

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0638.01 Jennifer Berman x3286

HOUSE BILL 18-1199

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HOUSE SPONSORSHIP

**Catlin**, Covarrubias, Arndt, Becker J.

SENATE SPONSORSHIP

**Coram**,

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House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

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A BILL FOR AN ACT

101      **CONCERNING A PROCESS FOR THE GROUND WATER COMMISSION TO**  
102            **USE FOR APPROVING AQUIFER STORAGE-AND-RECOVERY PLANS,**  
103            **AND, IN CONNECTION THEREWITH, REQUIRING THAT THE**  
104            **GROUND WATER COMMISSION PROMULGATE RULES GOVERNING**  
105            **ITS IMPLEMENTATION OF THE PROCESS.**

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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 person to apply to the ground water commission (commission) for approval of an aquifer

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

storage-and-recovery plan and requires the commission to promulgate rules governing the application process and the requirements that an aquifer storage-and-recovery plan must meet to be approved.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 37-90-107.6 as  
3 follows:

4           **37-90-107.6. Aquifer storage-and-recovery plans - publication**  
5 **- objection - hearing - rules.** IF A PERSON SEEKS TO OBTAIN AN  
6 APPROVAL OF AN AQUIFER STORAGE-AND-RECOVERY PLAN WITHIN THE  
7 BOUNDARIES OF A DESIGNATED GROUNDWATER BASIN PURSUANT TO THIS  
8 ARTICLE 90, THE PERSON MUST APPLY TO THE COMMISSION IN A FORM AND  
9 MANNER DETERMINED BY THE COMMISSION BY RULE. WHEN SUBMITTING  
10 THE APPLICATION TO THE COMMISSION, THE APPLICANT MUST ALSO SUBMIT  
11 A SUMMARY OF THE APPLICATION TO THE COMMISSION FOR PUBLICATION.  
12 IF THE COMMISSION DETERMINES THAT THE APPLICATION IS COMPLETE,  
13 THE APPLICATION SHALL BE PUBLISHED PURSUANT TO SECTION 37-90-112  
14 WITHIN SIXTY DAYS AFTER THE FILING OF THE COMPLETED APPLICATION.  
15 IF AN OBJECTION TO THE APPLICATION IS FILED, THE COMMISSION SHALL  
16 HOLD A HEARING ON THE APPLICATION PURSUANT TO SECTION 37-90-113.  
17 THE COMMISSION SHALL APPROVE AN AQUIFER STORAGE-AND-RECOVERY  
18 PLAN THAT MEETS THE REQUIREMENTS OF THIS ARTICLE 90 AND THE  
19 REQUIREMENTS ESTABLISHED BY THE COMMISSION BY RULE PURSUANT  
20 THIS SECTION.

21           **SECTION 2. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly (August  
24 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the  
2 state constitution against this act or an item, section, or part of this act  
3 within such period, then the act, item, section, or part will not take effect  
4 unless approved by the people at the general election to be held in  
5 November 2018 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.