

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

February 26, 2025  
Date

Committee on Transportation, Housing & Local Government.

After consideration on the merits, the Committee recommends the following:

HB25-1211 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 4, strike "**Sanitation, water and**  
2 **sanitation, or**" and substitute "**Water and sanitation or**".

3 Page 2, line 5, strike "**provisions.**" and substitute "**provisions -**  
4 **definition.**".

5 Page 2, line 13, strike "SANITATION, WATER AND SANITATION," and  
6 substitute "WATER AND SANITATION".

7 Page 2, line 15, strike "so." and substitute "so; EXCEPT THAT THIS  
8 SUBSECTION (9)(a) DOES NOT APPLY TO SERVICE THAT IS PROVIDED  
9 OUTSIDE A DISTRICT'S BOUNDARIES OR SERVICE AREA PURSUANT TO A  
10 CONTRACT. THE TERMS OF SUCH A CONTRACT GOVERN THE TERMS OF  
11 SUCH EXTRATERRITORIAL SERVICE. AS USED IN THIS SUBSECTION (9)(a),  
12 "CAPACITY" INCLUDES CONSIDERATION OF THE PHYSICAL CAPACITY OF A  
13 DISTRICT'S EXISTING INFRASTRUCTURE; THE LEGAL CAPACITY OF THE  
14 DISTRICT, INCLUDING BUT NOT LIMITED TO THE SUFFICIENCY OF A  
15 DISTRICT'S EXISTING WATER RIGHTS TO PROVIDE WATER OR SEWER  
16 SERVICE TO NEW CUSTOMERS; AND A DISTRICT'S FINANCIAL CAPACITY TO  
17 FUND ALL REQUIRED INFRASTRUCTURE AND WATER RIGHTS WITHOUT  
18 CREATING DETRIMENT OR HARM TO EXISTING CUSTOMERS.".

19 Page 3, strike lines 1 through 18 and substitute:  
20 "(b) IN DETERMINING THE AMOUNT OF A TAP FEE AS DESCRIBED IN  
21 SUBSECTION (1)(g) OF THIS SECTION, THE BOARD OF A WATER AND  
22 SANITATION OR WATER DISTRICT SHALL:  
23 (I) ENSURE THAT THE AMOUNT OF THE TAP FEE IS REASONABLY  
24 RELATED TO ALL COSTS INCURRED BY THE DISTRICT IN FUNDING AND

1 PROVIDING WATER OR SANITATION SERVICE, WHICH COSTS MAY INCLUDE  
2 COSTS RELATING TO INFRASTRUCTURE CONSTRUCTION AND ACQUISITION,  
3 INCLUDING PERMITTED CAPACITIES FOR SUCH INFRASTRUCTURE, AS WELL  
4 AS COSTS ASSOCIATED WITH WATER RIGHTS PLANNING AND THE  
5 ACQUISITION AND DEVELOPMENT OF WATER RIGHTS, BUT WHICH COSTS DO  
6 NOT INCLUDE COSTS RELATED TO ONGOING OPERATIONS, MAINTENANCE,  
7 AND USAGE THAT IS CONSIDERED ROUTINE MONTHLY BILLING; AND  
8 (II) BASED ON APPLICABLE PLUMBING CODES AND LAND USE  
9 JURISDICTIONAL REQUIREMENTS, APPLY AT LEAST ONE OF THE FOLLOWING  
10 FACTORS IN SUPPORTING THE CALCULATION AND SETTING OF  
11 PROPORTIONAL OR REDUCED FEES:  
12 (A) EXPECTED LONG-TERM WATER USAGE, BOTH INDOOR AND  
13 OUTDOOR, INCLUDING THE EXISTENCE OF NONNATIVE TURF GRASS AND  
14 USE OF WATER-WISE LANDSCAPING, WITH AN EMPHASIS ON NATIVE  
15 PLANTS;  
16 (B) THE SQUARE FOOTAGE OF THE UNIT OR THE NUMBER OF  
17 BEDROOMS IN THE UNIT;  
18 (C) THE PRESENCE OF LOW-WATER-USAGE APPLIANCES, IF  
19 APPLICABLE;  
20 (D) PER-UNIT FIXTURE COUNTS IN BATHROOMS, KITCHENS, AND  
21 OTHER SPACES, INTERIOR AND EXTERIOR, THAT PROVIDE WATER OR  
22 SANITATION SERVICE; AND  
23 (E) THE PRESENCE OF GRAYWATER TREATMENT WORKS, AS  
24 DEFINED IN SECTION 25-8-103 (8.4) AND AS MAY BE AUTHORIZED WITHIN  
25 THE DISTRICT BOUNDARIES."

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