



## Fiscal Note

### Legislative Council Staff

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## HB 25-1093: LIMITS ON LOCAL ANTI-GROWTH LAND USE POLICIES

**Prime Sponsors:**

Rep. Stewart R.; Barron

Sen. Ball; Hinrichsen

**Fiscal Analyst:**

Josh Abram, 303-866-3561

josh.abram@coleg.gov

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**Version:** First Revised Note

**Date:** February 24, 2025

**Fiscal note status:** The fiscal note reflects the reengrossed bill.

### Summary Information

**Overview.** The bill clarifies and expands the current prohibition on local government anti-growth policies.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload
- Local Government

**Appropriations.** No appropriation is required.

**Table 1**  
**State Fiscal Impacts**

| Type of Impact          | Budget Year<br>FY 2025-26 | Out Year<br>FY 2026-27 |
|-------------------------|---------------------------|------------------------|
| State Revenue           | \$0                       | \$0                    |
| State Expenditures      | \$0                       | \$0                    |
| Transferred Funds       | \$0                       | \$0                    |
| Change in TABOR Refunds | \$0                       | \$0                    |
| Change in State FTE     | 0.0 FTE                   | 0.0 FTE                |

## Summary of Legislation

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Under current law, "anti-growth law" means a land use law that explicitly limits either the growth of the population or the number of building permit applications for residential development in a given year. This bill expands the definition of anti-growth laws to include any law that, in census urban areas, explicitly decreases the permitted residential density or uses of land to less density or fewer uses than were allowed under its previous usage, without ensuring a corresponding increase of residential density or uses elsewhere in the jurisdiction.

If a citizen-initiated measure concerning land use is submitted to a municipality, before the measure is referred to the ballot, the municipality may seek a judicial determination of the legality of the measure that proposes to restrict or limit the development or use of land. The owners of property subject to citizen initiative and persons bringing the initiative are entitled to intervene in the proceeding. The time period to adopt an initiated ordinance or call an election must be tolled while the courts consider the petition.

## State Expenditures

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The bill minimally increases workload in the Division of Housing and the Division of Local Government in the Department of Local Affairs (DOLA) to update internal guidance documents and to respond to inquiries from local governments and housing developers. This effort does not require additional appropriations.

## Local Government

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The bill clarifies the types of anti-growth laws that a local government is prohibited from adopting. The bill will minimally increase workload for local governments to review existing ordinances for needed updates or revisions; however, this effort is limited only to a local government that has or is contemplating some form of anti-growth law.

## Effective Date

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The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## State and Local Government Contacts

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Counties

Local Affairs

Municipalities

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).