

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

REREVISED

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

LLS NO. 25-0513.01 Richard Sweetman x4333

HOUSE BILL 25-1113

HOUSE SPONSORSHIP

Smith and McCormick, Bacon, Boesenecker, Brown, Camacho, Duran, Froelich, Joseph, Lindsay, Martinez, McCluskie, Sirota, Stewart R., Titone

SENATE SPONSORSHIP

Roberts, Bridges, Cutter, Danielson, Daugherty, Hinrichsen, Jodeh, Kipp, Kolker, Marchman, Michaelson Jenet, Snyder, Wallace, Weissman, Winter F.

House Committees

Agriculture, Water & Natural Resources

Senate Committees

Agriculture & Natural Resources

A BILL FOR AN ACT

101 **CONCERNING LIMITING THE USE OF CERTAIN LANDSCAPING PRACTICES**
102 **IN NEW RESIDENTIAL DEVELOPMENT.**

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>.)

In the 2024 regular legislative session, the general assembly enacted Senate Bill 24-005, which:

- Prohibits a local entity, on and after January 1, 2026, from installing, planting, or placing, or allowing any person to install, plant, or place, any nonfunctional turf, artificial turf, or invasive plant species, as part of a new development

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.

SENATE
3rd Reading Unamended
April 4, 2025

SENATE
Amended 2nd Reading
April 3, 2025

HOUSE
3rd Reading Unamended
March 4, 2025

HOUSE
Amended 2nd Reading
February 28, 2025

project or redevelopment project, on any portion of applicable property within the local entity's jurisdiction; and

- Requires a local entity, on or before January 1, 2026, to enact or amend ordinances, resolutions, regulations, or other laws regulating new development projects and redevelopment projects on applicable property in accordance with the new requirements.

For the purposes of Senate Bill 24-005, the bill expands the definition of "applicable property" to include residential real property that is used for apartment or condominium housing (applicable residential real property).

The bill also requires each local entity to enact or amend, on or before January 1, 2028, ordinances, resolutions, regulations, or other laws regulating new development projects and redevelopment projects within the local entity's jurisdiction to limit the installation of turf for all residential real property that is not applicable residential real property. Local entities must also impose limits on the installation of turf when enacting or amending ordinances, resolutions, regulations, or other laws on and after January 1, 2028.

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

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

4 (a) As Colorado continues to grapple with the impacts of climate
5 change, green urban spaces, such as urban tree canopies, are a vital
6 adaptation tool for mitigating the impacts of climate change, especially
7 for mitigating the urban heat island effect, which can increase energy
8 costs, air pollution, and heat-related illnesses and deaths;

9 (b) However, water supply in the western United States is
10 increasingly scarce due to climate change and increasing demand;

11 (c) Many communities in the state overuse nonnative grass for
12 landscaping purposes, which requires large amounts of water to maintain;

13 (d) While there are appropriate and important uses for turf,
14 including for civic, community, or recreational purposes such as use in

1 parks, sports fields, and playgrounds, much of the turf in the state is
2 nonfunctional, located in areas that receive little, if any, use, and could be
3 replaced with landscaping that adheres to water-wise landscaping
4 principles without adversely impacting quality of life or landscape
5 functionality;

6 (e) Prohibiting the installation, planting, or placement of
7 nonfunctional turf in multifamily property in the state can help conserve
8 the state's water resources;

9 (f) Requiring local governments to regulate turf in new residential
10 properties can help preserve the limited water in our state;

11 (g) Many communities and developments develop in a water-wise
12 manner already and are appreciated; and

13 (h) Installed vegetation that adheres to water-wise landscaping
14 principles can help reduce outdoor demand for water while avoiding heat
15 islands.

16 (2) The general assembly therefore declares that preventing the
17 installation, planting, or placement of nonfunctional turf, artificial turf,
18 and invasive plant species in applicable property in the state is:

19 (a) A matter of statewide concern; and

20 (b) In the public interest.

21 **SECTION 2.** In Colorado Revised Statutes, 37-99-102, **amend**
22 (1)(a)(II), (1)(a)(III), (7), and (17); repeal (1)(b); and add (1)(a)(IV),
23 (1.5), (6.5), (10.5), (12.5), (14.5), and (18.5) as follows:

24 **37-99-102. Definitions.** As used in this article 99, unless the
25 context otherwise requires:

26 (1) (a) "Applicable property" means:

27 (II) Common interest community property; ~~or~~

1 (III) A street right-of-way, parking lot, median, or transportation
2 corridor; OR

3 (IV) APPLICABLE RESIDENTIAL REAL PROPERTY.

4 (b) "~~Applicable property~~" ~~does not include residential property.~~

5 (1.5) "APPLICABLE RESIDENTIAL REAL PROPERTY" MEANS ~~A~~
6 ~~MULTIFAMILY RESIDENTIAL HOUSING PREMISES PROPERTY THAT INCLUDES~~
7 ~~MORE THAN TWELVE DWELLING UNITS.~~

8 (6.5) "FUNCTIONAL ARTIFICIAL TURF" MEANS ARTIFICIAL TURF
9 THAT IS:

10 (a) LOCATED IN A RECREATIONAL USE AREA OR OTHER SPACE THAT
11 IS REGULARLY USED FOR CIVIC, COMMUNITY, OR RECREATIONAL
12 PURPOSES, WHICH MAY INCLUDE A PLAYGROUND, A SPORTS FIELD, A PICNIC
13 GROUND, AN AMPHITHEATER, A PORTION OF A PARK, AND THE PLAYING
14 AREA OF A GOLF COURSE, SUCH AS A DRIVING RANGE, CHIPPING AND
15 PUTTING GREEN, TEE BOX, GREEN, FAIRWAY, AND ROUGH; OR

16 (b) A COMPONENT OF A PRODUCT DESIGNED AND APPROVED BY A
17 PROFESSIONAL ENGINEER FOR CIVIL INFRASTRUCTURE PROJECTS,
18 INCLUDING BUT NOT LIMITED TO:

19 (I) COVERS FOR SOLID WASTE FACILITIES AND BROWNFIELD SITES;
20 AND

21 (II) REVETMENTS FOR SLOPES, CHANNELS, LEVEES, AND DAMS.

22 (7) "Functional turf" means turf that is located in a recreational
23 use area or other space that is regularly used for civic, community, or
24 recreational purposes, which may include playgrounds, sports fields,
25 picnic grounds, amphitheaters, portions of parks, and the playing areas of
26 golf courses, such as driving ranges, chipping and putting greens, tee
27 boxes, greens, fairways, and roughs A PLAYGROUND, A SPORTS FIELD, A

1 PICNIC GROUND, AN AMPHITHEATER, A PORTION OF A PARK, AND THE
2 PLAYING AREA OF A GOLF COURSE, SUCH AS A DRIVING RANGE, CHIPPING
3 AND PUTTING GREEN, TEE BOX, GREEN, FAIRWAY, AND ROUGH.

4 (10.5) "MULTIFAMILY RESIDENTIAL HOUSING PREMISES PROPERTY"
5 MEANS COMMON INTEREST PROPERTY SUCH AS ENTRYWAYS, PARKS, AND
6 OTHER COMMON ELEMENTS AS DEFINED IN SECTION 38-33.3-103 (5).

7 (12.5) "NONFUNCTIONAL ARTIFICIAL TURF" MEANS ARTIFICIAL
8 TURF THAT IS NOT FUNCTIONAL ARTIFICIAL TURF.

9 (14.5) "RESIDENTIAL REAL PROPERTY" HAS THE MEANING SET
10 FORTH IN SECTION 39-1-102 (14.5).

11 (17) "Turf" ~~has the meaning set forth in section 37-60-135 (2)(i)~~
12 MEANS CONTINUOUS PLANT COVERAGE CONSISTING OF NONNATIVE
13 GRASSES OR GRASSES THAT HAVE NOT BEEN HYBRIDIZED FOR ARID
14 CONDITIONS AND WHICH, WHEN REGULARLY MOWED, FORM A DENSE
15 GROWTH OF LEAF BLADES AND ROOTS.

16 (18.5) "URBAN TREE" MEANS A PERENNIAL WOODY PLANT WITH A
17 SINGLE OR MULTIPLE TRUNKS THAT SUPPORT A CANOPY OF BRANCHES AND
18 LEAVES AND THAT PROVIDES ECOLOGICAL, SOCIAL, AND ECONOMIC
19 BENEFITS WITHIN A BUILT ENVIRONMENT.

20 **SECTION 3.** In Colorado Revised Statutes, 37-99-103, **amend**
21 (1), (3), (4)(a), (4)(b), (4)(d), and (4)(e); and add (4)(f) and (5) as
22 follows:

23 **37-99-103. Prohibition of nonfunctional turf, nonfunctional**
24 **artificial turf, and invasive plant species - local entities - construction**
25 **or renovation of state facilities.** (1) On and after January 1, 2026, a
26 local entity shall not install, plant, or place, or allow any person to install,
27 plant, or place, any nonfunctional turf, NONFUNCTIONAL artificial turf, or

1 invasive plant species, as part of a new development project or
2 redevelopment project, on any portion of applicable property within the
3 local entity's jurisdiction.

4 (3) The department shall not install, plant, or place, or allow any
5 person to install, plant, or place, any nonfunctional turf, NONFUNCTIONAL
6 artificial turf, or invasive plant species as part of a project for the
7 construction or renovation of a state facility, which project design
8 commences on or after January 1, 2025.

9 (4) Nothing in this section prohibits:

10 (a) A local entity from maintaining, or allowing any person to
11 maintain, any nonfunctional turf, NONFUNCTIONAL ARTIFICIAL TURF,
12 artificial turf, or invasive plant species installed, planted, or placed before
13 January 1, 2026;

14 (b) The department from maintaining, or allowing any person to
15 maintain, any nonfunctional turf, NONFUNCTIONAL ARTIFICIAL TURF,
16 artificial turf, or invasive plant species installed, planted, or placed at a
17 state facility before January 1, 2025;

18 (d) A local entity or the department from establishing prohibitions
19 on, or requirements for, nonfunctional turf, artificial turf, or invasive
20 plant species that are more stringent than the requirements of this section;

21 ~~or~~

22 (e) A local entity or the department from installing, or allowing
23 ~~any~~ A person to install, artificial turf on athletic fields of play; OR

24 (f) A LOCAL ENTITY OR THE DEPARTMENT FROM INSTALLING OR
25 PRESERVING URBAN TREES.

26 (5) (a) ON AND AFTER JANUARY 1, 2028, A LOCAL ENTITY SHALL
27 NOT INSTALL, PLANT, OR PLACE, OR ALLOW A PERSON TO INSTALL, PLANT,

1 OR PLACE, ANY NONFUNCTIONAL TURF, NONFUNCTIONAL ARTIFICIAL TURF,
2 OR INVASIVE PLANT SPECIES, AS PART OF A NEW DEVELOPMENT PROJECT
3 OR REDEVELOPMENT PROJECT, ON ANY PORTION OF APPLICABLE
4 PROPERTIES THAT INCLUDE MULTIFAMILY RESIDENTIAL HOUSING PREMISES
5 PROPERTY.

6 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
7 CONTRARY, A LOCAL ENTITY OR THE DEPARTMENT SHALL NOT RESTRICT
8 A PERSON FROM INSTALLING OR ALLOWING ANOTHER PERSON TO INSTALL
9 GRASS SEED OR SOD THAT:

10 (I) IS A NATIVE PLANT;

11 (II) HAS BEEN HYBRIDIZED FOR ARID CONDITIONS; OR

12 (III) IS A LOW-WATER GRASS.

13 (c) ON OR BEFORE JANUARY 1, 2028, EACH LOCAL ENTITY WITH
14 LAND USE PLANNING AND ZONING AUTHORITY SHALL ENACT OR AMEND
15 ORDINANCES, RESOLUTIONS, REGULATIONS, OR OTHER LAWS REGULATING
16 NEW DEVELOPMENT PROJECTS AND REDEVELOPMENT PROJECTS TO:

17 (I) REGULATE THE INSTALLATION OF NONFUNCTIONAL TURF IN
18 ORDER TO REDUCE IRRIGATION WATER DEMAND ON APPLICABLE PROPERTY
19 IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION; AND

20 (II) INCLUDE CONSIDERATION OF APPLICABLE RESIDENTIAL REAL
21 PROPERTY.

22 **SECTION 4.** In Colorado Revised Statutes, **add** 37-99-104 as
23 follows:

24 **37-99-104. Regulation of turf in new residential property -**
25 **local entities - exemptions.** (1) ON OR BEFORE JANUARY 1, 2028, EACH
26 LOCAL ENTITY WITH LAND USE PLANNING AND ZONING AUTHORITY SHALL
27 ENACT OR AMEND ORDINANCES, RESOLUTIONS, REGULATIONS, OR OTHER

1 LAWS REGULATING NEW DEVELOPMENT PROJECTS AND REDEVELOPMENT
2 PROJECTS WITHIN THE LOCAL ENTITY'S JURISDICTION TO REGULATE THE
3 INSTALLATION OF TURF TO REDUCE IRRIGATION WATER DEMAND FOR ALL
4 RESIDENTIAL REAL PROPERTY THAT IS NOT APPLICABLE RESIDENTIAL REAL
5 PROPERTY.

6 (2) ON AND AFTER JANUARY 1, 2028, WHEN ENACTING OR
7 AMENDING ORDINANCES, RESOLUTIONS, REGULATIONS, OR OTHER LAWS
8 REGULATING NEW DEVELOPMENT PROJECTS AND REDEVELOPMENT
9 PROJECTS, EACH LOCAL ENTITY WITH LAND USE PLANNING AND ZONING
10 AUTHORITY SHALL REGULATE THE INSTALLATION OF TURF TO REDUCE
11 IRRIGATION WATER DEMAND FOR ALL RESIDENTIAL REAL PROPERTY THAT
12 IS NOT APPLICABLE RESIDENTIAL REAL PROPERTY.

13 (3) EACH LOCAL ENTITY WITH LAND USE PLANNING AND ZONING
14 AUTHORITY MAY CHOOSE THE STANDARD OR MECHANISM BY WHICH IT
15 REGULATES TURF IN NEW DEVELOPMENT PROJECTS AND REDEVELOPMENT
16 PROJECTS OF RESIDENTIAL REAL PROPERTY PURSUANT TO THIS SECTION.

17 (4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
18 CONTRARY, NEITHER A LOCAL ENTITY NOR THE DEPARTMENT SHALL
19 RESTRICT A PERSON FROM INSTALLING OR ALLOWING ANOTHER PERSON TO
20 INSTALL GRASS SEED OR SOD THAT:

- 21 (a) IS A NATIVE PLANT;
- 22 (b) HAS BEEN HYBRIDIZED FOR ARID CONDITIONS; OR
- 23 (c) IS A LOW-WATER GRASS.

24 **SECTION 5. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly; except
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2026 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.