



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 21-0194
Prime Sponsors: Sen. Gardner

Date: June 22, 2021
Bill Status: Postponed Indefinitely
Fiscal Analyst: Matt Bishop | 303-866-4796
Matt.Bishop@state.co.us

Bill Topic: **UNIFORM EASEMENT RELOCATION ACT**

Summary of Fiscal Impact:

- | | |
|---|--|
| <input type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure | <input checked="" type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

The bill would have enacted the Uniform Easement Relocation Act. It would have increased state revenue and expenditures, and increased expenditures in local governments, on an ongoing basis.

Appropriation Summary: No appropriation would have been required.

Fiscal Note Status: The fiscal note reflects the introduced bill, as recommended by the Colorado Commission on Uniform State Laws. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

The bill enacts the Uniform Easement Relocation Act, which sets procedures to relocate easements, excluding public utility easements, conservation easements, and negative easements. An owner may commence a civil action and serve a summons and petition on an easement holder, who may waive their rights to contest or obtain relief to avoid further participation in the action.

State Revenue and Expenditures

If a property owner files civil action to relocate an easement, or if a property owner's and an easement holder's failure to agree on such a relocation leads to litigation, revenue and workload for the trial courts in the Judicial Department may increase. Civil case filing fees are subject to TABOR. The fiscal note assumes that the number of case filings will be small, and the workload increase can be accomplished within existing appropriations.

Local Government

Workload and expenditures may increase for local governments, including counties and special districts, if civil actions are filed regarding qualifying easements held by those entities.

Effective Date

The bill was postponed indefinitely by the Senate Agriculture and Natural Resources Committee on March 18, 2021.

State and Local Government Contacts

Counties	County Assessors	Judicial
Municipalities	Special Districts	