



**Colorado
Legislative
Council
Staff**

HB17-1190

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 17-0818
Prime Sponsor(s): Rep. Becker K.

Date: March 10, 2017
Bill Status: House Agriculture
Fiscal Analyst: Clare Pramuk (303-866-2677)

BILL TOPIC: LIMITED APPLICABILITY OF ST. JUDE'S CO. WATER CASE

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue		
State Expenditures	Minimal workload reduction.	
Appropriation Required: None.		
Future Year Impacts: Ongoing minimal workload reduction.		

Summary of Legislation

In 2015, the Colorado Supreme Court held in *St. Jude's Co. v. Roaring Fork Club, LLC*, that the diversion of water from a surface stream into a private ditch on private property for aesthetic, recreational, and piscatorial purposes is not a beneficial use of water under Colorado water law. This bill limits the application of this decision to direct flow appropriations without storage made after July 15, 2015.

State Expenditures

This bill provides direction to water courts in deciding pending cases that could be subject to the *St. Jude's Co. v. Roaring Fork Club, LLC* decision. To the extent that this facilitates those decisions, this bill will minimally reduce the workload of the water courts. This reduction does not require a change in appropriations.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Judicial Law Natural Resources

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: www.leg.colorado.gov/fiscalnotes/