



DOUGLAS COUNTY HOME RULE COUNTY



Home Rule County

Today

- There are four Home Rule Counties in Colorado (Weld, Pitkin, Denver, Broomfield)
- The other 60 counties (statutory counties) operate under state regulation

Home Rule County

Advantages

- Distinguish County from State government
- Opt out of state regulation
- Retain all the authority of statutory counties
- Obtain authority only granted Home Rule Counties
- Design the County's government
- Increased financial powers
- Create unique laws on local matters

Home Rule County

Disadvantages

- Requires 2 county wide elections
- It is a lot of work
- Widespread misunderstanding of County Home Rule
- Opposition spreading misinformation

Home Rule County

Process

- Home Rule is a County's Constitutional Right (Art. XIV, § 16)
- Nine-Step Process
- Requires 21 member Charter Commission

Home Rule County

Schedule – Set by Charter Commission

Step	Action	C.R.S.	Proposed Timeline and Deadline
1-2	Initial Resolution and Divide County (at least 60 days before election)	C.R.S. 30-11-502(2)(a)	3/25/2025
3	First Election	C.R.S. 30-11-503(1)-(2)	6/24/2025
4	First Charter Commission Meeting (no more than 30 days after Election)	C.R.S. §30-11-504	7/8/2025
5	Three public meetings 15 to 30 days apart	C.R.S. §30-11-504(1)	
6	Complete Public Meetings		8/12/2025
7	Approve final draft - 10 days after last public meeting	C.R.S. §30-11-504(2)	8/22/2025
	Certified Language Due - from qualified petitions - 60 days before election		9/5/2025
8	Second Election - 45 to 90 days after final draft approved	C.R.S. §30-11-505(1)	11/4/2025
9	Effective	C.R.S. 30-11-505(2)	1/1/2026

CRUNCH TIME

Timeline to meet November general election and avoid additional costs.

Home Rule County

Nine-Step Process

- Step 1 – Initiating Resolution

Action – BOCC adopt Home Rule Resolution

Completed – March 25th

- Step 2 – Division of County

Action – BOCC adopt County Division Resolution
and Post Election

Completed – March 25th

Home Rule County

Nine-Step Process

- Step 3 – First Election – **6/24/25**

Action – Countywide election to 1.) Form Home Rule Commission, and 2.) Select Commissioners

Special Election or 2 years

§ 30-11-505. Referendum election on charter--adoption or rejection

Currentness

(1) Upon submission to the board of county commissioners of a charter by the charter commission, the board of county commissioners shall call a special election, to be paid for from the special county charter fund and held pursuant to the Colorado election laws. The special election shall be held not more than ninety days nor

Home Rule County

Nine-Step Process

- Step 4 – First Home Rule Commission Meeting
 - Action – Elect Officers
 - Set Meeting Schedule
 - Adopt Rules
- Step 5 – Subsequent Commission Meetings
 - Action – Approve public draft
- Step 6 – Hold 3 Public Comment Meetings

Weld County Example – 36 meetings



Home Rule County

Nine-Step Process

- Step 7 – Approve Final Draft
 - Action – Commission approves final draft and BOCC forwards final draft
- Step 8 – Second Election
 - Action – County-wide election to adopt Charter
- Step 9 – Adopted Charter effective following January 1st

Home Rule County

Misinformation ~ “Home Rule does not give Counties any new or real authority” – THIS IS FALSE

Home Rule Authority

Explicit statutory authority arises from State statutes governing Home Rule Counties.

C.R.S. 30-35-103

- Mandatory Functions
- Structure of Government
- Right to contract

Home Rule County

Home Rule Authority - Explicit statutory authority

C.R.S. 30-35-201 – 47 items

- Finances
- Appropriations
- Public Entertainment
- Advertising
- Taxes
- Indebtedness
- Officers and Employees
- Supplies
- Vacancies
- Buildings
- Energy Conservation Measures
- Streets and Public Ground
- Bridges and Tunnels
- Sewers and Water Mains
- Own and maintain canals
- Purchase water rights
- Water pollution control
- Firehouses, equipment, and staff
- Cemeteries
- Utility franchises
- Assessment for utility charges
- Water facilities and taxes
- Parks and conservation
- Land and land acquisition
- Licenses and franchises
- Enhanced lawmaking
- Tax limits
- Acquire park land
- Condemnation
- Parks bonds
- Control parks ground
- Planning and Zoning

**NOT
REQUIREMENTS**

Home Rule County

Home Rule Authority

2. Explicit statutory exemptions are State statutes that exclude home rule counties from state regulation.

Examples:

- State collective bargaining requirements
- Local election laws
- Tax caps

§ 8-3.3-105. Counties--rights

(2) Nothing in this article 3.3 or in a collective bargaining agreement may restrict, duplicate, or usurp any responsibility or authority granted to the county commissioners of any county by the state constitution, a home rule county charter, or any other state law.

Home Rule County

Home Rule Authority – Four Sources

3. Implied exemptions are matters not identified as “state concern” open to Home Rule County regulation.

League of Women Voters of Greeley, Weld Cnty., Inc. v. Bd. of Cnty. Commissioners of Cnty. of Weld, 563 P.3d 1192 (Colo. 2025) – Home Rule Counties can regulate county structure and are permitted to regulate internal affairs of the county when not prohibited by the State Constitution or a state law.

§ 18-12-201. Legislative declaration

CO ST § 18-12-201 • West's Colorado Revised Statutes Annotated • Title 18. Criminal Code

112 State Concern laws

(c) Whether concealed handguns can be carried in a specific area is a matter of state and local concern.

Risk = Additional Work

Reward = Freedom and Identity

Governance vs. Giving Up

Home Rule County

Home Rule Authority

4. Discretionary authority is the ability to enact ordinances covering issues not authorized in state statutes.

Examples of State Concern:

- **County Identity**
 - Take choice out of the hands of elected officials
 - Homeless shelters
 - Open Space

Home Rule County

Charter Content

Other Counties Topics

- Elected Officials
- Executive Departments
- Appointed Officials
- County Seat
- County Powers
- Administrative and Personnel
- Courts
- Budget and Finance
- Elections
- Business Regulations
- Animals
- Safety
- Public Health
- Public Improvements
- Zoning

Home Rule County

Charter Content

What Douglas Could Do -

- Preserve County Structure
- Preserve Property Rights
 - Policy Taxes – Bags / Delivery
 - Gun ownership
- No DEI policies
- No county unions
- Parental Rights
- Cooperation with ICE
- Local Election Laws
- Protect and fund law enforcement
- Explicitly exclude county from state regulation
- No state minimum wage
- Neighborhood parking regulation
- No effect on Home Rule cities and towns

Home Rule County

Charter Content Roadmap

- Mandatory Requirements - Colo. Const. Art. XIV, § 16 (3)
- Form Structure of County Government - C.R.S § 30-35-201(7)
- Explicit Additional Powers - C.R.S. §30-35-201
- Finance and Debt
- Opt Out State Regulations
- Discretionary Authority – local concerns - C.R.S. §30-35-301