

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

BILL C

LLS NO. 20-0329.01 Richard Sweetman x4333

HOUSE BILL

HOUSE SPONSORSHIP

Saine and Titone,

SENATE SPONSORSHIP

Sonnenberg and Coram,

House Committees

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE INSPECTION OF WATER WELLS.

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 requires the state engineer to employ a minimum of 4 water well inspectors in the state's water well inspection program.

The bill requires the state board of water well construction and pump installation contractors, on or before November 1, 2020, to promulgate rules for identifying high-risk water wells that should be prioritized for inspection. Thereafter, the state engineer shall use the rules to identify high-risk water wells and shall prioritize the inspection of

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.

high-risk water wells.

The bill clarifies that money in the well inspection cash fund shall be appropriated to and expended by the state engineer only for the well inspection program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 37-91-113, **amend**
3 (1); and **add** (4) as follows:

4 **37-91-113. Well inspection program - high-risk wells - rules.**

5 (1) The state engineer shall monitor compliance with this ~~article~~ ARTICLE
6 91, including by inspecting water well construction and pump installation.

7 ~~and may~~ ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1), AS
8 AMENDED, THE STATE ENGINEER SHALL **employ** A MINIMUM OF FOUR
9 inspectors for ~~such~~ THIS purpose. AT LEAST ONE INSPECTOR MUST BE
10 PRIMARILY CONCERNED WITH THE INSPECTION OF WATER WELL
11 CONSTRUCTION AND PUMP INSTALLATION IN WATER DIVISION 1, AS
12 DEFINED IN SECTION 37-92-201 (1)(a), AND AT LEAST ONE INSPECTOR
13 MUST BE PRIMARILY CONCERNED WITH THE INSPECTION OF WATER WELL
14 CONSTRUCTION AND PUMP INSTALLATION IN WATER DIVISION 2, AS
15 DEFINED IN SECTION 37-92-201 (1)(b). THE STATE ENGINEER SHALL PAY
16 the costs of ~~such~~ monitoring and inspection ~~shall be paid~~ from the well
17 inspection cash fund created ~~by~~ IN section 37-80-111.5.

18 (4) ON OR BEFORE NOVEMBER 1, 2020, THE BOARD SHALL
19 PROMULGATE RULES FOR IDENTIFYING HIGH-RISK WELLS THAT SHOULD BE
20 PRIORITIZED FOR INSPECTION. THEREAFTER, THE STATE ENGINEER SHALL:

- 21 (a) USE THE RULES TO IDENTIFY HIGH-RISK WELLS; AND
22 (b) PRIORITIZE THE INSPECTION OF HIGH-RISK WELLS.

23 **SECTION 2.** In Colorado Revised Statutes, 37-80-111.5, **amend**

1 (1)(d) as follows:

2 **37-80-111.5. Fees - rules - satellite monitoring system cash**
3 **fund - well inspection cash fund - created.** (1) (d) Of each fee collected
4 pursuant to sections 37-90-105 (3)(a)(I) and (4)(a); 37-90-107 (7)(d)(I);
5 37-90-116 (1)(a), (1)(c), and (1)(h); 37-90-137 (2)(a); and 37-92-602
6 (3)(a) and (5), forty dollars shall be credited to the well inspection cash
7 fund, which fund is hereby created. ~~Moneys~~ MONEY in the well
8 inspection cash fund shall be appropriated to and expended by the state
9 engineer ONLY for the purposes established in section 37-91-113. Any
10 ~~moneys~~ MONEY credited to the well inspection cash fund and unexpended
11 at the end of any given fiscal year ~~remain~~ REMAINS in the fund and ~~do~~
12 DOES not revert to the general fund. All interest derived from the deposit
13 and investment of ~~this~~ MONEY IN THE fund ~~remain~~ REMAINS in the fund
14 and ~~do~~ DOES not revert to the general fund.

15 **SECTION 3. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part will not take effect
22 unless approved by the people at the general election to be held in
23 November 2020 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.