

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 20-0714.01 Thomas Morris x4218

**HOUSE BILL 20-1094**

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**A BILL FOR AN ACT**

101      **CONCERNING A REPEAL OF THE DOLLAR LIMITATION ON THE FEE THAT**  
102              **A LOCAL BOARD OF HEALTH MAY SET FOR ON-SITE**  
103              **WASTEWATER TREATMENT SYSTEM PERMITS.**

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**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>.)*

Current law requires that a local board of health set the permit fee for on-site wastewater treatment system permits in an amount to recover the actual indirect and direct costs associated with the permit and sets a \$1,000 cap on the fee. The bill repeals the dollar limitation on the fee.

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.*

SENATE  
2nd Reading Unamended  
February 25, 2020

HOUSE  
3rd Reading Unamended  
February 12, 2020

HOUSE  
Amended 2nd Reading  
February 10, 2020

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-10-107, **amend**  
3 (1) as follows:

4 **25-10-107. Fees.** (1) A local board of health may set fees for  
5 permits. The permit fees may be no greater than required to offset the  
6 actual indirect and direct costs of the local public health agency's services.  
7 With respect to any permit, the local board of health shall set the fee for  
8 the permit so as to recover, as nearly as can be practically established, the  
9 costs associated with that permit. ~~not to exceed one thousand dollars.~~

10 UPON REQUEST, THE LOCAL BOARD OF HEALTH SHALL PROVIDE THE  
11 PERMITTEE WITH A STATEMENT THAT SPECIFIES HOW THE PERMIT FEE WAS  
12 CALCULATED. A local board of health may also set fees for soil evaluation  
13 and other services as requested by the applicant. ~~Such~~ THE fees may be  
14 no greater than required to offset the actual indirect and direct costs of  
15 ~~such~~ THE services.

16 **SECTION 2. Act subject to petition - effective date -**  
17 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
18 the expiration of the ninety-day period after final adjournment of the  
19 general assembly (August 5, 2020, if adjournment sine die is on May 6,  
20 2020); except that, if a referendum petition is filed pursuant to section 1  
21 (3) of article V of the state constitution against this act or an item, section,  
22 or part of this act within such period, then the act, item, section, or part  
23 will not take effect unless approved by the people at the general election  
24 to be held in November 2020 and, in such case, will take effect on the  
25 date of the official declaration of the vote thereon by the governor.

1           (2) This act applies to fees set on or after the applicable effective  
2   date of this act.