

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

DRAFT  
9.17.19

BILL 1

LLS NO. 20-0325.01 Thomas Morris x4218

INTERIM COMMITTEE BILL

Water Resources Review Committee

**BILL TOPIC: "GA Approve Expenditures Water Plan Cash Fund"**

**A BILL FOR AN ACT**

101 CONCERNING A REQUIREMENT FOR LEGISLATIVE APPROVAL OF  
102 EXPENDITURES FROM THE WATER PLAN IMPLEMENTATION CASH  
103 FUND.

**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.** Current law requires legislative approval for most water projects financed by the Colorado water conservation board construction fund. Proposition DD, approved by the voters in November 2019, allocated some money derived from wagering on sporting events to the newly created water plan

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

implementation cash fund. The bill makes the expenditure of money from the water plan implementation cash fund subject to the same legislative approval requirements as for the expenditure of money from the Colorado water conservation board construction fund.

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

2           **SECTION 1.** In Colorado Revised Statutes, 37-60-123.3, **add** (3)  
3 as follows:

4           **37-60-123.3. Water plan implementation cash fund - created.**

5 (3) THE BOARD SHALL EXPEND THE MONEY IN THE FUND FOR THE  
6 PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION IN THE  
7 FOLLOWING MANNER AND UNDER THE FOLLOWING CIRCUMSTANCES:

8           (a) THE GENERAL ASSEMBLY MAY AUTHORIZE PROJECTS AS IT  
9 DEEMS TO BE TO THE ADVANTAGE OF THE PEOPLE OF THE STATE OF  
10 COLORADO AND SHALL DIRECT THE BOARD TO PROCEED WITH THE  
11 PROJECTS IN THE PRIORITIES ESTABLISHED BY THE GENERAL ASSEMBLY  
12 UNDER TERMS APPROVED BY THE GENERAL ASSEMBLY.

13           (b) THE BOARD IS AUTHORIZED TO MAKE LOANS WITHOUT  
14 GENERAL ASSEMBLY APPROVAL IN AMOUNTS NOT TO EXCEED TEN MILLION  
15 DOLLARS. THE UNAPPROPRIATED BALANCE OF MONEY IN THE FUND IS  
16 AVAILABLE AND CONTINUOUSLY APPROPRIATED FOR THIS PURPOSE.

17           (c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE BOARD  
18 SHALL SUBMIT A WRITTEN DETERMINATION OF THE BASIS FOR THE PROJECT  
19 LOANS TO THE GENERAL ASSEMBLY BY JANUARY 15 OF THE YEAR  
20 FOLLOWING THE YEAR IN WHICH THE LOAN WAS MADE.

21           **SECTION 2. Act subject to petition - effective date -**  
22 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
23 the expiration of the ninety-day period after final adjournment of the

1 general assembly (August 5, 2020, if adjournment sine die is on May 6,  
2 2020); except that, if a referendum petition is filed pursuant to section 1  
3 (3) of article V of the state constitution against this act or an item, section,  
4 or part of this act within such period, then the act, item, section, or part  
5 will not take effect unless approved by the people at the general election  
6 to be held in November 2020 and, in such case, will take effect on the  
7 date of the official declaration of the vote thereon by the governor.

8 (2) This act applies to expenditures from the water plan  
9 implementation cash fund occurring on or after the applicable effective  
10 date of this act.

11 <{*We will know whether the voters have approved DD before this bill*  
12 *is introduced, so I did not make the bill contingent on Proposition DD's*  
13 *passage. But because the committee will have to vote on this bill before*  
14 *the election, the committee may want to make its approval for*  
15 *introduction of this bill contingent on voter approval of Proposition*  
16 *DD.*>

17 <{*Do you want a safety clause or a specific effective date?*>