

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 21-0893.01 Thomas Morris x4218

HOUSE BILL 21-1260

HOUSE SPONSORSHIP

Garnett and Catlin,

SENATE SPONSORSHIP

Donovan and Simpson,

House Committees

Agriculture, Livestock, & Water

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING TRANSFERS OF MONEY FROM THE GENERAL FUND TO**
102 **IMPLEMENT THE STATE WATER PLAN, AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

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 allocates \$20 million from the general fund to the Colorado water conservation board (CWCB) to be spent to implement the state water plan as follows:

- \$15 million, which is transferred to the water plan implementation cash fund for expenditures and grants

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.

- administered by the CWCB to implement the state water plan; and
- \$5 million, which is transferred to the water supply reserve fund for CWCB to disperse to the basin roundtables.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby:

4 (a) Finds that:

5 (I) Investment in Colorado's water resources is critical to our
6 economy and quality of life;

7 (II) These investments are needed now to ensure Colorado's water
8 systems can be resilient to impacts of fire, drought, climate change, and
9 population growth;

10 (b) Determines that:

11 (I) Colorado's water plan provides a vision for ensuring water
12 supply and demand are met now and into the future while maintaining
13 Colorado values of vibrant communities, productive agriculture, and
14 world-class natural resources;

15 (II) The implementation of Colorado's water plan requires funding
16 projects that address challenges across the state, but our investments in
17 water infrastructure, natural and manmade, consistently lag behind our
18 needs; and

19 (c) Declares this act's one-time stimulative infusion of money
20 seeks to jumpstart the grant funding for diverse and multi-beneficial
21 projects for communities, rivers, and economies in all parts of Colorado.

22 **SECTION 2.** In Colorado Revised Statutes, 37-60-123.3, **amend**
23 (1) as follows:

1 **37-60-123.3. Water plan implementation cash fund - created**
2 **- repeal.** (1) (a) There is hereby created in the state treasury the water
3 plan implementation cash fund, referred to in this section as the "fund".
4 The fund consists of sports betting revenues transferred from the sports
5 betting fund in accordance with section 44-30-1509 and any other money
6 that the general assembly may appropriate or transfer to the fund. The
7 state treasurer shall credit all interest and income derived from the deposit
8 and investment of money in the fund to the fund.

9 (b) (I) THE STATE TREASURER SHALL TRANSFER FIFTEEN MILLION
10 DOLLARS FROM THE GENERAL FUND TO THE FUND. THE BOARD MAY USE UP
11 TO FIVE PERCENT OF THE MONEY TRANSFERRED BY THIS SUBSECTION
12 (1)(b)(I) TO ADMINISTER GRANTS MADE PURSUANT TO SUBSECTION (2)(a)
13 OF THIS SECTION. BY JULY 1, 2023, THE BOARD SHALL AWARD PURSUANT
14 TO SUBSECTION (2) OF THIS SECTION ALL OF THE MONEY TRANSFERRED BY
15 THIS SUBSECTION (1)(b).

16 (II) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE SEPTEMBER
17 1, 2025.

18 **SECTION 3.** In Colorado Revised Statutes, 39-29-109, **add**
19 (2)(c)(V) as follows:

20 **39-29-109. Severance tax trust fund - created - administration**
21 **- distribution of money - legislative declaration - repeal.** (2) State
22 severance tax receipts must be credited to the severance tax trust fund as
23 provided in section 39-29-108. All income derived from the deposit and
24 investment of the money in the fund must be credited to the fund. At the
25 end of any fiscal year, all unexpended and unencumbered money in the
26 fund remains in the fund and must not be credited or transferred to the
27 general fund or any other fund. All money in the fund is subject to

1 appropriation by the general assembly for the following purposes:

2 (c) **The water supply reserve fund.** (V) (A) THE STATE
3 TREASURER SHALL TRANSFER FIVE MILLION DOLLARS FROM THE GENERAL
4 FUND TO THE FUND. BY JULY 1, 2023, THE BOARD SHALL AWARD
5 PURSUANT TO SUBSECTION (2)(c)(I) OF THIS SECTION ALL OF THE MONEY
6 TRANSFERRED BY THIS SUBSECTION (2)(c)(V).

7 (B) THIS SUBSECTION (2)(c)(V) IS REPEALED, EFFECTIVE
8 SEPTEMBER 1, 2025.

9 **SECTION 4. Appropriation.** (1) For the 2020-21 state fiscal
10 year, \$15,000,000 is appropriated to the department of natural resources
11 for use by the Colorado water conservation board. This appropriation is
12 from the water plan implementation cash fund created in section
13 37-60-123.3 (1), C.R.S. To implement this act, the Colorado water
14 conservation board may use this appropriation for the purpose specified
15 in section 37-60-123.3 (1)(b)(I), C.R.S.

16 (2) The money appropriated in subsection (1) of this section
17 remains available for the designated purposes until it is fully expended.

18 **SECTION 5. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety.