental unit sharing at least one common boundary with an existing library district may become part of the district upon a resolution executed by the Board of Trustees of the district and the adoption of an ordinance or resolution, as applicable, by the legislative body of the governmental unit approving the inclusion of the governmental unit into the district. If the tax levy imposed by the district pursuant to section 24-90-112 has not been previously approved by the registered electors of the governmental unit, the electors shall approve the levy before the governmental unit may be included in the district. Any such election shall be held in accordance with the requirements specified in section 20 of article x of the state constitution, articles 1 to 13 of title 1, C.R.S., and article 10 of title 31, C.R.S., as applicable, and the election shall be held on the date of the state biennial general election, the first Tuesday in November in odd-numbered years, or, if the governmental unit is a municipality, on the date of the regular election of the municipality.</p> <p>(2) Upon the inclusion of a governmental unit into a library district in accordance with the requirements of subsection (1) of this section, the legislative body of the governmental unit and the Board of Trustees of the district shall enter into a written agreement within ninety days of the election that sets forth fully the rights, obligations, and responsibilities, financial and otherwise, of the parties to the agreement.</p> <p>(3) In the case of a governmental unit that has a portion included within a library district and a portion that is not included within the district, the governmental unit may follow the procedures specified in subsections (1) and (2) of this section to bring about the inclusion of the entire governmental unit into the district; except that, in such circumstances, only the registered electors residing within the portion of the governmental unit that is not included within the district at the time of the commencement of the inclusion proceedings shall be allowed to vote on the question of approval of the district tax levy.</p>	<ul style="list-style-type: none"> ▪ A governmental unit (city, town, county, school district, library district, etc) sharing a boundary with an existing library district may become part of that district. ▪ An ordinance or resolution must be adopted by the legislative body. ▪ A tax levy must be approved before the inclusion into the library district. ▪ Election must be held and approved by the voters. (November election or at a regular municipal election). ▪ A written agreement between the governmental unit and the library district must be approved within 90 days of the election. ▪ The agreement must include: <ul style="list-style-type: none"> - the rights - obligations - responsibilities - financial obligations for each party. ▪ A portion of a unit sharing a boundary with the library district may also become a part of the library district. ▪ Only the voters in that portion may vote to approve the tax levy.

* Consult with your respective city, county, or district lawyers for legal advice on, and implications of, Colorado Library Law, or call the Colorado State Library for additional information.

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