

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0706.01 Thomas Morris x4218

HOUSE BILL 18-1073

HOUSE SPONSORSHIP

Gray,

SENATE SPONSORSHIP

Gardner,

House Committees

Agriculture, Livestock, & Natural Resources
Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING WATER DISTRICTS' ABILITY TO ENTER INTO CONTRACTS

102 REGARDING THEIR WATER-RELATED ASSETS.

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>.)

The bill authorizes water districts, including water activity enterprises, to enter into contracts for water and the capacity in works and allows the contracts to be based on municipalities' authority to contract for water and sewer facilities. It also specifies that water conservancy districts' contracts can be for municipal and industrial use by the recipient of the water.

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** 37-45-131 as
3 follows:

4 **37-45-131. Sale of water by contract.** The board may sell, lease,
5 or otherwise dispose of the use of water OR CAPACITY IN WORKS by term
6 contracts or by contracts for the perpetual use of ~~such~~ THE water OR
7 WORKS to public corporations, DISTRICTS, AS THAT TERM IS DEFINED IN
8 SECTION 37-45.1-102 (1), UTILITIES, persons, mutual ditch companies,
9 water users' associations, and other private corporations for irrigation,
10 domestic, MUNICIPAL, INDUSTRIAL, or commercial use as ~~shall be~~
11 provided by contracts, in writing, authorized and entered into by the
12 board. ~~and~~ The board shall require that security be given to secure the
13 payments to be made under ~~such~~ THE contracts, WHICH SECURITY MAY
14 INCLUDE THE SECURITY SPECIFIED IN SECTION 37-45-132 OR SUCH OTHER
15 SECURITY AS THE BOARD DETERMINES TO BE APPROPRIATE. THE
16 CONTRACTS MAY INCLUDE THE CONTRACTUAL PROVISIONS SPECIFIED IN
17 SECTION 31-35-402 (1)(h) AS DETERMINED BY THE BOARD.

18 **SECTION 2.** In Colorado Revised Statutes, 37-45.1-106, **add** (4)
19 as follows:

20 **37-45.1-106. Contracts.** (4) A DISTRICT OR ITS WATER ACTIVITY
21 ENTERPRISE MAY CONTRACT WITH ANY OTHER DISTRICT OR A WATER
22 ACTIVITY ENTERPRISE OF ANOTHER DISTRICT FOR THE USE OF WATER OR
23 A WATER PROJECT OR FACILITY, WHICH CONTRACT MAY CONTAIN
24 PROVISIONS SPECIFIED IN SECTION 31-35-402 (1)(h) AS DETERMINED BY
25 THE DISTRICT OR WATER ACTIVITY ENTERPRISE.

26 **SECTION 3. Act subject to petition - effective date -**

1 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
2 the expiration of the ninety-day period after final adjournment of the
3 general assembly (August 8, 2018, if adjournment sine die is on May 9,
4 2018); except that, if a referendum petition is filed pursuant to section 1
5 (3) of article V of the state constitution against this act or an item, section,
6 or part of this act within such period, then the act, item, section, or part
7 will not take effect unless approved by the people at the general election
8 to be held in November 2018 and, in such case, will take effect on the
9 date of the official declaration of the vote thereon by the governor.

10 (2) This act applies to conduct occurring on or after the applicable
11 effective date of this act.