

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

**INTRODUCED**

LLS NO. 25-0601.01 Christopher McMichael x4775

**HOUSE BILL 25-1099**

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**HOUSE SPONSORSHIP**

**Mauro and Taggart,**

**SENATE SPONSORSHIP**

**Hinrichsen,**

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**House Committees**  
Energy & Environment

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING STANDARDS FOR THE DETERMINATION OF A TOTAL**  
102 **MAXIMUM DAILY LOAD FOR STATE WATERS.**

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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>.)*

The bill requires the water quality control commission, on or before January 1, 2027, to issue written guidance specific to the development of the daily maximum amount of a pollutant from all sources that is allowed to enter state waters so that an applicable water quality standard is met (total maximum daily load). The bill also requires the division of administration in the department of public health and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.*

environment, on and after January 1, 2028, to determine a total maximum daily load for state waters using credible data.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-8-103, **add** (19.5)  
3 as follows:

4 **25-8-103. Definitions.** As used in this article 8, unless the context  
5 otherwise requires:

6 (19.5) "TOTAL MAXIMUM DAILY LOAD" MEANS THE CALCULATION  
7 OF THE DAILY MAXIMUM AMOUNT OF A POLLUTANT FROM ALL SOURCES  
8 THAT IS ALLOWED TO ENTER STATE WATERS SO THAT AN APPLICABLE  
9 WATER QUALITY STANDARD IS MET.

10 **SECTION 2.** In Colorado Revised Statutes, 25-8-202, **amend**  
11 (1)(p) and (1)(q); and **add** (1)(r) as follows:

12 **25-8-202. Duties of commission - rules.** (1) The commission  
13 shall develop and maintain a comprehensive and effective program for  
14 prevention, control, and abatement of water pollution and for water  
15 quality protection throughout the entire state and, to ensure provision of  
16 continuously safe drinking water by public water systems, and, in  
17 connection therewith, shall:

18 (p) Establish, and revise as necessary, a schedule of nonrefundable  
19 fees to cover the reasonable costs of implementing a program for the  
20 beneficial use of biosolids, in accordance with section 30-20-110.5;  
21 ~~C.R.S.~~; and

22 (q) Hear appeals of penalties imposed pursuant to section  
23 25-1-114.1 (2.5) for a violation of minimum general sanitary standards  
24 and regulations for drinking water; AND

25 (r) ON OR BEFORE JANUARY 1, 2027, AFTER SOLICITING INPUT

1 FROM INTERESTED PARTIES, ISSUE WRITTEN GUIDANCE SPECIFIC TO TOTAL  
2 MAXIMUM DAILY LOAD DEVELOPMENT THAT ADDRESSES WATER QUALITY  
3 DATA COLLECTION BEST PRACTICES, RELIABLE ANALYTICAL METHODS,  
4 DATA QUALITY ASSURANCE, AND THE APPROPRIATE LEVEL OF GEOGRAPHIC  
5 AND HYDROLOGICAL ACCURACY.

6 **SECTION 3.** In Colorado Revised Statutes, 25-8-501, **add** (7) as  
7 follows:

8 **25-8-501. Permits required for discharge of pollutants -**  
9 **administration.** (7) ON AND AFTER JANUARY 1, 2028, AS DIRECTED BY  
10 THE COMMISSION, THE DIVISION SHALL DETERMINE A TOTAL MAXIMUM  
11 DAILY LOAD FOR STATE WATERS USING CREDIBLE DATA, WHICH DATA  
12 INCLUDES:

13 (a) DATA THAT HAS BEEN COLLECTED WITHIN THE FIVE YEARS  
14 BEFORE THE DETERMINATION OF A TOTAL MAXIMUM DAILY LOAD; AND

15 (b) HISTORICAL DATA THAT IS RELEVANT FOR ESTABLISHING A  
16 TOTAL MAXIMUM DAILY LOAD.

17 **SECTION 4. Act subject to petition - effective date.** This act  
18 takes effect at 12:01 a.m. on the day following the expiration of the  
19 ninety-day period after final adjournment of the general assembly; except  
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
21 of the state constitution against this act or an item, section, or part of this  
22 act within such period, then the act, item, section, or part will not take  
23 effect unless approved by the people at the general election to be held in  
24 November 2026 and, in such case, will take effect on the date of the  
25 official declaration of the vote thereon by the governor.