



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number: LLS 19-0583
Prime Sponsors: Rep. Titone

Date: January 10, 2019
Bill Status: House Energy & Environment
Fiscal Analyst: Josh Abram | 303-866-3561
Josh.Abram@state.co.us

Bill Topic: ENCOURAGE USE OF XERISCAPE IN COMMON AREAS

Summary of Fiscal Impact: No fiscal impact. The bill prevents a homeowners association (HOA) from prohibiting the use of drought-tolerant landscaping in common areas of a covenant controlled community, and requires that special districts also permit drought-tolerant landscaping on certain types of land within the special district's control.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

Summary of Legislation

Under current law, a restrictive covenant of a common interest community (i.e., home owner or condominium owner associations) may not prohibit an individual property owner from employing the use of xeriscape or drought-tolerant landscaping. This bill extends this same policy to common areas under the control of the covenant community's governing board, and specifies that special districts are not exempt from the water conservation law concerning xeriscape landscaping.

Assessment

The bill primarily affects private property owners and HOAs, and to a lesser extent, special districts that manage open space and park land. The bill will have no impact on the revenue, expenditures, or workload of any state agency or local government, including special districts. For this reason, the bill is assessed as having no fiscal impact.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Information Technology Regulatory Agencies Local Affairs Special Districts Natural Resources