



Fiscal Note

Legislative Council Staff

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HB 25-1099: WATER QUALITY DATA STANDARDS

Prime Sponsors:

Rep. Mauro; Taggart
Sen. Hinrichsen

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Published for: House Energy & Environment**Drafting number:** LLS 25-0601**Version:** Initial Fiscal Note**Date:** February 4, 2025**Fiscal note status:** The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill directs the Department of Public Health and Environment to adopt standards for the total amount of pollutants in state waters.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- State Expenditures

Appropriations. For FY 2025-26, the bill requires an appropriation of \$267,778 to the Department of Public Health and Environment.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0	\$0
State Expenditures	\$282,960	\$286,547	\$52,000
Transferred Funds	\$0	\$0	\$0
Change in TABOR Refunds	\$0	\$0	\$0
Change in State FTE	0.8 FTE	0.9 FTE	0.0 FTE

**Table 1A
State Expenditures**

Fund Source	Budget Year FY 2025-26	Out Year FY 2026-27	Out Year FY 2027-28
General Fund	\$267,778	\$267,061	\$52,000
Cash Funds	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0
Centrally Appropriated	\$15,182	\$19,486	\$0
Total Expenditures	\$282,960	\$286,547	\$52,000
Total FTE	0.8 FTE	0.9 FTE	0.0 FTE

Summary of Legislation

By January 1, 2027, the Water Quality Control Commission in the Department of Public Health and Environment (CDPHE) must issue written guidance on total maximum daily load development, including recommendations on data collection, analytic methods, data quality assurance, and accuracy. Total maximum daily load refers to the amount of pollution in a body of water. By January 1, 2028, CDPHE must determine a total maximum daily load for state waters and use this standard for pollutant permits. These standards must include data collected within the last five years and relevant historic data.

State Expenditures

The bill increases state expenditures in CDPHE by about \$280,000 in FY 2025-26 and by about \$290,000 in FY 2026-27 only. State workload also minimally increases in subsequent years. These costs, paid from the General Fund, are summarized in Table 2 and discussed below.

**Table 2
State Expenditures
Department of Public Health and Environment**

Cost Component	Budget Year FY 2025-26	Out Year FY 2026-27	Out Year FY 2027-28
Personal Services	\$69,738	\$89,309	\$0
Operating Expenses	\$896	\$1,152	\$0
Capital Outlay Costs	\$6,670	\$0	\$0
Contractor	\$124,600	\$124,600	\$0
Water Samples	\$52,000	\$52,000	\$52,000
Legal Services	\$13,374	\$0	\$0
Centrally Appropriated Costs	\$15,182	\$19,486	\$0
FTE – Personal Services	0.7 FTE	0.9 FTE	0.0 FTE
FTE – Legal Services	0.1 FTE	0.0 FTE	0.0 FTE
Total Costs	\$282,960	\$286,547	\$52,000
Total FTE	0.8 FTE	0.9 FTE	0.0 FTE

Staff

CDPHE requires staff to conduct the stakeholder process, hire and manage a contractor, and finalize the written guidance. This requires 1.6 FTE over FY 2025-26 and FY 2026-27 only. Workload will minimally increase in future years to maintain documentation associated with the new total maximum daily load, which can be accomplished within existing appropriations. Standard operating and capital outlay costs are included, and account for the bill’s effective date.

Contractor

CDPHE will hire a contractor to lead the process to develop the written guidance. Table 2 reflects 1,400 contracted hours over the two fiscal years at a rate of \$178 per hour.

Water Samples

Meeting the bill’s data standards for recent and historically relevant data requires some additional water sample testing. This is estimated at 50 samples collected and tested each year beginning in FY 2025-26, at a cost of \$1,040 per sample. Water sampling needs may be impacted by the final guidance; if additional resources are required, they will be addressed through the annual budget process.

Legal Services

CDPHE requires 100 hours of legal services to support the development of the written guidance. Legal services are provided by the Department of Law at a rate of \$133.74 per hour.

Centrally Appropriated Costs

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which may include employee insurance, supplemental employee retirement payments, leased space, and indirect cost assessments, are shown in the expenditure table above.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State Appropriations

For FY 2025-26, the bill requires a General Fund appropriation of \$267,778 to the Department of Public Health and Environment, and 0.7 FTE. Of this amount, the Department of Law requires a reappropriation of \$13,374 with an additional 0.1 FTE.

State and Local Government Contacts

Law

Public Health and Environment

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).