

CHAPTER 228

NATURAL RESOURCES

SENATE BILL 04-205

BY SENATOR(S) Chlouber, Arnold, Entz, Evans, Jones, and McElhany;
also REPRESENTATIVE(S) Hoppe, Boyd, Rippy, Rose, and Williams T.

AN ACT

CONCERNING A REQUIREMENT THAT APPLICANTS FOR A MINING PERMIT PURSUANT TO THE "COLORADO LAND RECLAMATION ACT FOR THE EXTRACTION OF CONSTRUCTION MATERIALS" MAIL A COPY OF THE APPLICATION TO ONLY THOSE SURFACE OWNERS WHOSE INTERESTS APPEAR OF RECORD.

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

SECTION 1. 34-32.5-112 (9) (c), Colorado Revised Statutes, is amended to read:

34-32.5-112. Application for reclamation permit - changes in permits - fees - notice. (9) (c) The applicant shall mail a copy of such notice immediately after first publication to all owners OF RECORD of the surface and mineral rights of the affected land, the owners of record of all land surface within two hundred feet of the affected lands, and any other owners of record designated by the board who may be affected by the proposed mining operation. Proof of such notice and mailing, such as certified mail with return receipt requested, where possible, shall be provided to the board or the office and shall become part of the application.

SECTION 2. Applicability. This act shall apply to mining permit application notices mailed on or after the effective date of this act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 13, 2004

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.