

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

Bill C

LLS NO. 22-0183.01 Sarah Lozano x3858

SENATE BILL

SENATE SPONSORSHIP

Donovan and Sonnenberg, Bridges, Coram, Jaquez Lewis

HOUSE SPONSORSHIP

McLachlan and Catlin, McCormick, McKean, Roberts

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE EXPANSION OF THE WATER RESOURCES REVIEW**
102 **COMMITTEE TO THE WATER RESOURCES AND AGRICULTURE**
103 **REVIEW COMMITTEE.**

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/>.)

Water Resources Review Committee. The bill changes the name of the water resources review committee to the water resources and agriculture review committee (committee) and expands the scope of the committee to include agriculture issues.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 37-98-101 as
3 follows:

4 **37-98-101. Legislative declaration.** (1) The general assembly
5 finds, determines, and declares that the purpose of this ~~article~~ ARTICLE 98
6 is to provide an interim committee as a forum through which the general
7 assembly shall review:

8 (a) The statewide planning, administration, and monitoring of
9 Colorado's water resources; AND

10 (b) COLORADO AGRICULTURE ISSUES.

11 (2) The general assembly recognizes its mandate to vigorously
12 protect and defend Colorado's finite supply of water. The general
13 assembly further recognizes the need to ensure that water issues receive
14 sufficient legislative scrutiny and public input:

15 (a) To maximize the benefit derived from Colorado's surface
16 water and groundwater resources;

17 (b) To evaluate the present and future water needs of the state;

18 (c) To ensure effective water rights administration;

19 (d) To protect water quality and water quantity;

20 (e) To ensure that Colorado's interstate water compact agreements
21 are met and, in relation ~~thereto~~ TO THE AGREEMENTS, that Colorado's
22 water resources are protected against unwarranted claims; and

23 (f) To continue the studies of the special water committee
24 pursuant to Senate Bill 96-074.

25 (3) THE GENERAL ASSEMBLY FURTHER RECOGNIZES THAT:

26 (a) AGRICULTURE IS ONE OF THE LARGEST AND MOST SIGNIFICANT

1 ECONOMIC SECTORS IN COLORADO;

2 (b) COLORADO'S AGRICULTURAL PRODUCERS AND WORKERS ARE
3 OFTEN STEWARDS OF COLORADO'S SURFACE AND GROUNDWATER
4 RESOURCES;

5 (c) COLORADO'S AGRICULTURAL SECTOR IS A LEADER IN WATER
6 EFFICIENCY AND CONSERVATION PRACTICES;

7 (d) AGRICULTURE AND WATER RESOURCES ISSUES ARE OFTEN
8 CLOSELY INTERTWINED WITH ONE ANOTHER; AND

9 (e) EXPANDING THE SCOPE OF THE COMMITTEE TO INCLUDE
10 AGRICULTURE WOULD BE BENEFICIAL TO THE COMMITTEE'S STUDIES AND
11 SUPPORT THE COMMITTEE'S EFFORTS IN PROTECTING AND DEFENDING
12 COLORADO'S WATER SUPPLY.

13 **SECTION 2.** In Colorado Revised Statutes, 37-98-102, **amend**
14 (1)(a)(I) as follows:

15 **37-98-102. Water resources and agriculture review committee**
16 **- creation.** (1) (a) (I) For the purposes of contributing to and monitoring
17 the conservation, use, development, and financing of the water resources
18 of Colorado for the general welfare of its inhabitants; IDENTIFYING,
19 MONITORING, AND ADDRESSING COLORADO AGRICULTURE ISSUES; ~~and to~~
20 ~~review and propose~~ REVIEWING AND PROPOSING water resources AND
21 AGRICULTURE legislation, there is hereby created the water resources AND
22 AGRICULTURE review committee, referred to in this article 98 as the
23 "committee". The committee shall meet at the call of the chair as often as
24 six times during even-numbered years and eight times during
25 odd-numbered years to review and to propose water resources AND
26 AGRICULTURE legislation and RELATED matters. ~~relating thereto.~~ No more
27 than two of such meetings may occur while the general assembly is in

1 session. In connection with such review, the committee may take up to
2 two field trips per year in connection with its mandate and shall consult
3 with experts in the field of water conservation, quality, use, finance, and
4 development AND THE FIELD OF AGRICULTURE. The department of natural
5 resources, the state engineer, THE DEPARTMENT OF AGRICULTURE, and the
6 attorney general, together with the members and staff of the Colorado
7 water conservation board, the Colorado water resources and power
8 development authority, the water quality control commission, the
9 department of public health and environment, ~~the department of~~
10 ~~agriculture~~, and the great outdoors Colorado program, shall cooperate
11 with the committee and with any persons assisting the committee in
12 pursuing its responsibilities pursuant to this section. Further, the
13 committee may utilize the legislative council staff to assist its members
14 in researching any matters.

15 **SECTION 3.** In Colorado Revised Statutes, 23-20-141, **amend**
16 (1)(c) as follows:

17 **23-20-141. Emerging technologies for water management -**
18 **study - report - legislative declaration - repeal.** (1) (c) On or before
19 July 15, 2022, and upon request of the water resources AND AGRICULTURE
20 review committee of the general assembly in any year thereafter, the
21 universities shall provide live testimony and a written report on the
22 progress of the feasibility studies and pilot deployments conducted
23 pursuant to this subsection (1), including any conclusions regarding the
24 potential of these technologies to improve Colorado water management
25 and any recommendations for administrative or legislative action to
26 promote their use, to the water resources AND AGRICULTURE review
27 committee.

1 **SECTION 4.** In Colorado Revised Statutes, 25-8-205.3, **amend**
2 (2)(f) introductory portion as follows:

3 **25-8-205.3. Exemption from control regulations for graywater**
4 **research - definition.** (2) A person collecting, treating, or using
5 graywater pursuant to this section:

6 (f) On an annual basis, shall report to the water resources AND
7 AGRICULTURE review committee, created in section 37-98-102, the results
8 of periodic monitoring of the project conducted to assess:

9 **SECTION 5.** In Colorado Revised Statutes, 37-60-106.3, **amend**
10 (3)(b) and (4) as follows:

11 **37-60-106.3. State water plan - legislative declaration - grant**
12 **program.** (3) **Development of plan.** In exercising its authority pursuant
13 to this section, the board shall:

14 (b) Notify the water resources AND AGRICULTURE review
15 committee created in section 37-98-102 of any proposed significant
16 amendments to the plan, as determined by the board, by June 1 of any
17 year in which the amendment is proposed to be adopted; present the
18 proposed amendment to the committee by August 1 of that year; and
19 consider the committee's feedback submitted pursuant to section
20 37-98-103 (6)(c) by November 1 of that year.

21 (4) **Legislation.** By November 1 of each year following the
22 submission to the water resources AND AGRICULTURE review committee
23 of a state water plan or amendment pursuant to this section, any member
24 of the general assembly may make a request in writing to the chairperson
25 of the water resources AND AGRICULTURE review committee that the
26 committee hold one or more hearings to review the plan or amendment
27 as submitted to the water resources AND AGRICULTURE review committee.

1 Upon receipt of the request, the chairperson of the committee shall
2 promptly schedule a hearing to conduct the review and provide adequate
3 notice to the public and the board. The committee, after holding a public
4 hearing, may recommend the introduction of a bill or bills based on the
5 results of the review. A bill recommended by the committee for
6 consideration under this subsection (4) does not count against the number
7 of bills to which either the committee or the members of the general
8 assembly are limited by law or joint rule of the senate and the house of
9 representatives, and a hearing held by the committee pursuant to this
10 subsection (4) does not count against the number of meetings allowed by
11 section 37-98-102 (1)(a).

12 **SECTION 6.** In Colorado Revised Statutes, 37-60-115, **amend**
13 (6)(d), (8)(i), and (10)(f) as follows:

14 **37-60-115. Water studies - rules - repeal. (6) Precipitation**
15 **harvesting pilot projects.** (d) Each sponsor shall submit an annual
16 preliminary report to the board and the state engineer summarizing the
17 information set forth in ~~paragraph (a) of this subsection (6)~~ SUBSECTION
18 (6)(a) OF THIS SECTION. The board and the state engineer shall brief the
19 water resources AND AGRICULTURE review committee created in section
20 37-98-102 on the reported results of the pilot projects by July 1, 2014.
21 Each sponsor shall submit a final report to the board and the state
22 engineer by January 15, 2025. The board and the state engineer shall
23 provide a final briefing to the water resources AND AGRICULTURE review
24 committee by July 1, 2025.

25 (8) **Fallowing and leasing pilot projects.** (i) The board, in
26 consultation with the state engineer, shall annually report to the water
27 resources AND AGRICULTURE review committee, created in section

1 37-98-102, or its successor committee, on the reported results of the pilot
2 projects. The board, in consultation with the state engineer, shall provide
3 a final report to the water resources AND AGRICULTURE review committee,
4 or its successor committee, by July 1, 2034, or the year in which the final
5 pilot project is completed, if before 2034.

6 (10) **High groundwater administration and management pilot**
7 **projects - report - repeal.** (f) The board, in consultation with the state
8 engineer, shall annually report to the water resources AND AGRICULTURE
9 review committee, created in section 37-98-102, or its successor
10 committee, on the reported results of the pilot projects. The board, in
11 consultation with the state engineer, shall provide a final report to the
12 water resources AND AGRICULTURE review committee or its successor
13 committee by September 1, 2021.

14 **SECTION 7. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly; except
17 that, if a referendum petition is filed pursuant to section 1 (3) of article V
18 of the state constitution against this act or an item, section, or part of this
19 act within such period, then the act, item, section, or part will not take
20 effect unless approved by the people at the general election to be held in
21 November 2022 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.