

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0573.02 Jennifer Berman x3286

HOUSE BILL 22-1151

HOUSE SPONSORSHIP

Catlin and Roberts,

SENATE SPONSORSHIP

Bridges and Simpson,

House Committees

Agriculture, Livestock, & Water
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO INCENTIVIZE WATER-WISE LANDSCAPES,**
102 **AND, IN CONNECTION THEREWITH, CREATING A STATE PROGRAM**
103 **TO FINANCE THE VOLUNTARY REPLACEMENT OF IRRIGATED**
104 **TURF.**

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 requires the Colorado water conservation board (board) to develop a statewide program to provide financial incentives for the voluntary replacement of irrigated turf with water-wise landscaping (turf

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.

replacement program). The bill defines water-wise landscaping as a water- and plant-management practice that emphasizes using plants with lower water needs. Local governments, certain districts, Native American tribes, and nonprofit organizations with their own turf replacement programs may apply to the board for money to help finance their turf replacement programs. The board will contract with one or more third parties to administer one or more turf replacement programs in areas where local turf replacement programs do not exist.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 37-60-134 as
3 follows:

4 **37-60-134. State turf replacement program - creation -**
5 **administration - turf replacement fund - creation - legislative**
6 **declaration - definitions - repeal.** (1) THE GENERAL ASSEMBLY FINDS

7 AND DECLARES THAT:

8 (a) PROMOTING THE EFFICIENT AND MAXIMUM UTILIZATION OF
9 COLORADO'S WATER RESOURCES BY DECREASING THE AMOUNT OF
10 IRRIGATED TURF CAN:

11 (I) INCREASE COMMUNITIES' RESILIENCE REGARDING DROUGHT
12 AND CLIMATE CHANGE;

13 (II) REDUCE THE SALE OF AGRICULTURAL WATER RIGHTS IN
14 RESPONSE TO INCREASED DEMAND FOR MUNICIPAL WATER USE; AND

15 (III) PROTECT RIVER FLOWS;

16 (b) IRRIGATION OF OUTDOOR LANDSCAPING ACCOUNTS FOR
17 NEARLY HALF OF WATER USE WITHIN THE MUNICIPAL AND INDUSTRIAL
18 SECTORS OF THE STATE AND IS MOSTLY USED FOR IRRIGATION OF
19 NONNATIVE TURF GRASS;

20 (c) WHILE THERE ARE APPROPRIATE AND IMPORTANT USES FOR
21 IRRIGATED TURF, INCLUDING FOR PARKS, SPORTS FIELDS, PLAYGROUNDS,

1 AND PORTIONS OF RESIDENTIAL YARDS, MUCH OF THE TURF IN THE STATE
2 IS NONESSENTIAL AND IS LOCATED IN AREAS THAT RECEIVE LITTLE, IF ANY,
3 USE. SUCH IRRIGATED TURF COULD BE REPLACED WITH WATER-WISE
4 LANDSCAPING WITHOUT IMPACTING QUALITY OF LIFE OR LANDSCAPE
5 FUNCTIONALITY.

6 (d) EXAMPLES OF NONESSENTIAL TURF INCLUDE TURF USED FOR:

7 (I) MEDIANS;

8 (II) AREAS ADJACENT TO OPEN SPACES OR TRANSPORTATION
9 CORRIDORS;

10 (III) AREAS SLOPED WITH MORE THAN A TWENTY-FIVE PERCENT
11 GRADE;

12 (IV) STORM WATER DRAINAGE AND DETENTION BASINS;

13 (V) COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL PROPERTIES;

14 (VI) COMMON ELEMENTS IN A COMMON INTEREST COMMUNITY, AS
15 THOSE TERMS ARE DEFINED IN SECTION 38-33.3-103; AND

16 (VII) PORTIONS OF RESIDENTIAL YARDS;

17 (e) WATER-WISE LANDSCAPING MUST PLAY A CRITICAL ROLE IN
18 PROVIDING SUBSTANTIAL AND PERMANENT WATER SAVINGS AND IN
19 MINIMIZING WATER WASTE IN COLORADO COMMUNITIES;

20 (f) LOCAL JURISDICTIONS SHOULD ESTABLISH POLICIES THAT
21 REDUCE NONESSENTIAL TURF USED FOR NEW DEVELOPMENTS OR
22 REDEVELOPED AREAS AND INCREASE THE USE OF WATER-WISE
23 LANDSCAPING;

24 (g) THE STATE MUST PRIORITIZE THE USE OF WATER-WISE
25 LANDSCAPING FOR EXISTING AND NEW STATE GOVERNMENT PROPERTIES;

26 (h) TURF REPLACEMENT PROGRAMS PROVIDE A PROVEN AND
27 EFFECTIVE STRATEGY FOR REDUCING OUTDOOR WATER DEMAND

1 SIGNIFICANTLY, AND EVIDENCE FROM EXISTING PROGRAMS
2 DEMONSTRATES THAT, FOR EACH ACRE OF TURF REMOVED, ONE TO TWO
3 ACRE-FEET PER YEAR OF WATER SAVINGS CAN BE REALIZED, MEANING
4 THAT FOR EVERY ONE HUNDRED ACRES OF TURF CONVERTED TO
5 WATER-WISE LANDSCAPES, UP TO TWO HUNDRED ACRE-FEET PER YEAR OF
6 WATER MAY BE CONSERVED; AND

7 (i) THE BOARD SHOULD DEVELOP A STATE TURF REPLACEMENT
8 PROGRAM TO INCENTIVIZE THE VOLUNTARY REPLACEMENT OF IRRIGATED
9 TURF ON RESIDENTIAL PROPERTIES AND COMMERCIAL, INSTITUTIONAL, OR
10 INDUSTRIAL PROPERTIES AS A MEANS OF RESPONDING TO INCREASED
11 WATER DEMAND THROUGHOUT THE STATE.

12 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
13 REQUIRES:

14 (a) "CAMPUS" MEANS A COLLECTION OF TWO OR MORE BUILDINGS
15 THAT ARE OWNED AND OPERATED BY THE SAME PERSON AND HAVE A
16 SHARED PURPOSE AND FUNCTION AS A SINGLE PROPERTY.

17 (b) "COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL" OR "CII":

18 (I) MEANS THE COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL
19 SECTOR IN THE STATE; AND

20 (II) INCLUDES LOCAL GOVERNMENTS, SCHOOLS, AND BUSINESSES.

21 (c) "DISTRICT" MEANS:

22 (I) A DISTRICT OR SPECIAL DISTRICT FORMED PURSUANT TO TITLE
23 32, INCLUDING A METROPOLITAN DISTRICT, AS DEFINED IN SECTION
24 32-1-103 (10); A WATER AND SANITATION DISTRICT, AS DEFINED IN
25 SECTION 32-1-103 (24); AND A WATER DISTRICT, AS DEFINED IN SECTION
26 32-1-103 (25);

27 (II) A WATER CONSERVANCY DISTRICT ESTABLISHED UNDER

1 ARTICLE 45 OF THIS TITLE 37; OR

2 (III) A WATER CONSERVATION DISTRICT ESTABLISHED UNDER

3 ARTICLE 46, 47, 48, OR 50 OF THIS TITLE 37.

4 (d) "ELIGIBLE ENTITY" MEANS ANY OF THE FOLLOWING ENTITIES

5 THAT ALREADY ADMINISTER OR PLAN TO ADMINISTER A TURF

6 REPLACEMENT PROGRAM IN THE STATE:

7 (I) A LOCAL GOVERNMENT;

8 (II) A DISTRICT;

9 (III) A NATIVE AMERICAN TRIBE; OR

10 (IV) A NONPROFIT ORGANIZATION.

11 (e) "INVASIVE PLANT SPECIES" MEANS PLANTS THAT ARE NOT

12 NATIVE TO THE STATE AND THAT:

13 (I) ARE INTRODUCED INTO THE STATE ACCIDENTALLY OR

14 INTENTIONALLY;

15 (II) HAVE NO NATURAL COMPETITORS OR PREDATORS IN THE STATE

16 BECAUSE THE STATE IS OUTSIDE OF THEIR COMPETITORS' OR PREDATORS'

17 RANGE; AND

18 (III) HAVE HARMFUL EFFECTS ON THE STATE'S ENVIRONMENT OR

19 ECONOMY OR BOTH.

20 (f) "LOCAL GOVERNMENT" MEANS A STATUTORY OR HOME RULE

21 MUNICIPALITY, COUNTY, OR CITY AND COUNTY.

22 (g) (I) "RESIDENTIAL PROPERTY" MEANS ANY REAL PROPERTY

23 UPON WHICH A DWELLING IS CONSTRUCTED.

24 (II) "RESIDENTIAL PROPERTY" INCLUDES:

25 (A) BOTH UNITS AND COMMON ELEMENTS IN A COMMON INTEREST

26 COMMUNITY, AS THOSE TERMS ARE DEFINED IN SECTION 38-33.3-103; AND

27 (B) SINGLE-FAMILY DETACHED PROPERTIES AND SINGLE-FAMILY

1 ATTACHED PROPERTIES THAT ARE NOT IN A COMMON INTEREST
2 COMMUNITY.

3 (h) "SCHOOL" MEANS:

4 (I) A PUBLIC SCHOOL MAINTAINED AND OPERATED BY A SCHOOL
5 DISTRICT CREATED PURSUANT TO ARTICLE 30 OF TITLE 22;

6 (II) A DISTRICT CHARTER SCHOOL AS DEFINED IN SECTION
7 22-11-103 (12);

8 (III) AN INSTITUTE CHARTER SCHOOL AS DEFINED IN SECTION
9 22-11-103 (17);

10 (IV) A PRIVATE SCHOOL AS DEFINED IN SECTION 22-30.5-103 (6.5);

11 (V) A STATE INSTITUTION OF HIGHER EDUCATION AS DEFINED IN
12 SECTION 23-1-108 (7)(g)(II); OR

13 (VI) A PRIVATE INSTITUTION OF HIGHER EDUCATION AS DEFINED
14 IN SECTION 23-18-102 (9).

15 (i) "TURF" MEANS CONTINUOUS PLANT COVERAGE CONSISTING OF
16 NONNATIVE GRASSES OR GRASSES THAT HAVE NOT BEEN HYBRIDIZED FOR
17 ARID CONDITIONS AND WHICH, WHEN REGULARLY MOWED, FORM A DENSE
18 GROWTH OF LEAF BLADES AND ROOTS.

19 (j) "TURF REPLACEMENT FUND" OR "FUND" MEANS THE TURF
20 REPLACEMENT FUND CREATED IN SUBSECTION (6) OF THIS SECTION.

21 (k) "TURF REPLACEMENT PROGRAM" OR "PROGRAM" MEANS A
22 PROGRAM THROUGH WHICH FINANCIAL COMPENSATION OR IN-KIND OR
23 SUBSIDIZED GOODS OR SERVICES ARE PROVIDED TO ASSIST WITH THE
24 VOLUNTARY REPLACEMENT OF IRRIGATED TURF FOR:

25 (I) RESIDENTIAL PROPERTIES; AND

26 (II) CII PROPERTIES, INCLUDING INDUSTRIAL AND BUSINESS
27 CAMPUSES.

1 (I) "WATER-WISE LANDSCAPE" OR "WATER-WISE LANDSCAPING":

2 (I) MEANS A WATER- AND PLANT- MANAGEMENT PRACTICE THAT:

3 (A) IS INTENDED TO BE FUNCTIONAL AND ATTRACTIVE;

4 (B) EMPHASIZES THE USE OF PLANTS THAT REQUIRE LOWER
5 SUPPLEMENTAL WATER, SUCH AS NATIVE AND DROUGHT-TOLERANT
6 PLANTS; AND

7 (II) PRIORITIZES THE FOLLOWING SEVEN KEY PRINCIPLES:

8 (A) PLANNING AND DESIGN FOR WATER CONSERVATION, BEAUTY,
9 AND UTILITY;

10 (B) IMPROVING SOIL;

11 (C) APPLYING EFFICIENT IRRIGATION;

12 (D) LIMITING TURF TO HIGH TRAFFIC, ESSENTIAL AREAS;

13 (E) SELECTING PLANTS THAT HAVE LOW WATER DEMAND;

14 (F) APPLYING MULCH; AND

15 (G) MAINTAINING THE LANDSCAPE.

16 (3) ON OR BEFORE JULY 1, 2023, THE BOARD SHALL DEVELOP A
17 STATE TURF REPLACEMENT PROGRAM:

18 (a) TO PROVIDE MONEY TO AN ELIGIBLE ENTITY THAT ITSELF
19 PROVIDES MATCHING MONEY IN AN AMOUNT UP TO FIFTY PERCENT OF THE
20 DIRECT AND INDIRECT COSTS THAT THE ELIGIBLE ENTITY AND ANY THIRD
21 PARTY IT CONTRACTS WITH IN DEVELOPING OR IMPLEMENTING A TURF
22 REPLACEMENT PROGRAM WILL INCUR; OR

23 (b) THROUGH ONE OR MORE THIRD-PARTY CONTRACTORS CHOSEN
24 IN ACCORDANCE WITH SUBSECTION (5) OF THIS SECTION, TO ADMINISTER
25 ONE OR MORE TURF REPLACEMENT PROGRAMS IN AREAS THROUGHOUT THE
26 STATE IN WHICH NO ELIGIBLE ENTITY HAS DEVELOPED OR IS PLANNING TO
27 IMPLEMENT A TURF REPLACEMENT PROGRAM DURING A SPECIFIED

1 IRRIGATION SEASON. TURF REPLACEMENT PROGRAMS DEVELOPED
2 PURSUANT TO THIS SUBSECTION (3)(b) MAY SERVE RESIDENTIAL
3 PROPERTIES; COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL PROPERTIES;
4 OR BOTH.

5 (4) (a) WITH REGARD TO AN ELIGIBLE ENTITY APPLICANT SEEKING
6 MONEY FOR A TURF REPLACEMENT PROGRAM THAT IT ADMINISTERS OR
7 PLANS TO ADMINISTER, THE ELIGIBLE ENTITY MAY APPLY TO THE BOARD
8 IN THE FORM AND MANNER DETERMINED BY THE BOARD FOR MONEY TO
9 ASSIST THE ELIGIBLE ENTITY IN PROVIDING TURF REPLACEMENT FOR:

10 (I) ITS OWN PROPERTY;

11 (II) RESIDENTIAL PROPERTY WITHIN THE ELIGIBLE ENTITY'S
12 BOUNDARIES OR SERVICE AREA; OR

13 (III) COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL PROPERTY
14 LOCATED WITHIN THE ELIGIBLE ENTITY'S BOUNDARIES OR SERVICE AREA.

15 (b) AN ELIGIBLE ENTITY AWARDED MONEY:

16 (I) MAY USE A PORTION OF THE MONEY TO COVER ITS DIRECT AND
17 INDIRECT COSTS, INCLUDING THE DIRECT AND INDIRECT COSTS INCURRED
18 BY ANY THIRD-PARTY CONTRACTOR, IN DEVELOPING AND ADMINISTERING
19 A TURF REPLACEMENT PROGRAM;

20 (II) IS ENCOURAGED TO REQUIRE THAT ITS PROGRAM PARTICIPANTS
21 UPDATE IRRIGATION SYSTEMS TO EFFICIENTLY IRRIGATE WATER-WISE
22 LANDSCAPING AS A CONDITION OF PARTICIPATING IN THE ELIGIBLE
23 ENTITY'S TURF REPLACEMENT PROGRAM; AND

24 (III) IS ENCOURAGED TO REQUIRE THAT ITS PROGRAM
25 PARTICIPANTS MAINTAIN OR CREATE DEFENSIBLE SPACE TO REDUCE
26 WILDFIRE RISK.

27 (c) THE BOARD'S APPLICATION REQUIREMENTS FOR APPLICATIONS

1 RECEIVED PURSUANT TO THIS SUBSECTION (4) MUST INCLUDE A
2 REQUIREMENT THAT THE ELIGIBLE ENTITY DEMONSTRATE TO THE
3 SATISFACTION OF THE BOARD THAT:

4 (I) THE ELIGIBLE ENTITY HAS MATCHING MONEY AS REQUIRED
5 UNDER SUBSECTION (3)(a) OF THIS SECTION;

6 (II) THE ELIGIBLE ENTITY WILL START USING ANY MONEY
7 AWARDED FOR IMPLEMENTATION OF A TURF REPLACEMENT PROGRAM
8 WITHIN TWELVE MONTHS AFTER BEING AWARDED THE MONEY;

9 (III) IF THE ELIGIBLE ENTITY HAS AN EXISTING TURF REPLACEMENT
10 PROGRAM, THE ELIGIBLE ENTITY WILL USE THE MONEY AWARDED IN A
11 MANNER THAT EXPANDS ITS TURF REPLACEMENT PROGRAM, EITHER BY
12 INCREASING THE FINANCIAL INCENTIVES OFFERED PER PROPERTY OR BY
13 EXPANDING THE ANNUAL TOTAL ACREAGE OF TURF REPLACED UNDER THE
14 PROGRAM; AND

15 (IV) THE ELIGIBLE ENTITY WILL NOT ALLOW THE USE OF MONEY
16 FOR THE REPLACEMENT OF TURF WITH ANY OF THE FOLLOWING:

17 (A) IMPERMEABLE CONCRETE;

18 (B) ARTIFICIAL TURF;

19 (C) WATER FEATURES SUCH AS FOUNTAINS;

20 (D) INVASIVE PLANT SPECIES; OR

21 (E) TURF.

22 (5) (a) THE BOARD SHALL CONTRACT WITH ONE OR MORE THIRD
23 PARTIES, SELECTED IN COMPLIANCE WITH THE "PROCUREMENT CODE",
24 ARTICLES 101 TO 112 OF TITLE 24, TO ADMINISTER ONE OR MORE TURF
25 REPLACEMENT PROGRAMS IN ACCORDANCE WITH SUBSECTION (3)(b) OF
26 THIS SECTION. THE BOARD AND THIRD-PARTY CONTRACTOR OR
27 CONTRACTORS MAY USE MONEY FROM THE TURF REPLACEMENT FUND TO

1 COVER THEIR DIRECT AND INDIRECT COSTS IN DEVELOPING AND
2 ADMINISTERING ONE OR MORE TURF REPLACEMENT PROGRAMS UNDER THIS
3 SUBSECTION (5). THE BOARD AND THIRD-PARTY CONTRACTOR OR
4 CONTRACTORS SHALL COLLABORATE TO DEVELOP ONE OR MORE TURF
5 REPLACEMENT PROGRAMS THAT:

6 (I) ARE BASED ON INDUSTRY BEST PRACTICES AND THAT MAY THEN
7 SERVE AS A MODEL FOR TURF REPLACEMENT PROGRAMS THAT ELIGIBLE
8 ENTITIES ADMINISTER;

9 (II) ARE DESIGNED TO REQUIRE THAT:

10 (A) REMOVED TURF BE REPLACED WITH A MINIMUM PERCENTAGE
11 OF LIVING PLANT SPECIES;

12 (B) LOW OR MEDIUM WATER-USE PLANT SPECIES OR BOTH ARE
13 USED INSTEAD OF HIGH WATER-USE PLANT SPECIES IN REPLACING THE
14 TURF;

15 (C) THERE IS AN EMPHASIS ON USING NATIVE AND
16 POLLINATOR-FRIENDLY PLANT SPECIES; AND

17 (D) THERE IS AN EMPHASIS ON CREATING AND MAINTAINING
18 DEFENSIBLE SPACE TO REDUCE WILDFIRE RISK.

19 (III) OFFER REBATES OR IN-KIND OR SUBSIDIZED GOODS OR
20 SERVICES TO PROPERTY OWNERS IN AN AMOUNT THAT BALANCES
21 INCENTIVIZING PROPERTY OWNERS TO VOLUNTARILY PARTICIPATE IN THE
22 PROGRAM WHILE NOT DISCOURAGING ELIGIBLE ENTITIES IN THE AREA
23 FROM DEVELOPING AND ADMINISTERING A LOCAL PROGRAM TO SERVE THE
24 AREA.

25 (b) THE BOARD SHALL ESTABLISH THE RESPONSIBILITIES AND THE
26 ACCOUNTABILITY OF THE THIRD-PARTY CONTRACTOR OR CONTRACTORS
27 IN MANAGING THE PROGRAM PURSUANT TO THIS SUBSECTION (5), WHICH

1 RESPONSIBILITIES AND ACCOUNTABILITY MUST INCLUDE:

2 (I) ENSURING ALL PROJECT WORK IS BEING COMPLETED IN AN
3 EFFICIENT MANNER AND WITHIN THE PROJECT BUDGET;

4 (II) DEVELOPING AND SUBMITTING PROGRAM INVOICES TO THE
5 BOARD; AND

6 (III) PROVIDING THE BOARD WITH PROGRESS REPORTS ABOUT THE
7 PROGRAM AND A FINAL REPORT REGARDING USE OF THE MONEY AWARDED
8 FOR THE PROGRAM, INCLUDING ADMINISTRATIVE COSTS.

9 (c) A RESIDENTIAL PROPERTY OWNER OR CII PROPERTY OWNER OR
10 MANAGER MAY APPLY TO A THIRD-PARTY CONTRACTOR, IN A FORM AND
11 MANNER DETERMINED BY THE BOARD AND THE THIRD-PARTY
12 CONTRACTOR, FOR MONEY FOR TURF REPLACEMENT ON THE APPLICANT'S
13 PROPERTY AS PART OF A TURF REPLACEMENT PROGRAM ESTABLISHED
14 PURSUANT TO THIS SUBSECTION (5). THE APPLICATION DEVELOPED BY THE
15 BOARD AND THIRD-PARTY CONTRACTOR MUST INFORM AN APPLICANT
16 THAT APPLICANTS RECEIVING MONEY UNDER THIS SUBSECTION (5):

17 (I) MAY USE THE MONEY TO COVER THE COST OF ALL DESIGN,
18 MATERIALS, PLANTINGS, AND LABOR REQUIRED TO COMPLETE
19 LANDSCAPING AND IRRIGATION SYSTEM MODIFICATIONS TO REMOVE TURF
20 AND REPLACE IT WITH WATER-WISE LANDSCAPING;

21 (II) ARE ENCOURAGED TO UPDATE IRRIGATION SYSTEMS TO
22 EFFICIENTLY IRRIGATE WATER-WISE LANDSCAPING AS PART OF THE
23 APPLICANTS' PARTICIPATION IN THE PROGRAM; AND

24 (III) SHALL NOT USE THE MONEY TO REPLACE TURF WITH ANY OF
25 THE FOLLOWING:

26 (A) IMPERMEABLE CONCRETE;

27 (B) ARTIFICIAL TURF;

1 (C) WATER FEATURES SUCH AS FOUNTAINS;

2 (D) INVASIVE PLANT SPECIES; OR

3 (E) TURF.

4 (6) (a) (I) THE TURF REPLACEMENT FUND IS HEREBY CREATED IN
5 THE STATE TREASURY TO BE ADMINISTERED BY THE BOARD FOR
6 IMPLEMENTATION OF THIS SECTION. THE FUND CONSISTS OF MONEY THAT
7 THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND,
8 ANY FEDERAL MONEY THAT THE BOARD RECEIVES FOR THE PROGRAM, AND
9 ANY GIFTS, GRANTS, OR DONATIONS THAT THE BOARD RECEIVES FROM
10 PRIVATE OR PUBLIC SOURCES PURSUANT TO SUBSECTION (6)(a)(II) OF THIS
11 SECTION. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
12 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
13 FUND TO THE FUND.

14 (II) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
15 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
16 THIS SECTION.

17 (b) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
18 BOARD. THE BOARD MAY USE THE MONEY IN THE FUND FOR THE PURPOSES
19 SET FORTH IN THIS SECTION UNTIL THE MONEY IS EXPENDED.

20 (c) (I) ON THE EFFECTIVE DATE OF THIS SUBSECTION (6)(c), THE
21 STATE TREASURER SHALL TRANSFER FOUR MILLION DOLLARS FROM THE
22 GENERAL FUND TO THE TURF REPLACEMENT FUND.

23 (II) THIS SUBSECTION (6)(c) IS REPEALED, EFFECTIVE JULY 1, 2023.

24 (7) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ADD A
25 REQUIREMENT FOR A WATER CONSERVATION PLAN THAT A COVERED
26 ENTITY FILES PURSUANT TO SECTION 37-60-126 (2).

27 **SECTION 2. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly; except
3 that, if a referendum petition is filed pursuant to section 1 (3) of article V
4 of the state constitution against this act or an item, section, or part of this
5 act within such period, then the act, item, section, or part will not take
6 effect unless approved by the people at the general election to be held in
7 November 2022 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.