A BILL FOR AN ACT

CONCERNING THE EXPANSION OF AUTHORITY FOR REGIONAL TRANSPORTATION IMPROVEMENTS.

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://leg.colorado.gov.)

The bill authorizes a transportation planning organization (TPO) to exercise the powers of a regional transportation authority (RTA). Among other powers, the powers of a RTA include the power to impose various charges, fees, and, with voter approval, visitor benefit, sales, and use taxes to generate transportation funding. Any additional transportation funding obtained by a TPO exercising the power of a RTA
are intended to supplement and not supplant state transportation funding allocated within the boundaries. Therefore, the transportation commission and the department of transportation (CDOT) are prohibited from taking such additional transportation funding into account when determining the amount of state transportation funding to be allocated within the boundaries of a TPO, and CDOT, when submitting its annual proposed budget allocation plan, is required to provide evidence that the proposed allocation of state transportation funding within the boundaries of any TPO that has obtained such additional transportation funding has not been reduced in any way on account of the additional transportation funding.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 43-4-602, amend (1.5), (2), and (12.5); and add (3.5) and (19) as follows:

43-4-602. Definitions. As used in this part 6, unless the context otherwise requires:

(1.5) "Authority" means a body corporate and political subdivision of the state created pursuant to this part 6 OR A TRANSPORTATION PLANNING ORGANIZATION EXERCISING THE POWERS OF AN AUTHORITY AS AUTHORIZED BY SECTION 43-4-622.

(2) "Board" means the board of directors of an authority OR OF A TRANSPORTATION PLANNING ORGANIZATION EXERCISING THE POWERS OF AN AUTHORITY AS AUTHORIZED BY SECTION 43-4-622.

(3.5) "BOUNDARIES OF THE AUTHORITY" MEANS THE BOUNDARIES SPECIFIED IN THE CONTRACT CREATING THE AUTHORITY OR THE BOUNDARIES OF THE TERRITORY IN WHICH A TRANSPORTATION PLANNING ORGANIZATION IS AUTHORIZED TO EXERCISE THE POWERS OF AN AUTHORITY AS SPECIFIED IN THE RESOLUTION AUTHORIZING THE TRANSPORTATION PLANNING ORGANIZATION TO EXERCISE THE POWERS OF AN AUTHORITY ADOPTED BY THE BOARD OF THE TRANSPORTATION PLANNING ORGANIZATION AS AUTHORIZED BY SECTION 43-4-622.
(12.5) "Region" means all of the territory within the boundaries of, and subject to the jurisdiction of, the governing body of any member of a combination that creates an authority pursuant to section 43-4-603 or the governing body of any member of a transportation planning organization exercising the powers of an authority as authorized by section 43-4-622.

(19) "TRANSPORTATION PLANNING ORGANIZATION" MEANS A METROPOLITAN PLANNING ORGANIZATION, AS DEFINED IN SECTION 43-1-1102 (4), OR A RURAL TRANSPORTATION PLANNING ORGANIZATION RESPONSIBLE FOR TRANSPORTATION PLANNING FOR A TRANSPORTATION PLANNING REGION, AS DEFINED IN SECTION 43-1-1102 (8).

SECTION 2. In Colorado Revised Statutes, 43-4-603, amend (1), (1.5), and (3); and add (2.5) as follows:

43-4-603. Creation of authorities - exercise of powers of an authority by transportation planning organization. (1) Any combination may create, by contract, an authority that is authorized to exercise the functions conferred by the provisions of this part 6 upon the issuance by the director of the division of a certificate stating that the authority has been duly organized according to the laws of the state. In addition, any transportation planning organization may adopt a resolution authorizing it to exercise the powers of an authority as authorized by section 43-4-622 upon the issuance by the director of the division of a certificate stating that the transportation planning organization has been duly authorized to exercise the powers of an authority according to the laws of the state. The combination joining in the creation of the authority or the transportation planning organization adopting a resolution
AUTHORIZING IT TO EXERCISE THE POWERS OF AN AUTHORITY shall provide a copy of the contract OR RESOLUTION to the department of transportation for comment and, if the territory of the proposed authority OR THE TERRITORY IN WHICH THE TRANSPORTATION PLANNING ORGANIZATION IS AUTHORIZED TO EXERCISE THE POWERS OF AN AUTHORITY includes or borders any territory of the regional transportation district created in article 9 of title 32 C.R.S., or intersects with or is likely to divert vehicle traffic to or from a toll highway operated by a public highway authority established under part 5 of this article ARTICLE 4, shall also provide a copy of the contract OR RESOLUTION to the district or the affected public highway authority, as applicable, for comment. The combination OR TRANSPORTATION PLANNING ORGANIZATION shall also provide a copy of the contract FOR COMMENT to each county and municipality that is not a member of the combination OR A MEMBER OF THE TRANSPORTATION PLANNING ORGANIZATION but that includes territory that borders the territory of the proposed authority for comment OR THE TERRITORY IN WHICH THE TRANSPORTATION PLANNING ORGANIZATION IS AUTHORIZED TO EXERCISE THE POWERS OF AN AUTHORITY. The director shall issue the certificate upon the filing with the director of a copy of the contract by the combination joining in the creation of the authority OR A COPY OF THE RESOLUTION ADOPTED BY THE BOARD OF THE TRANSPORTATION PLANNING ORGANIZATION AUTHORIZING THE TRANSPORTATION PLANNING ORGANIZATION TO EXERCISE THE POWERS OF AN AUTHORITY. The director shall cause the certificate to be recorded in the real estate records in each county having territory included in the boundaries of the authority. Upon issuance of the certificate by the director, the authority shall constitute
CONTRACT CONSTITUTES a separate political subdivision and body
corporate of the state and shall have all of the duties, privileges,
immunities, rights, liabilities, and disabilities of a public body politic and
corporate.

(1.5) On and after January 1, 2006, If, after reviewing a contract
that creates an authority OR A RESOLUTION AUTHORIZING A
TRANSPORTATION PLANNING ORGANIZATION TO EXERCISE THE POWERS OF
AN AUTHORITY provided pursuant to subsection (1) of this section, but in
no event more than ninety days after a copy of the contract OR
RESOLUTION is provided pursuant to subsection (1) of this section, the
department of transportation, the regional transportation district created
in article 9 of title 32, C.R.S., a bordering county or municipality, or a
public highway authority established under part 5 of this article ARTICLE
4 informs the combination that executed the contract OR THE
TRANSPORTATION PLANNING ORGANIZATION THAT ADOPTED THE
RESOLUTION that any portions of the regional transportation systems to be
provided by the proposed authority that involve road construction or
improvement, as specified in the contract OR RESOLUTION pursuant to
paragraph (a) of subsection (2) of this section SUBSECTION (2)(a) OF THIS
SECTION, and that are on, alter the physical structure of, or negatively
impact safe operation of any highway, road, or street under its jurisdiction
or will provide mass transportation services that impact the district, then,
at the request of the affected entity, the combination OR THE
TRANSPORTATION PLANNING ORGANIZATION shall enter into an
intergovernmental agreement concerning the identified portions or mass
transportation services with the department, the district, the bordering
county or municipality, the public highway authority, or any combination
thereof, as applicable, within one hundred eighty days after a copy of the
copy of the contract OR RESOLUTION was provided, or eliminate those portions or
services from the list of projects specified in the contract before it submits
the contract to a vote of the registered electors residing within the
boundaries of the proposed authority as required by subsection (4) of this
section, OR AMEND OR REPLACE THE RESOLUTION TO ELIMINATE THOSE
PORTIONS OR SERVICES FROM THE LIST OF PROJECTS SPECIFIED IN THE
RESOLUTION. When requesting that an intergovernmental agreement be
entered into or that portions of a regional transportation system be
eliminated due to a negative impact to safe operation of a highway, road,
or street, the requesting entity shall provide, at the time of the request,
evidence of the negative impact. The intergovernmental agreement shall
specify whatever terms the combination OR TRANSPORTATION PLANNING
ORGANIZATION and the affected entity or entities deem necessary to avoid
duplication of effort and to ensure coordinated transportation planning,
efficient allocation of resources, and equitable sharing of costs. If the
department is a party to the intergovernmental agreement, the agreement
shall also describe in detail any effect on department funding of any
portion of the state highway system within the proposed region that is
expected to result from the creation of the proposed authority OR THE
EXERCISE OF THE POWER OF AN AUTHORITY BY THE TRANSPORTATION
PLANNING ORGANIZATION. Nothing in this subsection (1.5) shall be
construed to preclude a combination, or any authority, OR
TRANSPORTATION PLANNING ORGANIZATION EXERCISING THE POWERS OF
AN AUTHORITY from entering into an intergovernmental agreement with
the department, the district, a public highway authority, a bordering
county or municipality, or any other governmental entity regarding any
(2.5) A resolution authorizing a transportation planning organization to exercise the powers of an authority adopted as authorized by section 43-4-622 must specify:

(a) The regional transportation systems to be provided;

and

(b) The boundaries of the territory in which the transportation planning organization is authorized to exercise the powers of an authority, which may not include territory outside of the boundaries of the members of the transportation planning organization, may not include territory within the boundaries of a municipality that is not a member of the transportation planning organization as the boundaries of the municipality exist on the date the resolution is adopted without the consent of the governing body of the municipality, and may not include territory within the unincorporated boundaries of a county that is not a member of the transportation planning organization as the unincorporated boundaries of the county exist on the date the resolution is adopted without the consent of the governing body of the county.

(3) No municipality, county, or special district shall enter into a contract establishing an authority and no transportation planning organization shall adopt a resolution authorizing it to exercise the powers of an authority as authorized by section 43-4-622 without holding at least two public hearings thereon in addition to other requirements imposed by law for public notice. The municipality, county, or special district, or transportation planning organization shall
give notice of the time, place, and purpose of the public hearing by
publication in a newspaper of general circulation in the municipality,
county, or special district, or TERRITORY OF THE TRANSPORTATION
PLANNING ORGANIZATION as the case may be, at least ten days prior to the
date of the public hearing.

SECTION 3. In Colorado Revised Statutes, 43-4-604, **amend**
(3)(i) as follows:

43-4-604. **Board of directors.** (3) The board, in addition to all
other powers conferred by this part 6, has the following powers:

(i) **AS APPLICABLE**, to amend the contract that created the authority
to the extent that any amendment procedures specified in the contract
pursuant to section 43-4-603 (2)(f) authorize the board, rather than the
members of the combination that are parties to the contract, to amend the
contract OR TO AMEND OR REPLACE THE RESOLUTION AUTHORIZING THE
TRANSPORTATION PLANNING REGION TO EXERCISE THE POWERS OF AN
AUTHORITY ADOPTED AS AUTHORIZED BY SECTION 43-4-622.

SECTION 4. In Colorado Revised Statutes, 43-4-605, **amend** (1)
introductory portion, (1)(f), (1)(i), (1)(i.5)(I) introductory portion,
(1)(j)(I), and (2)(a) as follows:

43-4-605. **Powers of the authority - inclusion or exclusion of
property - determination of regional transportation system alignment
- fund created - repeal.** (1) In addition to any other powers granted to
the authority pursuant to this part 6, the authority has the following
powers:

(f) To finance, construct, operate, or maintain regional
transportation systems within or without the boundaries of the authority;
except that the authority shall not construct regional transportation
systems in any territory located outside the boundaries of the authority
and within the boundaries of a municipality as the boundaries of the
municipality exist on the date the authority is created without the consent
of the governing body of the municipality; outside the boundaries of the
authority and within the unincorporated boundaries of a county as the
unincorporated boundaries of the county exist on the date the authority is
created without the consent of the governing body of the county; or inside
or outside the boundaries of the authority if the regional transportation
systems would alter the state highway system, as defined in section
43-2-101 (1), or the interstate system, as defined in section 43-2-101 (2),
except as authorized by an intergovernmental agreement entered into by
the members of the combination that created the authority OR THE
TRANSPORTATION PLANNING ORGANIZATION EXERCISING THE POWERS OF
AN AUTHORITY and the department of transportation as required by
section 43-4-603 (1.5);

(i) To impose an annual motor vehicle registration fee of not more
than ten dollars for each motor vehicle registered with the authorized
agent, as defined in section 42-1-102, of the county by persons residing
in all or any designated portion of the members of the combination OR OF
THE MEMBERS OF THE TRANSPORTATION PLANNING ORGANIZATION
EXERCISING THE POWERS OF AN AUTHORITY AS AUTHORIZED BY SECTION
43-4-622; except that the authority shall not impose a motor registration
fee with respect to motor vehicles registered to persons residing outside
the boundaries of the authority and within the boundaries of a
municipality as the boundaries of the municipality exist on the date the
authority is created OR THE RESOLUTION AUTHORIZING THE
TRANSPORTATION PLANNING ORGANIZATION TO EXERCISE THE POWERS OF
AN AUTHORITY IS ADOPTED without the consent of the governing body of
the municipality or outside the boundaries of the authority and within the
unincorporated boundaries of a county as the unincorporated boundaries
of the county exist on the date the authority is created without the consent
of the governing body of the county. The registration fee is in addition to
any fee or tax imposed by the state or any other governmental unit. If a
motor vehicle is registered in a county that is a member of more than one
authority, the total of all fees imposed pursuant to this subsection (1)(i)
for any such THE motor vehicle shall not exceed ten dollars. The
authorized agent of the county in which the registration fee is imposed
shall collect the fee and remit the fee to the authority. The authority shall
apply the registration fees solely to the financing, construction, operation,
or maintenance of regional transportation systems that are consistent with
the expenditures specified in section 18 of article X of the state
constitution.

(i.5) (I) Subject to the provisions of section 43-4-612, to impose,
in all or any designated portion of the members of the combination OR OF
THE MEMBERS OF THE TRANSPORTATION PLANNING ORGANIZATION
EXERCISING THE POWERS OF AN AUTHORITY AS AUTHORIZED BY SECTION
43-4-622, a visitor benefit tax on persons who purchase overnight rooms
or accommodations in any amount that would not cause the aggregate
amount of the visitor benefit tax and any lodging tax imposed on such
overnight rooms or accommodations to exceed two percent of the price
of such overnight rooms or accommodations; except that the authority
shall not impose any such A visitor benefit tax on overnight rooms or
accommodations that are in any territory:

(j) (I) Subject to the provisions of section 43-4-612, to levy, in all
or any designated portion of the members of the combination OR OF THE MEMBERS OF THE TRANSPORTATION PLANNING ORGANIZATION EXERCISING THE POWERS OF AN AUTHORITY AS AUTHORIZED BY SECTION 43-4-622, a sales or use tax, or both, at a rate not to exceed one percent upon every transaction or other incident with respect to which a sales or use tax is levied by the state; except that, on and after January 1, 2006, if the authority includes territory that is within the regional transportation district created and existing pursuant to article 9 of title 32 C.R.S., a designated portion of the members of the combination OR OF THE MEMBERS OF THE TRANSPORTATION PLANNING ORGANIZATION in which a new tax is levied shall MUST be composed of entire territories of members of the combination OR OF THE MEMBERS OF THE TRANSPORTATION PLANNING ORGANIZATION so that the rate of tax imposed pursuant to this part 6 within the territory of any single member of the combination OR OF THE MEMBERS OF THE TRANSPORTATION PLANNING ORGANIZATION is uniform and except that the authority shall not levy a sales or use tax on any transaction or other incident occurring in any territory located outside the boundaries of the authority and within the boundaries of a municipality as the boundaries of the municipality exist on the date the authority is created without the consent of the governing body of the municipality or outside the boundaries of the authority and within the unincorporated boundaries of a county as the unincorporated boundaries exist on the date the authority is created without the consent of the governing body of the county. Subject to the provisions of section 43-4-612, the authority may elect to levy any such sales or use tax at different rates in different designated portions of the members of the combination OR OF THE MEMBERS OF THE
TRANSPORTATION PLANNING ORGANIZATION; except that, on and after January 1, 2006, if the authority includes territory that is within the regional transportation district, a designated portion of the members of the combination OR OF THE MEMBERS OF THE TRANSPORTATION PLANNING ORGANIZATION in which a new tax is levied shall MUST be composed of entire territories of members of the combination OR OF THE MEMBERS OF THE TRANSPORTATION PLANNING ORGANIZATION so that the rate of tax imposed pursuant to this part 6 within the territory of any single member of the combination OR OF THE TRANSPORTATION PLANNING ORGANIZATION is uniform. If the authority so elects, it shall submit a single ballot question that lists all of the different rates to the registered electors of all designated portions of the members of the combination OR OF THE TRANSPORTATION PLANNING ORGANIZATION in which the proposed sales or use tax is to be levied. The tax imposed pursuant to this paragraph (j) SUBSECTION (1)(j) is in addition to any other sales or use tax imposed pursuant to law. If a member of the combination OR OF THE TRANSPORTATION PLANNING ORGANIZATION is located within more than one authority, the sales or use tax, or both, authorized by this paragraph (j) SUBSECTION (1)(j) shall not exceed one percent upon every transaction or other incident with respect to which a sales or use tax is levied by the state. The executive director of the department of revenue shall collect, administer, and enforce the sales or use tax, to the extent feasible, in the manner provided in section 29-2-106. C.R.S. The director shall make monthly distributions of the tax collections to the authority, which shall apply the proceeds solely to the financing, construction, operation, or maintenance of regional transportation systems. The department shall retain an amount not to exceed the net incremental cost of the collection,
administration, and enforcement and shall transmit the amount to the state
treasurer, who shall credit the same to the regional transportation
authority sales tax fund, which fund is hereby created. The amounts so
retained are hereby appropriated annually from the fund to the department
to the extent necessary for the department's collection, administration, and
enforcement of the provisions of this part 6. Any money remaining in the fund attributable to taxes collected in the prior fiscal year
shall be transmitted to the authority; except that, prior to the transmission
to the authority of such money, any money appropriated from the general fund to the department for the collection, administration,
and enforcement of the tax for the prior fiscal year shall be repaid.

(2) (a) The board may include property within or exclude property
from the boundaries of the authority in the manner provided in this
subsection (2). Property may not be included within the boundaries of the
authority unless it is within the boundaries of the members of the
combination OR OF THE TRANSPORTATION PLANNING ORGANIZATION
EXERCISING THE POWERS OF AN AUTHORITY AS AUTHORIZED BY SECTION
43-4-622 at the time of the inclusion. Property located within the
boundaries of a municipality that is not a member of the combination OR
OF THE TRANSPORTATION PLANNING ORGANIZATION as the boundaries of
the municipality exist on the date the property is included may not be
included without the consent of the governing body of such THE
municipality, and property within the unincorporated boundaries of a
county that is not a member of the combination OR OF THE
TRANSPORTATION PLANNING ORGANIZATION as the unincorporated
boundaries of the county exist on the date the property is included may
not be included without the consent of the governing body of such THE
SECTION 5. In Colorado Revised Statutes, 43-4-611, amend (2) as follows:

43-4-611. **Powers of governmental units.** (2) To assist in the financing, construction, operation, or maintenance of a regional transportation system, any county, municipality, or special district that is a member of a combination OR OF A TRANSPORTATION PLANNING ORGANIZATION EXERCISING THE POWERS OF AN AUTHORITY AS AUTHORIZED BY SECTION 43-4-622 may, by contract, pledge to the authority all or a portion of the revenues it receives from the highway users tax fund or from any other legally available funds. The authority shall apply revenues that it receives pursuant to the pledge to the financing, construction, operation, or maintenance of any regional transportation system. The authority may refuse to accept any revenues that would cause a member of the combination OR OF THE TRANSPORTATION PLANNING ORGANIZATION to exceed its allowable fiscal year spending under section 20 of article X of the state constitution and that could result in a refund of excess revenues under said section 20.

SECTION 6. In Colorado Revised Statutes, 43-4-612, amend (1) as follows:

43-4-612. **Referendum.** (1) No action by an authority to establish or increase any tax authorized by this part 6 shall take effect unless first submitted to a vote of the registered electors of that portion of the combination OR THAT PORTION OF THE TERRITORY IN WHICH A TRANSPORTATION PLANNING ORGANIZATION IS AUTHORIZED TO EXERCISE THE POWERS OF AN AUTHORITY in which the tax is proposed to be collected.
SECTION 7. In Colorado Revised Statutes, amend 43-4-615 as follows:

43-4-615. Agreement of the state not to limit or alter rights of obligees. The state hereby pledges and agrees with the holders of any bonds issued under this part 6 and with those parties who enter into contracts with an authority or any member of a transportation planning organization exercising the powers of an authority as authorized by section 43-4-622 pursuant to this part 6 that the state will not impair the rights vested in the authority or the rights or obligations of any person with which the authority contracts to fulfill the terms of any agreements made pursuant to this part 6. The state further agrees that it will not impair the rights or remedies of the holders of any bonds of the authority until the bonds have been paid or until adequate provision for payment has been made. The authority may include this provision and undertaking for the state in such the bonds.

SECTION 8. In Colorado Revised Statutes, add 43-4-622 as follows:

43-4-622. Exercise of authority powers by transportation planning organization. (1) By adopting a resolution, the board of a transportation planning organization may authorize itself to exercise some or all of the powers of an authority set forth in this part 6 within the region or any portion of the region of the transportation planning organization.

(2) Except as otherwise provided in subsection (3) of this section, the exercise of the powers of an authority by a transportation planning organization is subject to all
REQUIREMENTS AND LIMITATIONS SET FORTH IN THIS PART 6 OR ANY OTHER LAW INCLUDING, BUT NOT LIMITED TO:

(a) The notice requirements set forth in section 43-4-603 (1), 43-4-613, and 43-4-614 (1);

(b) The intergovernmental agreement and services elimination requirements set forth in section 43-4-603 (1.5);

(c) The public hearing requirements set forth in section 43-4-603 (3);

(d) The limitations on the board delegating certain powers set forth in section 43-4-604 (1);

(e) All requirements set forth in this part 6 that require the consent of a county or municipality that is not a member of the transportation planning organization to operations, taxation, or other activities within its territory;

(f) All board super-majority voting requirements set forth in this part 6; and

(g) The voter approval requirements set forth in section 43-4-612.

(3) Where the context clearly indicates that a requirement or limitation set forth in this part 6 that applies to a contract forming an authority, a combination, or individual members of a combination cannot reasonably be applied to a transportation planning organization exercising the powers of an authority, the requirement or limitation does not apply to the transportation planning organization.

SECTION 9. In Colorado Revised Statutes, 43-1-113, add (13.5) as follows:
43-1-113. Funds - budgets - fiscal year - reports and publications. (13.5) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT ADDITIONAL TRANSPORTATION FUNDING OBTAINED BY A TRANSPORTATION PLANNING ORGANIZATION, AS DEFINED IN SECTION 43-4-602 (19), THROUGH THE EXERCISE OF THE POWERS OF A REGIONAL TRANSPORTATION AUTHORITY AS AUTHORIZED BY SECTION 43-4-622, SUPPLEMENT AND NOT SUPPLANT STATE TRANSPORTATION FUNDING ALLOCATED WITHIN THE BOUNDARIES OF THE TRANSPORTATION PLANNING ORGANIZATION. THEREFORE, NEITHER THE COMMISSION NOR THE DEPARTMENT SHALL TAKE SUCH ADDITIONAL TRANSPORTATION FUNDING INTO ACCOUNT WHEN DETERMINING THE AMOUNT OF STATE TRANSPORTATION FUNDING TO BE ALLOCATED WITHIN THE BOUNDARIES OF A TRANSPORTATION PLANNING REGION. WHEN SUBMITTING ITS ANNUAL PROPOSED BUDGET ALLOCATION PLAN AS REQUIRED BY SUBSECTION (2) OF THIS SECTION, THE DEPARTMENT SHALL PROVIDE EVIDENCE THAT THE PROPOSED ALLOCATION OF STATE TRANSPORTATION FUNDING WITHIN THE BOUNDARIES OF ANY TRANSPORTATION PLANNING ORGANIZATION THAT HAS OBTAINED ADDITIONAL TRANSPORTATION FUNDING BY EXERCISING THE POWERS OF A REGIONAL TRANSPORTATION AUTHORITY HAS NOT BEEN REDUCED IN ANY WAY ON ACCOUNT OF THE ADDITIONAL TRANSPORTATION FUNDING.

SECTION 10. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect
unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.