

# Final Report to the General Assembly

*Water Resources and Agriculture Review Committee*  
*December 2023 | Research Publication 804*





## Water Resources and Agriculture Review Committee

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December | 2023





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December 2023

To Members of the Seventy-fourth General Assembly:

Submitted herewith is the final report of the Water Resources and Agriculture Review Committee. This committee was created pursuant to Article 98 of Title 37, Colorado Revised Statutes. The purpose of this committee is to oversee the conservation, use, development, and financing of Colorado's water and agricultural resources.

At its meeting on November 15, 2023 the Legislative Council reviewed the report of this committee. A motion to forward this report and the bills therein for consideration in the 2024 session was approved.

Sincerely,

/s/ Senator Stephen Fenberg  
Chair



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**This report is also available online at: <https://leg.colorado.gov/committees/water-resources-and-agriculture-review-committee/2023-regular-session>**





## Committee Charge

The recently renamed Water Resources and Agriculture Review Committee (WRARC) was created to contribute to and monitor the conservation, use, development, and financing of Colorado's water resources and agriculture for the general welfare of the state (Section 37-98-102, C.R.S.). In 2022, the committee charge was updated to include Colorado agriculture issues. The committee is also required to review statewide planning for water resources. The WRARC reviews and proposes legislation to further its purpose. In conducting its review, the WRARC consults with experts in the fields of agriculture and water conservation, quality, use, finance, and development.

The committee is now a year-round committee after the passage of [Senate Bill 23-010](#). The bill required that the committee meet at least four times per year and removed the limit of the number of field trips the committee may take.

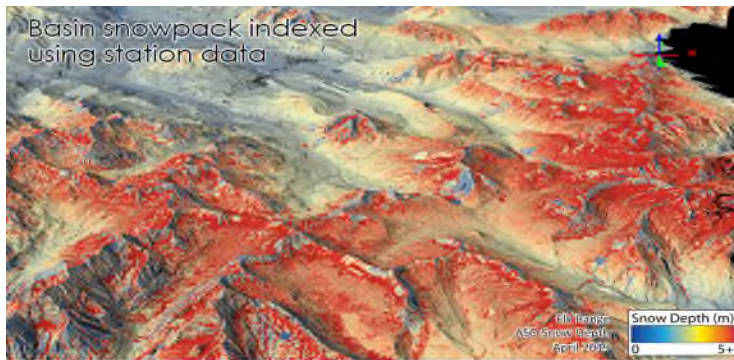
## Committee Activities

The committee held seven meetings in 2023, including two during the legislative session and five during the interim. The committee also conducted four tours/field trips. Briefings and presentations were made by Colorado State University, Airborne Snow Observatories, Inc., Upper Colorado River Commission, the Colorado Drought Task Force, Veterinary Management Group, American Veterinary Association, Dumb Friends League, Office of Senator Michael Bennet, Colorado Farm Bureau, Colorado Department of Natural Resources, Colorado Cattlemen's Association, Colorado Parks and Wildlife, Colorado River District, Denver Water, Western Resource Advocates, Colorado Municipal League, Aurora Water, Colorado Livestock Association, Colorado Association of Certified Veterinary Technicians, the University of Tennessee, Texas A&M University, local government and municipal representatives, Western Resource Advocates, Trout Unlimited, Colorado Water Trust, Colorado Farm Bureau, North Sterling Irrigation District, Castle Rock Water, Colorado Department of Public Health and Environment, Water Education Colorado, other local and statewide organizations, and members of the public on a wide range of subjects, including:

- the Colorado River;
- gray wolf reintroduction;
- non-functional turf;
- pesticide regulation;
- public rights on rivers;
- snowpack measurement;
- stream restoration;
- veterinary care access; and
- veterinary telehealth.

The following sections discuss the committee's activities during the 2023 interim.

## Colorado's Airborne Snowpack Monitoring Program



The Airborne Snow Observatories, Inc. (ASO) presented to the committee about Colorado's Airborne Snowpack Monitoring Program (CASM). Colorado currently utilizes a measurement system for monitoring snowpack that relies on consistency, but CASM is able to adjust for the changing environment. Presenters spoke about how ASO

maps snowpack to predict runoff and snowmelt and displayed examples of the types of data and maps that ASO can provide (seen above). The committee heard about the benefits of gathering this data and how it is currently being used in California, funding that has been provided by Colorado to enable the program, and future opportunities for the program.

## Colorado River Update and the Colorado River Drought Task Force

The committee had two presentations related to the Colorado River, one of which was an update on the work of the Colorado River Drought Task Force.

### Update on the Status of the Colorado River

Several panelists presented to the committee about the status of the Colorado River, including:

- Amy Ostdiek, Colorado Water Conservation Board;
- Rebecca Mitchell, Colorado Commissioner to the Upper Colorado River Commission; and
- Chuck Collum, Executive Director at the Upper Colorado River Commission.

The panelists discussed the Colorado River Compact, including contents, its historical importance, and the relationship it creates between the Upper Basin and Lower Basin states. Commissioner Mitchell described her role and advocacy efforts. She discussed ongoing efforts to safeguard Colorado from mandatory cuts in water use, as well as tribal water rights on the river, and the coordination between the state and federal government. The committee and panelists also discussed system conservation, drought mitigation, and water rights.

### Colorado River Drought Task Force

Eagle County Commissioner Kathy Chandler-Henry, task force chair, and Dr. Kelsea MacIlroy, task force facilitator, provided a statutorily required update from the Colorado River Drought Task Force. Dr. MacIlroy gave an overview of the logistics of the task force, including the number of meetings, how it collects public comments, and how members determine discussion topics. Commissioner Chandler-Henry spoke about recommendations the task force has been considering and how the public can [engage online](#) in the process.

The committee discussed industrial water rights, demand management, aging infrastructure, developing programs to protect Colorado's water, and ongoing negotiations with other states reliant on the Colorado River.

## **Colorado State University Rural Project and Veterinary College**

Professors and staff from Colorado State University (CSU) presented on veterinary workforce trends and how CSU programming responds to the needs of the industry. Panelists also discussed rural and livestock veterinary care workforce shortages, curriculum revisions, and plans to expand the veterinary college. Panelists presented a draft curriculum aimed at training veterinary paraprofessionals in a master's program in veterinary clinical care, referred to as the Veterinary Professionals Associate program.

## **Economics of Veterinary Care and FDA Liability Laws**

The Veterinary Management Group discussed the economics of the veterinary industry and its relationship with broader economic trends and conditions. Presenters discussed data concerning the rate of pet adoption in recent years, and the ratio of pets to veterinarians. They detailed the extent of "quit rates" in the profession and its implications on veterinary care industry labor markets.

The committee also heard from the American Veterinary Medical Association on the current Food and Drug Administration (FDA) laws regarding the veterinary client-patient relationship, specifically related to prescribing medications.

## **Federal Farm Bill**

Staff from the Office of Senator Michael Bennet and representatives from the Colorado Farm Bureau each provided a presentation on the federal Farm Bill. Funding in the farm bill primarily focuses on nutrition, commodities, crop insurance, and conservation. The senator's office reported that an updated farm bill is pending and the temporary extension of the current bill may provide uncertainty for Colorado farmers and ranchers. Senator Bennet's team has been focused on advancing farm bill legislation on conservation, rural development, and forestry.

Committee members and panelists discussed what would happen in the absence of a new Farm Bill, and the role of the Farm Bill in staffing Farm Service Agency offices, providing mental health resources for those in the agricultural industry, and addressing rural development and housing.

## **Federal Funding of Colorado Water**

The committee received a briefing from the Department of Natural Resources on federal funds that are or could be invested in Colorado's water resources. Panelists spoke about major water investments from the federal government, including the Infrastructure Investment and Jobs Act, the Inflation Reduction Act, and other previously existing programs. There are a variety of funding opportunities available at the federal level, which includes drought mitigation and technical assistance for water projects. The committee was also told about the [state-maintained database](#) for federal funding opportunities.

## Federal Livestock Antibiotic Regulations

The Colorado Farm Bureau and Colorado Cattlemen's Association informed the committee about the new federal requirements that agricultural producers must establish a veterinary relationship and a prescription before obtaining certain antibiotics for livestock.

## Freshwater Carbon Mechanisms

A professor from the University of Colorado, Boulder and the Chief Strategy Officer of Virridy presented their report on freshwater carbon capture mechanisms. The presentation highlighted the potential for carbon credits to help pay for watershed restoration, and the importance of investing in green infrastructure for water quality control.

**Committee recommendations.** In response to committee discussions, the committee recommends Bill F, which requires the Colorado Department of Public Health and Environment to conduct a feasibility study and create demonstration projects of green infrastructure as an alternative compliance mechanism for water quality compliance.

## Gray Wolf Reintroduction

Panelists from Colorado Parks and Wildlife presented on the current status of gray wolf reintroduction. They spoke about the environmental impact statement and that the existing reintroduction plan for acquisition and transportation of wolves to Colorado, and efforts to protect agricultural producers. The panelists and committee considered the need for acquiring a 10(j) waiver under the Endangered Species Act, ongoing discussions with tribal nations, supplies for farmers and ranchers, and the effect on impacted communities.

## Interstate Water Compacts

Kevin Rein, State Engineer, Division of Water Resources, discussed how Colorado stays in compliance with interstate river compacts. Rebecca Mitchell, Colorado Commissioner to the Upper Colorado River Commission, discussed her stakeholder engagement efforts across compact states to better manage the Colorado River. She assured the committee that Colorado has never been out of compliance with the Colorado River Compact. In addition, Andy Mueller, General Manager of the Colorado River District, discussed the district's role in compact compliance on the river.

## Non-functional Turf

The committee heard from a variety of panelists, including Denver Water, Western Resource Advocates, Colorado Municipal League, and Aurora Water, on non-functional turf in metropolitan areas. Panelists discussed ongoing efforts from municipalities to replace non-functional turf. Non-functional turf is often found in medians and along sidewalks and is primarily ornamental. Replacing non-functional turf with drought tolerant landscaping is an effort to reduce municipal outdoor water demand. The panelists gave examples of current turf

replacement projects and the variety of partnerships between nonprofits and municipalities offering water conservation and lawn replacement services.

Aurora Water specifically discussed previous efforts to provide developer incentives that exist in the city; however, developers did not routinely take advantage of these incentives. This led the City of Aurora to ban the installation of non-functional turf in any new developments.

The committee also took a field trip across the Denver Metro area and heard from the Department of Natural Resources, Denver Water, Arapahoe County, Sterling Ranch, and Dominion Water and Sanitation about ongoing and completed turf replacement projects and efforts to decrease metropolitan water demands.

**Committee recommendations.** As a result of committee discussions, the committee recommends Bill D, which prohibits local governments or home owners' associations from installing, planting, or placing non-functional turf, artificial turf, or invasive plant species on any commercial, institutional, or industrial property.

## **Production Animal, Shelter, and Low-Cost Access to Care: Perspectives from the Veterinary Field**

Panelists from Colorado Cattlemen's Association, Colorado Livestock Association, and veterinarians across Colorado discussed access to veterinary care. The committee considered the challenges of livestock production care and the shortage of veterinary generalists in rural Colorado. Panelists also discussed the challenges facing shelter animal medicine and the role of registered veterinary technicians. Shelters often use a variety of veterinary professionals to provide care.

Veterinarians from across Colorado, including the Colorado State Veterinarian in the Department of Agriculture, discussed their experiences with providing veterinary care in Colorado. Panelists spoke about the importance of the Veterinary Practice Act and their individual efforts to make their practices good places to work. The state veterinarian told the committee about her office's role in protecting human and animal health, as well as the food supply. She discussed the U.S. Department of Agriculture's accreditation process and the need for veterinary mentorships to encourage new vets to practice in rural areas.

## **Public Rights on Rivers**

Two separate panels discussed public rights on rivers after the recent *Colorado v. Hill* decision. The first panel distinguished between navigable and non-navigable streams, and the different legal standards that accompany each. There are challenges in the courts over the right of individuals to float on streams that traverse through private property, including *Colorado v. Hill*. Panelists urged the committee to consider increasing public access to waterways.

Conversely, a second panel, made up of individuals from Colorado Water Congress and Colorado Farm Bureau, discussed the need for protecting private property. Panelists discussed the private trust doctrine and its conflicts with the prior appropriation doctrine that exist in Colorado. The public trust doctrine was rejected in the *Colorado v. Hill* case and in other similar

cases. Colorado Farm Bureau expressed concerns over liability when it comes to allowing the public access to streams on private property. The committee discussed the interaction between private property rights, the right to float, and the ownership of water in a stream.

## **Role of Veterinary Technicians**

The committee heard a presentation from the Colorado Association of Certified Veterinary Technicians on the role and distinctions of registered veterinary technicians, certified veterinary technicians, and veterinary technician specialists. Presenters spoke about the education opportunities and general challenges facing the profession. The committee also heard from the Gillespie College of Veterinary Medicine, Lincoln Memorial University, about the school's master level degree in veterinary technology, the first advanced degree specifically for credentialed veterinary technicians.

**Committee recommendations.** As a result of its discussions, the committee recommends Bill A, which requires the Department of Regulatory Agencies to develop a process for credentialing veterinary technician specialists, and adopt rules allowing veterinarians to delegate certain tasks to veterinary technicians and veterinary technician specialists. Additionally, the bill requires new rules and continuing education concerning the supervision and delegation of veterinary care by veterinarians.

## **State and Federal Regulation of Pesticides**

The committee heard from local government representatives and non-profit organizations advocating for removal of state preemption of pesticide regulation to allow for local control. Local government representatives also provided information on pesticide-free projects in their communities. Private business owners highlighted potential complications and cost increases if the state removes preemption. A panel of county commissioners discussed pesticides, proper pesticide application, and pesticide regulation. Lastly, the committee heard from a representative from the federal Environmental Protection Agency (EPA) regarding an overview of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and the relationship to state pesticide regulation. The committee and presenter also discussed guidelines about herbicides in relation to the Endangered Species Act.

**Committee recommendations.** As a result of committee discussions, the committee recommends Bill G. The bill allows for local enforcement of the Colorado Noxious Weed Act. Specifically, the bill allows each board of county commissioners to assess and collect fines for violations of local laws that manage noxious weeds, and allows violations to be charged in a county court as a civil infraction.



## Stream Restoration

The committee discussed stream restoration activities at two of the meetings and heard from Kelly Romero-Heaney, Director for Water Policy at the Department of Natural Resources, and Abby Burke, Audubon Society. Panelists spoke about the value of healthy natural stream systems, including wildfire resilience and recreational opportunities. The committee heard about stream restoration projects and were shown examples of ongoing stream restoration activities.



The committee was shown a variety of stream restoration projects while on field trips in the San Luis Valley and in the Denver Metro area. Committee members spent time at the Chatfield Reservoir and the South Platte River viewing ongoing projects. In the San Luis Valley (pictured here), the committee was given an overview of the Rio Grande Headwaters Restoration Project and traveled to various irrigation ditches.

## Veterinary Telehealth

The committee heard a presentation from AlignCare Health, Inc., and the Program for Pet Health Equity at the University of Tennessee on pet health equity and the relationship of access of care and telehealth. The committee also heard from the Texas A&M University School of Veterinary Medicine concerning components of veterinary telehealth that can be performed within the veterinary scope of practice, and which acts might require legislative changes. The committee discussed risks to animal health and social and economic considerations in the context of the telehealth.

**Committee recommendations.** As a result of its discussions, the committee recommends Bill E, which establishes a framework for the delivery of veterinary services through telemedicine. The Board of Veterinary Medicine in the Department of Regulatory Affairs is authorized to adopt rules regarding the use of telemedicine, and to require that persons practicing veterinary medicine be licensed in the state.

## Water Conservation and Water Rights

The committee heard from various water professionals on the topic, including:

- the Colorado State Engineer;
- Western Resource Advocates;
- Trout Unlimited;
- Colorado Water Trust;
- Colorado Farm Bureau; and,
- North Sterling Irrigation District.

The committee heard from presenters about water conservation and the relationship to potential abandonment of water rights. The committee also heard from presenters about water conservation measures among different water divisions of the state, and how historical consumptive use and non-consumptive use factors into the issue. A recent change to Arizona law was also discussed including how a similar effort might be pursued in Colorado.

**Committee recommendations.** As a result of its discussions, the committee drafted Bill 8, which would have allowed water right owners to implement a water use reduction plan without their water rights being considered abandoned from nonuse. This bill was not recommended by the committee.

## Water Quality Standards Rulemaking

The committee was given a presentation on rulemaking conducted by the Water Quality Control Division (WQCD) at the Colorado Department of Public Health and Environment (CDPHE) regarding water quality standards in lakes and reservoirs. Three separate panels presented on the topic. First they discussed the criteria setting process for water quality standards in lakes and reservoirs. Then they discussed the local impacts of the rules being implemented by the WQCD. Panelists told the committee about wastewater treatment facilities and the impacts on downstream water quality standards, specific to phosphorus and nitrogen levels. They also discussed the possible increase in consumer and water provider costs to implement new rules, and the potential environmental impacts and problems with varying standards.

In response, CDPHE staff discussed the challenges with nutrient concentrations in Colorado water resources and their effects on water quality. The committee heard about nutrient management plans that could be implemented and the feasibility of enforcing nutrient regulations. The committee asked questions about the costs to communities, sources of nitrogen and phosphorus, and the rulemaking timeline.

## Waters of the United States

Two panels presented on the current status of Waters of the United States (WOTUS) and the recent *Sackett v. Environmental Protection Agency (EPA)* Supreme Court decision. This court case dealt with what constitutes WOTUS under the Clean Water Act.

The first panel was made up of representatives from Theodore Roosevelt Conservation Partnership, The Nature Conservancy, the City of Fort Collins, and HECHO. The panelists discussed the Sackett decision and how it has changed which wetlands and streams are protected by EPA rules. The panelists asserted that the change has created uncertainty for waters in Colorado that may need additional state protection, including the implementation of a permitting program to address this issue.

The second panel was made up of representatives from a Colorado law firm, the Pacific Legal Foundation, and CDPHE. Panelists from the law firm and Pacific Legal Foundation discussed the rationale behind the Supreme Court decision and what bodies of water are now covered by the Clean Water Act. The committee heard about the state's current role in managing water quality and how potential regulation could help with this at the state level.



Panelists from CDPHE spoke about the different types of state waters, including those previously covered under WOTUS and those covered after the Sackett decision. The committee and panelists discussed the state’s role in a potential permitting process, timeline restrictions, and conservation impacts.

## **Summary of Recommendations**

As a result of the committee’s activities, the committee recommended nine bills to the Legislative Council for consideration in the 2024 session. At its meeting on November 15, 2023 the Legislative Council approved nine bills for introduction. The approved bills are described below.

### ***Bill A – Veterinary Technician Scope of Practice***

The bill allows veterinary technicians to receive a designation as a veterinary technician specialist (VTS) starting January 1, 2026, and provides title protection for VTSs. Prior to this date, the bill requires the Board of Veterinary Medicine in the Department of Regulatory Agencies (DORA) to establish a process for credentialing VTSs. DORA is prohibited from charging an additional fee for registration as a VTS, or charging a higher registration fee for specialists than for veterinary technicians.

### ***Bill B – Authorize Conservancy District Water Management***

This bill adds commercial uses to the purposes for which a district court may establish a conservancy district. Under current law, courts may only establish a conservancy district for agricultural, municipal, or industrial uses.

The bill also expands the powers of a board of directors of a water conservancy district to:

- participate in a plan for augmentation and, in conjunction with the plan, manage, control, deliver, use, and distribute water;
- contract services for the use and reuse of water and the retirement of wells;
- enter long-term contracts with public and private entities, and avail itself of public assistance from federal, state, and local governments; and
- establish a water activity enterprise.

### ***Bill C – Agriculture & Natural Resources Public Engagement Requirement***

The bill requires that the Governor-appointed members of the Parks and Wildlife Commission, the Colorado Water Conservation Board, and the Colorado Agricultural Commission hold two public, in-person meetings each year. The Department of Natural Resources and the Department of Agriculture must track and report the meetings of these board members and commissioners, and reimburse members for reasonable costs to conduct the public meetings.

### ***Bill D - Prohibit Landscaping Practices for Water Conservation***

Beginning January 1, 2025, the bill prohibits local governments or home owners' associations from installing, planting, or placing non-functional turf, artificial turf, or invasive plant species on any commercial, institutional, or industrial property or a transportation corridor. Further, the Department of Personnel and Administration must not use prohibited landscaping in construction and renovation projects on state facilities.

### ***Bill E - Providing Veterinary Services Through Telehealth***

The bill establishes a framework for the delivery of veterinary services through telemedicine. The Board of Veterinary Medicine in DORA is authorized to adopt rules regarding the use of telemedicine to provide veterinary services. Additionally, the bill requires a person to be licensed to practice veterinary medicine in Colorado in order to practice veterinary telemedicine.

### ***Bill F - Study Green Infrastructure for Water Quality Management***

The bill requires that CDPHE study the feasibility of substituting green infrastructure, a planned and managed network of natural green spaces, for traditional centralized wastewater and drinking water treatment mechanisms. The feasibility study must be completed by December 31, 2025. A progress report on the study must be presented by July 1, 2025 to the Water Resources and Agriculture Review Committee. After completing the study, the CDPHE must establish one or more pilot programs to demonstrate the use of green infrastructure as an alternative compliance program supported with environmental-focused funding. The CDPHE must coordinate with the University of Colorado and Colorado State University to conduct the study and to develop and provide technical assistance to the pilot programs.

### ***Bill G - Local Authority Enforce Violation of Noxious Weed Act***

The bill allows for additional local enforcement of the Colorado Noxious Weed Act. Specifically, it allows each board of county commissioners to assess and collect fines for violations of local laws that require management of noxious weeds. In addition, under state law, the bill allows violations of the Noxious Weed Act, or any state or local regulation under the act, to be charged in county court as a civil infraction. This civil infraction is in addition to, not a replacement of, the authority of the Commissioner of Agriculture to issue civil penalties for violations of the act.

### ***Bill H - Authorizing Direct-to-Consumer Sales of Raw Milk***

In current law, the sale of raw, unpasteurized milk is prohibited. The bill legalizes the sale of raw cow or goat milk when it is sold directly to consumers at the point of production, the consumer's residence, or at a farmer's market or roadside market. To sell raw milk, a producer must be registered with the CDPHE, which, in conjunction with the Department of Agriculture, must establish handling, storage, labelling, and transportation requirements for the sale of raw

milk by rule. The Department of Agriculture may investigate raw milk producers and apply a civil penalty or embargo to a producer that violates the program's requirements.

### ***Bill I - Extend Wild Horse Project Appropriation Timeline***

Senate Bill 23-275 created programs in the Department of Agriculture to support the management of wild horses in Colorado. A portion of this bill gave the department, with approval from the U.S. Bureau of Land Management, the authority to manage wild horse populations using fertility control management methods and support on-range stewardship and management of wild horse ranges. This authority is set to repeal July 24, 2024. Bill I extends the repeal date to December 31, 2025.

## **Resource Materials**

Meeting summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. Meeting summaries are also available on our website at:

<https://leg.colorado.gov/committees/water-resources-and-agriculture-review-committee/2023-regular-session>

## **Meetings and Topics Discussed**

March 8, 2023

- Presentation about stream restoration
- Briefing on interstate water compacts

April 5, 2023

- Discussion of rulemaking on water quality standards

June 6-7, 2023

- Yampa River Basin tour

July 27-28, 2023

- San Luis Valley tour

August 22-24, 2023

- Colorado Water Congress Summer Conference

### August 23, 2023

- Colorado River update
- Briefing on Waters of the United States (WOTUS)
- Presentation on freshwater carbon mechanisms

### September 11, 2023

- Discussion of Veterinary mid-level professional proposal
- Veterinary economic data and FDA law & liability overview
- Discussion of masters of veterinary clinical care programs
- Briefing on AlignCare model and veterinary telehealth
- Discussion of production animal and shelter medicine, and low-cost access to care
- Discussion of perspectives from the Colorado veterinary field

### September 12, 2023

- Briefing on EPA pesticide regulation
- Briefing on pesticide regulation in Colorado
- Discussion of federal livestock antibiotic regulations
- Discussion of impacts of conservation on water rights
- Briefing of the status of gray wolf reintroduction
- Discussion of tribal nation water rights in Colorado

### October 30, 2023

- Denver Metro area tour

### October 31, 2023

- Presentation on non-functional turf
- Federal farm bill update
- Discussion of public rights on rivers
- Briefing on stream restoration
- Briefing on federal funding of Colorado water
- Update from Colorado River Drought Task Force
- Briefing on Colorado's Airborne Snowpack Monitoring Program

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

**Bill A**

LLS NO. 24-0357.01 Christopher McMichael x4775

**HOUSE BILL**

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**HOUSE SPONSORSHIP**

**McCormick and Catlin**, McLachlan

**SENATE SPONSORSHIP**

**Roberts and Simpson**, Bridges, Pelton B., Pelton R.

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**House Committees**

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE SCOPE OF PRACTICE FOR VETERINARY TECHNICIANS,**  
102            **AND, IN CONNECTION THEREWITH, DIRECTING THE STATE BOARD**  
103            **OF VETERINARY MEDICINE TO PROMULGATE RULES REGARDING**  
104            **THE SUPERVISION OF AND THE DELEGATION OF CERTAIN**  
105            **VETERINARY MEDICINE TASKS TO VETERINARY TECHNICIANS,**  
106            **VETERINARY TECHNICIAN SPECIALISTS, OR OTHER PERSONNEL**  
107            **BY A LICENSED VETERINARIAN AND ESTABLISHING A**  
108            **VETERINARY TECHNICIAN SPECIALIST DESIGNATION.**

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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*

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.*

[http://leg.colorado.gov/.](http://leg.colorado.gov/))

**Water Resources and Agriculture Review Committee.** The board of veterinary medicine (board) is required to promulgate rules establishing certain veterinary medicine tasks that a licensed veterinarian may delegate to veterinary technicians and veterinary technician specialists and the recommended level of supervision for the tasks.

A licensed veterinarian may delegate tasks pursuant to the board's rules after first establishing a veterinarian-client-patient relationship with an animal or group of animals and the owner of the animal or animals. The licensed veterinarian is required to provide an appropriate level of supervision of the veterinary technician or veterinary technician specialist in accordance with applicable rules of the board. If there are not applicable rules related to the specific veterinary task that is being delegated, the veterinarian may delegate the task based on the assessment of the veterinary medical care being provided, the experience, education, and training of the person providing the care, and in compliance with all state and federal laws.

Beginning on January 1, 2026, the bill authorizes a veterinary technician to receive a veterinary technician specialist designation as part of the veterinary technician's registration, grants title protection for veterinary technician specialists, and prohibits the unauthorized practice as a veterinary technician specialist by a person who does not have a veterinary technician specialist designation.

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

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

4 (a) In Colorado, there is an increasing need for veterinary care,  
5 both for companion animals and for livestock or production animals;

6 (b) Licensed veterinarians in Colorado are stretched thin from the  
7 increased demands for veterinary care, especially in rural areas of the  
8 state where clients and patients may have more limited access to  
9 veterinary care;

10 (c) Many veterinary practices in Colorado employ veterinary  
11 technicians or veterinary technician specialists, who are staff that are

1 educated and trained to perform various veterinary services and are often  
2 underutilized by supervising veterinarians;

3 (d) Clear guidelines are needed for veterinarians regarding the  
4 veterinary services that may be delegated to veterinary technicians and  
5 veterinary technician specialists to efficiently and effectively utilize the  
6 education, training, and expertise of all veterinary staff and ensure that  
7 Colorado's animals have adequate access to veterinary care; and

8 (e) Expanding the scope of practice for veterinary technicians and  
9 veterinary technician specialists and authorizing licensed veterinarians to  
10 delegate specific tasks to veterinary technicians and veterinary technician  
11 specialists will allow these veterinary professionals to contribute more to  
12 the delivery of veterinary care.

13 **SECTION 2.** In Colorado Revised Statutes, 12-315-104, **amend**  
14 (6), (10), (10.5), (13), (21), (21.5), and (24); and **add** (5.5), (16.3), (16.5),  
15 and (26) as follows:

16 **12-315-104. Definitions.** As used in this article 315, unless the  
17 context otherwise requires:

18 (5.5) "DELEGATION" OR "DELEGATE" MEANS A LICENSED  
19 VETERINARIAN'S ACT OF ENTRUSTING TO AN INDIVIDUAL THE AUTHORITY  
20 TO PERFORM A VETERINARY MEDICINE TASK UNDER THE APPROPRIATE  
21 LEVEL OF SUPERVISION BY THE LICENSED VETERINARIAN AFTER THE  
22 LICENSED VETERINARIAN HAS DETERMINED THAT THE INDIVIDUAL IS  
23 COMPETENT TO PERFORM THE VETERINARY MEDICINE TASK.

24 (6) "Direct supervision" means the supervising licensed  
25 veterinarian is readily available on the premises where the patient is being  
26 treated AND IS ABLE TO SUPERVISE THE VETERINARY MEDICINE TASKS  
27 THAT HAVE BEEN DELEGATED TO AN INDIVIDUAL.

1 (10) "Immediate supervision" means the supervising licensed  
2 veterinarian ~~and any person being supervised are in direct contact with the~~  
3 ~~patient~~ IS PHYSICALLY IN THE IMMEDIATE AREA ON THE PREMISES AND  
4 WITHIN AUDIBLE OR VISUAL RANGE OF THE PATIENT AND THE INDIVIDUAL  
5 PERFORMING THE VETERINARY MEDICINE TASKS THAT HAVE BEEN  
6 DELEGATED BY THE LICENSED VETERINARIAN.

7 (10.5) "Indirect supervision" means ~~supervision in which the~~  
8 supervising licensed veterinarian ~~directs or supervises the authorized~~  
9 ~~delegated~~ NEED NOT BE ON THE VETERINARY PREMISES BUT:

10 (a) HAS GIVEN EITHER WRITTEN OR VERBAL INSTRUCTIONS FOR  
11 THE treatment ~~or collection of diagnostic information~~ of a patient; at  
12 ~~veterinary premises without being on the premises but being~~ AND

13 (b) Is readily available for communication.

14 (13) "Patient" means ~~an~~ ANY animal OR GROUP OF ANIMALS that  
15 is examined or treated by a licensed veterinarian and includes herds,  
16 flocks, litters, and other groups of animals.

17 (16.3) "SUPERVISING LICENSED VETERINARIAN" MEANS A  
18 LICENSED VETERINARIAN IN THE STATE WHO DELEGATES AND ASSUMES  
19 RESPONSIBILITY FOR THE VETERINARY CARE PROVIDED TO A PATIENT BY  
20 AN INDIVIDUAL EMPLOYED BY THE SAME PRACTICE AS THE LICENSED  
21 VETERINARIAN AND WORKING UNDER AN APPROPRIATE LEVEL OF  
22 SUPERVISION BY THE LICENSED VETERINARIAN.

23 (16.5) (a) "SUPERVISION" MEANS A LICENSED VETERINARIAN'S  
24 OVERSIGHT AND MONITORING OF ANOTHER INDIVIDUAL'S ASSISTANCE IN  
25 THE TREATMENT OF ANIMALS AS PART OF THE VETERINARIAN'S PRACTICE  
26 OF VETERINARY MEDICINE.

27 (b) "SUPERVISION" INCLUDES:



- 1 (I) DIRECT SUPERVISION;
- 2 (II) IMMEDIATE SUPERVISION; AND
- 3 (III) INDIRECT SUPERVISION.

4 (21) "Veterinary premises" or "premises" means a veterinary  
5 office, hospital, clinic, BUILDING, MOBILE UNIT, FACILITY, or temporary  
6 OTHER location where veterinary ~~medicine is being practiced~~ MEDICAL  
7 SERVICES ARE PROVIDED by or under the direction and supervision of a  
8 licensed veterinarian.

9 (21.5) "Veterinary professional" means a veterinarian licensed  
10 pursuant to this part 1 ~~and~~ OR a veterinary technician OR VETERINARY  
11 TECHNICIAN SPECIALIST registered pursuant to part 2 of this article 315.

12 (24) "Veterinary technician" means a veterinary technician  
13 registered pursuant to ~~part 2 of this article 315~~ SECTION 12-315-203.

14 (26) "VETERINARY TECHNICIAN SPECIALIST" MEANS A VETERINARY  
15 TECHNICIAN WHO HAS BEEN AWARDED DESIGNATION FROM:

16 (a) AN ACADEMY RECOGNIZED BY THE NATIONAL ASSOCIATION OF  
17 VETERINARY TECHNICIANS IN AMERICA'S COMMITTEE OF VETERINARY  
18 TECHNICIAN SPECIALITIES OR ITS SUCCESSOR ORGANIZATION, WHICH  
19 ORGANIZATION IS A RECOGNIZED VETERINARY TECHNICIAN SPECIALIST  
20 ORGANIZATION; OR

21 (b) A NATIONALLY RECOGNIZED VETERINARY TECHNICIAN  
22 SPECIALIST ORGANIZATION APPROVED BY THE BOARD PURSUANT TO  
23 SECTION 12-315-201 (1)(c).

24 **SECTION 3.** In Colorado Revised Statutes, 12-315-105, **amend**  
25 (1) introductory portion, (1)(j), and (2)(a); and **add** (1)(r) and (1)(s) as  
26 follows:

27 **12-315-105. License requirements and exceptions - definitions**

1 - **rules.** (1) ~~A person~~ AN INDIVIDUAL shall not practice veterinary  
2 medicine in this state if the ~~person~~ INDIVIDUAL is not a licensed  
3 veterinarian. ~~A person~~ AN INDIVIDUAL shall not practice artificial  
4 insemination or ova transplantation of cattle or other animal species in  
5 this state except in accordance with RULES ESTABLISHED PURSUANT TO  
6 section 12-315-106 (5)(c). AN INDIVIDUAL NOT LICENSED AS A  
7 VETERINARIAN PURSUANT TO THIS PART 1 SHALL NOT DIAGNOSE, ISSUE  
8 PROGNOSSES FOR, PRESCRIBE FOR, AUTHORIZE TREATMENT PLANS FOR, OR  
9 PERFORM SURGERY ON AN ANIMAL. This article 315 does not prohibit:

10 (j) (I) Any ~~person~~ INDIVIDUAL from performing duties ~~other than~~  
11 ~~diagnosis, prescription, surgery, or initiating treatment~~ under the ~~direction~~  
12 ~~and~~ APPROPRIATE LEVEL OF supervision ~~of~~ BY a licensed veterinarian who  
13 ~~shall be~~ IS responsible for the ~~person's~~ INDIVIDUAL'S performance IN  
14 ACCORDANCE WITH BOARD RULES ADOPTED PURSUANT TO SECTION  
15 12-315-105.5 (4); OR

16 (II) A LICENSED VETERINARIAN FROM DELEGATING VETERINARY  
17 TASKS RELATED TO THE DIAGNOSIS, PROGNOSIS, PRESCRIPTION, OR  
18 TREATMENT OF, OR THE PERFORMANCE OF SURGERY ON, AN ANIMAL  
19 UNDER THE LICENSED VETERINARIAN'S SUPERVISION IN ACCORDANCE WITH  
20 BOARD RULES ADOPTED PURSUANT TO SECTION 12-315-105.5 (4);

21 (r) AN INDIVIDUAL ACTING UNDER THE SUPERVISION OF A  
22 LICENSED VETERINARIAN FROM PROVIDING CARE TO ANIMALS LOCATED AT  
23 AN ANIMAL SHELTER THAT ARE THE PROPERTY OF AN ANIMAL SHELTER IF:

24 (I) THE INDIVIDUAL IS PERFORMING TASKS IN COMPLIANCE WITH  
25 A WRITTEN OR VERBAL PROTOCOL PROVIDED BY THE SUPERVISING  
26 LICENSED VETERINARIAN; AND

27 (II) THE SUPERVISING LICENSED VETERINARIAN HAS DETERMINED

1 THE INDIVIDUAL HAS RECEIVED SUFFICIENT AND PROPER TRAINING; OR

2 (s) AN INDIVIDUAL FROM PERFORMING ACCEPTED ANIMAL  
3 HUSBANDRY ON LIVESTOCK AS THOSE TERMS ARE DEFINED IN SECTION  
4 35-42-103 IF:

5 (I) THE INDIVIDUAL IS AN OWNER OF AN ANIMAL OR IS AN  
6 INDIVIDUAL ACTING UNDER THE DIRECTION OF THE OWNER OF THE ANIMAL  
7 PURSUANT TO SUBSECTION (1)(f)(I) OF THIS SECTION; OR

8 (II) THE INDIVIDUAL ACTS UNDER THE SUPERVISION OF A LICENSED  
9 VETERINARIAN AND:

10 (A) THE SUPERVISING LICENSED VETERINARIAN HAS ESTABLISHED  
11 A VETERINARIAN-CLIENT-PATIENT RELATIONSHIP WITH THE LIVESTOCK  
12 AND ITS OWNER;

13 (B) THE INDIVIDUAL IS PERFORMING TASKS IN COMPLIANCE WITH  
14 A WRITTEN OR VERBAL PROTOCOL DEVELOPED BY THE SUPERVISING  
15 LICENSED VETERINARIAN; AND

16 (C) THE SUPERVISING LICENSED VETERINARIAN HAS DETERMINED  
17 THE INDIVIDUAL PERFORMING THE TASKS HAS RECEIVED SUFFICIENT AND  
18 PROPER TRAINING.

19 (2) (a) Notwithstanding subsection (1)(f) of this section, ~~and~~  
20 ~~except as permitted by subsection (1)(j) of this section,~~ a person who is  
21 not a licensed veterinarian shall not ~~administer,~~ distribute, dispense, or  
22 prescribe prescription drugs. Except as provided in subsection (2)(b) of  
23 this section, a licensed veterinarian must have a veterinarian-client-patient  
24 relationship with the animal and its owner or other caretaker in order to  
25 administer, distribute, dispense, or prescribe prescription drugs to or for  
26 an animal. A LICENSED VETERINARIAN MAY DELEGATE THE  
27 ADMINISTRATION OF PRESCRIPTION DRUGS OR THE FILLING OF A

1       PRESCRIPTION ORDER TO AN INDIVIDUAL UNDER AN APPROPRIATE LEVEL  
2       OF SUPERVISION DETERMINED IN ACCORDANCE WITH THIS ARTICLE 315  
3       AND BOARD RULES ADOPTED PURSUANT TO SECTION 12-315-105.5 (4).

4               **SECTION 4.** In Colorado Revised Statutes, **add** 12-315-105.5 as  
5       follows:

6               **12-315-105.5. Delegation to and supervision of veterinary**  
7       **technicians, veterinary technician specialists, and other qualified**  
8       **personnel - rules.** (1) A LICENSED VETERINARIAN MAY DELEGATE  
9       VETERINARY MEDICINE TASKS AND DUTIES TO VETERINARY TECHNICIANS  
10       OR VETERINARY TECHNICIAN SPECIALISTS IN ACCORDANCE WITH THIS  
11       SECTION AND RULES THAT THE BOARD ADOPTS PURSUANT TO SUBSECTION  
12       (4) OF THIS SECTION.

13              (2) A LICENSED VETERINARIAN SHALL ESTABLISH A  
14       VETERINARIAN-CLIENT-PATIENT RELATIONSHIP WITH AN ANIMAL OR  
15       GROUP OF ANIMALS AND THE OWNER OF THE ANIMAL OR GROUP OF  
16       ANIMALS BEFORE THE VETERINARIAN DELEGATES A VETERINARY MEDICINE  
17       TASK TO A VETERINARY TECHNICIAN, A VETERINARY TECHNICIAN  
18       SPECIALIST, OR OTHER QUALIFIED PERSONNEL.

19              (3) (a) WHEN DETERMINING WHETHER TO DELEGATE A  
20       VETERINARY MEDICINE TASK TO A VETERINARY TECHNICIAN, A  
21       VETERINARY TECHNICIAN SPECIALIST, OR OTHER QUALIFIED PERSONNEL,  
22       A LICENSED VETERINARIAN SHALL CONSIDER:

23              (I) THE LEVEL OF EDUCATION, SKILLS, TRAINING, LICENSING, AND  
24       EXPERIENCE OF THE VETERINARY TECHNICIAN, THE VETERINARY  
25       TECHNICIAN SPECIALIST, OR OTHER QUALIFIED PERSONNEL;

26              (II) THE APPROPRIATE LEVEL OF SUPERVISION FOR THE DELEGATED  
27       VETERINARY MEDICINE TASK PURSUANT TO SUBSECTION (4) OF THIS

1 SECTION AND, IF RULES HAVE BEEN ESTABLISHED BY THE BOARD, ANY  
2 APPLICABLE RULES ESTABLISHED BY THE BOARD PURSUANT TO  
3 SUBSECTION (4) OF THIS SECTION; AND

4 (III) WHETHER THE DELEGATION OF THE VETERINARY MEDICINE  
5 TASK COMPLIES WITH ALL APPLICABLE STATE AND FEDERAL LAWS.

6 (b) (I) IF A LICENSED VETERINARIAN DELEGATES A VETERINARY  
7 MEDICINE TASK TO A VETERINARY TECHNICIAN, VETERINARY TECHNICIAN  
8 SPECIALIST, OR OTHER QUALIFIED PERSONNEL AND THAT TASK IS COVERED  
9 BY RULES ESTABLISHED PURSUANT TO SUBSECTION (4) OF THIS SECTION OR  
10 AN APPLICABLE BOARD RULE, THE LICENSED VETERINARIAN MUST PROVIDE  
11 SUPERVISION AT LEAST AT THE LEVEL OF SUPERVISION PRESCRIBED BY  
12 RULE.

13 (II) IF A LICENSED VETERINARIAN DELEGATES A VETERINARY  
14 MEDICINE TASK TO A VETERINARY TECHNICIAN, VETERINARY TECHNICIAN  
15 SPECIALIST, OR OTHER QUALIFIED PERSONNEL AND THAT TASK IS NOT  
16 COVERED BY RULES ESTABLISHED PURSUANT TO SUBSECTION (4) OF THIS  
17 SECTION OR AN APPLICABLE BOARD RULE, THE LICENSED VETERINARIAN  
18 MAY DELEGATE THE TASK AT AN APPROPRIATE LEVEL OF SUPERVISION, AS  
19 DETERMINED BY THE LICENSED VETERINARIAN IN ACCORDANCE WITH THIS  
20 SECTION.

21 (4) ON OR BEFORE SEPTEMBER 1, 2025, THE BOARD SHALL ADOPT  
22 RULES REGARDING THE FOLLOWING VETERINARY MEDICINE TASKS THAT  
23 A LICENSED VETERINARIAN MAY DELEGATE TO A VETERINARY TECHNICIAN  
24 OR A VETERINARY TECHNICIAN SPECIALIST AND THE APPROPRIATE LEVEL  
25 OF SUPERVISION FOR A VETERINARY TECHNICIAN OR A VETERINARY  
26 TECHNICIAN SPECIALIST TO PERFORM THOSE TASKS:

27 (a) A LICENSED VETERINARIAN MAY DELEGATE THE FOLLOWING

1 TASKS TO A VETERINARY TECHNICIAN OR VETERINARY TECHNICIAN  
2 SPECIALIST WHO IS UNDER THE LICENSED VETERINARIAN'S IMMEDIATE  
3 SUPERVISION:

4 (I) ASSISTING IN SURGICAL PROCEDURES; AND

5 (II) THE PLACEMENT OF ABDOMINAL, THORACIC,  
6 ESOPHAGOSTOMY, OR PERCUTANEOUS ENDOSCOPIC GASTROSTOMY TUBES;

7 (b) A LICENSED VETERINARIAN MAY DELEGATE THE FOLLOWING  
8 TASKS TO A VETERINARY TECHNICIAN OR VETERINARY TECHNICIAN  
9 SPECIALIST WHO IS UNDER AT LEAST DIRECT SUPERVISION BY THE  
10 LICENSED VETERINARIAN:

11 (I) DENTAL PROCEDURES, INCLUDING:

12 (A) REMOVING CALCULUS, SOFT DEPOSITS, PLAQUE, AND STAINS;

13 (B) SMOOTHING, FILING, AND POLISHING OF TEETH;

14 (C) SINGLE ROOT EXTRACTIONS THAT DO NOT REQUIRE  
15 SECTIONING OF THE TOOTH OR SECTIONING OF THE BONE; AND

16 (D) SUTURING A GINGIVAL INCISION;

17 (II) EUTHANASIA; AND

18 (III) PLACEMENT OF EPIDURAL AND INTRAOSSEOUS CATHETERS;

19 (c) A LICENSED VETERINARIAN MAY DELEGATE THE FOLLOWING  
20 TASKS TO A VETERINARY TECHNICIAN OR VETERINARY TECHNICIAN  
21 SPECIALIST WHO IS UNDER AT LEAST INDIRECT SUPERVISION BY THE  
22 LICENSED VETERINARIAN:

23 (I) UNLESS PROHIBITED BY STATE OR FEDERAL LAW, THE  
24 ADMINISTRATION AND APPLICATION OF TREATMENTS, INCLUDING:

25 (A) PRESCRIPTION DRUGS;

26 (B) MEDICATIONS;

27 (C) CONTROLLED SUBSTANCES;

- 1 (D) ENEMAS; AND
- 2 (E) BIOLOGICAL IMMUNOLOGICAL AGENTS;
- 3 (II) INTRAVENOUS AND INTRA-ARTERIAL CATHETERIZATIONS AND
- 4 MAINTENANCE;
- 5 (III) IMAGING, INCLUDING RADIOGRAPHY, ULTRASONOGRAPHY,
- 6 COMPUTED TOMOGRAPHY, MAGNETIC RESONANCE IMAGING, AND
- 7 FLUOROSCOPY AND THE ADMINISTRATION OF RADIOPAQUE AGENTS OR
- 8 MATERIALS;
- 9 (IV) UNLESS PROHIBITED BY STATE OR FEDERAL LAW, THE
- 10 COLLECTION OF:
- 11 (A) BLOOD;
- 12 (B) CELLULAR OR MICROBIOLOGICAL SAMPLES THROUGH SKIN
- 13 SCRAPINGS, IMPRESSIONS, OR OTHER NONSURGICAL METHODS; AND
- 14 (C) URINE THROUGH BLADDER EXPRESSION, UNOBSTRUCTED
- 15 CATHETERIZATION, OR INSERTION OF AN INDWELLING URINARY CATHETER;
- 16 (V) MONITORING OF:
- 17 (A) AN ELECTROCARDIOGRAM, OR "EKG";
- 18 (B) BLOOD PRESSURE; AND
- 19 (C) CARBON DIOXIDE AND BLOOD OXYGEN SATURATION;
- 20 (VI) CLINICAL LABORATORY TEST PROCEDURES;
- 21 (VII) HANDLING AND DISPOSING OF BIOHAZARDOUS WASTE
- 22 MATERIALS;
- 23 (VIII) IMPLANTATION OF A SUBCUTANEOUS MICROCHIP;
- 24 (IX) LASER THERAPY;
- 25 (X) ANIMAL REHABILITATION THERAPIES;
- 26 (XI) OCULAR TONOMETRY, SCHIRMER TEAR TESTS, OR
- 27 FLUORESCEIN STAIN APPLICATION;

- 1 (XII) SUTURE AND STAPLE REMOVAL;
- 2 (XIII) APPLICATION OF SPLINTS AND SLINGS FOR THE TEMPORARY  
3 IMMOBILIZATION OF FRACTURES;
- 4 (XIV) ADMINISTRATION OF CHEMOTHERAPY OR RADIATION  
5 THERAPY;
- 6 (XV) REPRODUCTIVE ULTRASOUND AND SEMEN EVALUATION;
- 7 (XVI) BLOOD OR BLOOD COMPONENT COLLECTION, PREPARATION,  
8 AND ADMINISTRATION FOR TRANSFUSION OR BLOOD BANKING PURPOSES;
- 9 (XVII) PLACEMENT OF GASTRIC, NASOGASTRIC, OR  
10 NASOESOPHAGEAL TUBES;
- 11 (XVIII) EAR FLUSHING WITH PRESSURE OR SUCTION;
- 12 (XIX) FLUID ASPIRATION FROM A BODY CAVITY OR ORGAN;
- 13 (XX) SUTURING, STAPLING, OR GLUING AN EXISTING SURGICAL  
14 SKIN INCISION OR SKIN LACERATION NOT PENETRATING A JOINT OR BODY  
15 CAVITY, INCLUDING MINOR WOUND MANAGEMENT AND DEBRIDEMENT;
- 16 (XXI) PLACEMENT OF NASAL CATHETERS; AND
- 17 (XXII) EMERGENCY PATIENT CARE, INCLUDING BUT NOT LIMITED  
18 TO:
- 19 (A) APPLICATION OF TOURNIQUETS OR PRESSURE PROCEDURES TO  
20 CONTROL HEMORRHAGE;
- 21 (B) APPLICATION OF APPROPRIATE WOUND DRESSINGS;
- 22 (C) RESUSCITATIVE OXYGEN PROCEDURES;
- 23 (D) ANTI-SEIZURE TREATMENT;
- 24 (E) SUPPORTIVE TREATMENT IN HEAT PROSTRATION CASES;
- 25 (F) ADMINISTRATION OF A DRUG, CONTROLLED SUBSTANCE, OR  
26 PARENTERAL FLUIDS TO MANAGE AND CONTROL PAIN, PREVENT FURTHER  
27 INJURY, PREVENT OR CONTROL SHOCK, OR PREVENT THE SUFFERING OF AN



1 ANIMAL, UP TO AND INCLUDING EUTHANASIA NOTWITHSTANDING  
2 SUBSECTION (4)(b)(II) OF THIS SECTION; AND

3 (G) INITIATION AND PERFORMANCE OF CARDIOPULMONARY  
4 RESUSCITATION, OR "CPR", INCLUDING ADMINISTRATION OF MEDICATION  
5 AND DEFIBRILLATION, AND IMMEDIATE POST-RESUSCITATION CARE.

6 (d) A LICENSED VETERINARIAN MAY DELEGATE THE TREATMENT  
7 OF MINOR MEDICAL CONDITIONS THAT ARISE FOR A PATIENT, AS  
8 DETERMINED BY THE LICENSED VETERINARIAN, TO A VETERINARY  
9 TECHNICIAN WITH ADVANCED EXPERIENCE OR A VETERINARY TECHNICIAN  
10 SPECIALIST WHO IS UNDER THE LICENSED VETERINARIAN'S SUPERVISION IF:

11 (I) THE LICENSED VETERINARIAN HAS A VALID AND CURRENT  
12 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP FOR THE PATIENT;

13 (II) THE TREATMENT IS PERFORMED IN CONSULTATION WITH THE  
14 LICENSED VETERINARIAN UNDER AT LEAST INDIRECT SUPERVISION AND  
15 UNDER PREVIOUSLY ESTABLISHED WRITTEN PROTOCOLS; AND

16 (III) THE LICENSED VETERINARIAN WILL BE ABLE TO STEP IN TO  
17 PERFORM THE TREATMENT IF IT IS DETERMINED THAT THE CONDITION OF  
18 THE PATIENT REQUIRES CARE BEYOND THE ABILITIES OF THE VETERINARY  
19 TECHNICIAN OR VETERINARY TECHNICIAN SPECIALIST.

20 (5) THE BOARD SHALL REVIEW AND UPDATE THE RULES  
21 PROMULGATED PURSUANT TO SUBSECTION (4) OF THIS SECTION AS  
22 NECESSARY TO ACCOUNT FOR DEVELOPMENTS IN THE PRACTICE OF  
23 VETERINARY MEDICINE AND VETERINARY TECHNOLOGY.

24 (6) A LICENSED VETERINARIAN MAY DELEGATE ANY VETERINARY  
25 MEDICINE TASK TO A VETERINARY TECHNICIAN SPECIALIST WHO IS UNDER  
26 AT LEAST INDIRECT SUPERVISION BY THE LICENSED VETERINARIAN IF THE  
27 LICENSED VETERINARIAN DETERMINES THE TASK IS WITHIN THE

1 VETERINARY TECHNICIAN SPECIALIST'S TRAINING AND EXPERIENCE AND IS  
2 OTHERWISE NOT IN CONFLICT WITH THIS ARTICLE 315 OR ANY OTHER  
3 STATE OR FEDERAL LAW.

4 (7) A LICENSED VETERINARIAN MAY DELEGATE ANY VETERINARY  
5 MEDICINE TASK TO AN INDIVIDUAL WHO IS NOT A VETERINARY TECHNICIAN  
6 OR VETERINARY TECHNICIAN SPECIALIST IF THE INDIVIDUAL IS UNDER THE  
7 LICENSED VETERINARIAN'S DIRECT OR IMMEDIATE SUPERVISION WHEN  
8 PERFORMING THE VETERINARY MEDICINE TASK.

9 **SECTION 5.** In Colorado Revised Statutes, 12-315-106, **amend**  
10 (5)(a) and (5)(b) as follows:

11 **12-315-106. Board of veterinary medicine - creation - powers**  
12 **- rules.** (5) The board has the power to:

13 (a) Examine and determine the qualifications and fitness of  
14 applicants for a license to practice veterinary medicine, ~~or~~ for registration  
15 as a veterinary technician, OR FOR DESIGNATION AS A VETERINARY  
16 TECHNICIAN SPECIALIST in this state;

17 (b) Pursuant to section 12-20-404, issue, renew, deny, suspend, or  
18 revoke licenses to practice veterinary medicine, ~~or~~ registrations of  
19 veterinary technicians, AND DESIGNATIONS OF REGISTERED VETERINARY  
20 TECHNICIANS AS VETERINARY TECHNICIAN SPECIALISTS in the state or  
21 otherwise discipline or fine, or both, licensees or registrants consistent  
22 with this article 315 and the rules adopted by the board under this article  
23 315;

24 **SECTION 6.** In Colorado Revised Statutes, 12-315-110, **amend**  
25 (3)(a)(II) as follows:

26 **12-315-110. License renewal - waiver - rules - continuing**  
27 **education.** (3) (a) (II) The board-approved continuing educational

1 program must:

2 (A) Require two hours of jurisprudence on the "Colorado  
3 Veterinary Practice Act" biennially; ~~and~~

4 (B) Permit a licensee to take up to sixteen hours of continuing  
5 education courses in nonbiomedical topics, which topics may include  
6 client communication, management, leadership, and other topics that  
7 support veterinary practice and a highly functional veterinary workforce;

8 AND

9 (C) REQUIRE TWO HOURS EACH LICENSING PERIOD ON TOPICS  
10 RELATED TO THE DELEGATION OF VETERINARY MEDICINE TASKS AND THE  
11 SUPERVISION OF VETERINARY TECHNICIANS, VETERINARY TECHNICIAN  
12 SPECIALISTS, AND OTHER PERSONNEL.

13 **SECTION 7.** In Colorado Revised Statutes, 12-315-112, **amend**  
14 (1)(ee) as follows:

15 **12-315-112. Discipline of licensees.** (1) Upon receipt of a signed  
16 complaint by a complainant or upon its own motion, the board may  
17 proceed to a hearing in accordance with section 12-315-113. After a  
18 hearing, and by a concurrence of a majority of members, the board may  
19 take disciplinary or other action as authorized in section 12-20-404  
20 against an applicant for a license or a licensed veterinarian for any of the  
21 following reasons:

22 (ee) Failure to properly supervise a veterinary student, a veterinary  
23 student preceptor, a veterinary technician, ~~or~~ A VETERINARY TECHNICIAN  
24 SPECIALIST, other veterinary staff, OR OTHER INDIVIDUALS WHO ARE  
25 PERFORMING VETERINARY MEDICINE TASKS UNDER A LICENSED  
26 VETERINARIAN'S SUPERVISION;

27 **SECTION 8.** In Colorado Revised Statutes, 12-315-201, **amend**

1 (1) introductory portion and (2); and **add** (1)(c), (1)(d), and (1.5) as  
2 follows:

3 **12-315-201. Additional board duties - rules - repeal.** (1) In  
4 addition to any other duties specified in this part 2 ~~or section 12-315-106~~  
5 AND SECTIONS 12-315-105.5 AND 12-315-106, the board shall:

6 (c) APPROVE NATIONALLY RECOGNIZED VETERINARY TECHNICIAN  
7 SPECIALIST CERTIFICATION ORGANIZATIONS FOR THE PURPOSES OF  
8 DESIGNATING VETERINARY TECHNICIAN SPECIALISTS IN THIS STATE; AND

9 (d) ADOPT ANY RULES NECESSARY FOR THE DELEGATION OF  
10 VETERINARY TASKS TO VETERINARY TECHNICIANS AND VETERINARY  
11 TECHNICIAN SPECIALISTS AND FOR THE SUPERVISION OF THOSE DELEGATED  
12 TASKS BY A LICENSED VETERINARIAN.

13 (1.5) THE BOARD SHALL NOT:

14 (a) CHARGE A FEE IN ADDITION TO THE REGISTRATION FEE  
15 CHARGED PURSUANT TO SECTION 12-315-123 FOR THE DESIGNATION OF  
16 VETERINARY TECHNICIAN SPECIALISTS; OR

17 (b) INCREASE THE AMOUNT OF THE REGISTRATION FEE CHARGED  
18 PURSUANT TO SECTION 12-315-123 FOR VETERINARY TECHNICIANS WHO  
19 SEEK VETERINARY TECHNICIAN SPECIALIST DESIGNATION TO AN AMOUNT  
20 THAT IS MORE THAN THE REGISTRATION FEE THAT IS REQUIRED OF OTHER  
21 VETERINARY TECHNICIANS.

22 (2) If the board does not approve a credentialing organization for  
23 purposes of credentialing veterinary technicians OR VETERINARY  
24 TECHNICIAN SPECIALISTS in this state pursuant to subsection (1)(a) OR  
25 (1)(c) of this section because there is no credentialing organization that  
26 meets the requirements set forth in subsections (1)(a)(I) to (1)(a)(IV) OR  
27 SUBSECTION (1)(c) of this section or for any other reason, the board shall

1 establish by rule and administer a credentialing process for veterinary  
2 technician registration OR VETERINARY TECHNICIAN SPECIALIST  
3 DESIGNATION pursuant to this part 2.

4 **SECTION 9.** In Colorado Revised Statutes, 12-315-203, **add**  
5 (4.5) as follows:

6 **12-315-203. Application for veterinary technician registration**  
7 **- qualifications - provisional registration - fee - veterinary technician**  
8 **specialist designation - rules - repeal.** (4.5) (a) ON AND AFTER JANUARY  
9 1, 2026, A VETERINARY TECHNICIAN MAY APPLY TO THE BOARD FOR  
10 DESIGNATION AS A VETERINARY TECHNICIAN SPECIALIST AS PART OF AN  
11 APPLICATION FOR A NEW OR A RENEWAL REGISTRATION AS A VETERINARY  
12 TECHNICIAN.

13 (b) TO OBTAIN A VETERINARY TECHNICIAN SPECIALIST  
14 DESIGNATION, AN APPLICANT MUST DEMONSTRATE TO THE BOARD'S  
15 SATISFACTION, IN THE FORM AND MANNER SPECIFIED BY THE BOARD BY  
16 RULE, THAT THE APPLICANT HAS BEEN AWARDED A SPECIALIST  
17 DESIGNATION OR CERTIFICATION FROM:

18 (I) AN ACADEMY RECOGNIZED BY THE NATIONAL ASSOCIATION OF  
19 VETERINARY TECHNICIANS IN AMERICA'S COMMITTEE OF VETERINARY  
20 TECHNICIAN SPECIALITIES, OR ITS SUCCESSOR ORGANIZATION; OR

21 (II) AN ORGANIZATION THAT THE BOARD HAS DETERMINED BY  
22 RULE TO HAVE EQUIVALENT TRAINING AND EDUCATIONAL REQUIREMENTS  
23 PURSUANT TO SECTION 12-315-201 (1)(c).

24 **SECTION 10.** In Colorado Revised Statutes, **amend** 12-315-204  
25 as follows:

26 **12-315-204. Use of title restricted.** (1) On and after January 1,  
27 2024, only ~~a person~~ AN INDIVIDUAL who is registered pursuant to ~~this part~~

1     2 SECTION 12-315-203 may use the title "veterinary technician" or  
2     "registered veterinary technician" or the initials "VT" or "RVT".

3             (2) ON AND AFTER JANUARY 1, 2026, ONLY AN INDIVIDUAL WHO  
4     HAS A VETERINARY TECHNICIAN SPECIALIST DESIGNATION PURSUANT TO  
5     SECTION 12-315-203 (4.5) MAY USE THE TITLE "VETERINARY TECHNICIAN  
6     SPECIALIST" OR "REGISTERED VETERINARY TECHNICIAN SPECIALIST" OR  
7     THE INITIALS "VTS" OR "RVTS".

8             **SECTION 11.** In Colorado Revised Statutes, 12-315-206, **amend**  
9     (3) as follows:

10            **12-315-206.     Expiration, renewal, reinstatement, or**  
11     **reactivation of a registration - inactive status - rules - definition.**

12     (3) (a) The board shall not renew, reinstate, or reactivate a registration  
13     issued pursuant to section 12-315-203 (3) unless the veterinary technician  
14     demonstrates to the board's satisfaction that the veterinary technician  
15     maintains active credentialing with the credentialing organization. Subject  
16     to board rule, the evidence may be provided by an attestation on the  
17     registration application.

18            (b) THE BOARD SHALL NOT RENEW A VETERINARY TECHNICIAN'S  
19     DESIGNATION AS A SPECIALIST OBTAINED PURSUANT TO SECTION  
20     12-315-203 (4.5) UNLESS THE VETERINARY TECHNICIAN SPECIALIST  
21     DEMONSTRATES TO THE BOARD'S SATISFACTION THAT THE VETERINARY  
22     TECHNICIAN SPECIALIST HAS SATISFIED THE CONTINUING EDUCATION  
23     REQUIREMENTS OF THE CREDENTIALING ORGANIZATION THAT ARE  
24     NECESSARY TO MAINTAIN AN ACTIVE DESIGNATION OR CERTIFICATION AS  
25     A VETERINARY TECHNICIAN SPECIALIST.

26            **SECTION 12.** In Colorado Revised Statutes, 12-315-207, **amend**  
27     (1) introductory portion, (1)(e), and (1)(n) as follows:

1           **12-315-207. Discipline of a registered veterinary technician -**  
2 **repeal.** (1) Upon receipt of a signed complaint by a complainant or upon  
3 its own motion, the board may proceed to a hearing in accordance with  
4 section 12-315-113. After a hearing, and by a concurrence of a majority  
5 of members, the board may take disciplinary action as authorized in  
6 section 12-20-404 against an applicant for a registration, ~~or~~ a registered  
7 veterinary technician, OR A VETERINARY TECHNICIAN SPECIALIST for any  
8 of the following reasons:

9           (e) Unprofessional or unethical conduct or engaging in practices  
10 that are in violation of generally accepted standards for practice as a  
11 veterinary technician OR AS A VETERINARY TECHNICIAN SPECIALIST or  
12 prescribed by the rules of the board;

13           (n) Practicing or performing services beyond ~~a registrant's~~ THE  
14 scope of competence OF A REGISTERED VETERINARY TECHNICIAN OR A  
15 DESIGNATED VETERINARY TECHNICIAN SPECIALIST OR WITHOUT THE  
16 APPROPRIATE LEVEL OF SUPERVISION BY A LICENSED VETERINARIAN;

17           **SECTION 13.** In Colorado Revised Statutes, **amend** 12-315-209  
18 as follows:

19           **12-315-209. Duties of licensed veterinarian - supervision of**  
20 **veterinary technicians and veterinary technician specialists - rules.**

21 (1) A veterinary technician OR VETERINARY TECHNICIAN SPECIALIST is  
22 authorized to provide care to animals under the ~~direction and~~  
23 APPROPRIATE LEVEL OF supervision, as ~~defined~~ DETERMINED by the board  
24 by rule ~~of~~ PURSUANT TO SECTION 12-315-105.5 (4), BY a licensed  
25 veterinarian who is responsible for the veterinary technician's OR  
26 VETERINARY TECHNICIAN SPECIALIST'S performance. The licensed  
27 veterinarian ~~directing~~ DELEGATING TASKS TO and supervising the

1 veterinary technician OR VETERINARY TECHNICIAN SPECIALIST is  
2 responsible for the care of the animal.

3 (2) Nothing in this part 2 prohibits a person who is not a  
4 veterinary technician OR VETERINARY TECHNICIAN SPECIALIST pursuant  
5 to this part 2 from performing tasks relating to animal care under the  
6 ~~direction and~~ DIRECTOR IMMEDIATE supervision of a licensed veterinarian  
7 who is responsible for the care of the animal.

8 **SECTION 14.** In Colorado Revised Statutes, **amend** 12-315-210  
9 as follows:

10 **12-315-210. Unauthorized practice - penalties.** A person who  
11 practices or offers or attempts to practice as a veterinary technician  
12 without an active registration issued under this part 2 OR AS A  
13 VETERINARY TECHNICIAN SPECIALIST WITHOUT AN ACTIVE VETERINARY  
14 TECHNICIAN SPECIALIST DESIGNATION UNDER THIS PART 2 is subject to  
15 penalties pursuant to section 12-20-407 (1)(a).

16 **SECTION 15. Act subject to petition - effective date.** This act  
17 takes effect at 12:01 a.m. on the day following the expiration of the  
18 ninety-day period after final adjournment of the general assembly; except  
19 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
20 of the state constitution against this act or an item, section, or part of this  
21 act within such period, then the act, item, section, or part will not take  
22 effect unless approved by the people at the general election to be held in  
23 November 2024 and, in such case, will take effect on the date of the  
24 official declaration of the vote thereon by the governor.



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

**Bill B**

LLS NO. 24-0358.01 Richard Sweetman x4333

**SENATE BILL**

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**SENATE SPONSORSHIP**

**Bridges and Simpson**, Hinrichsen, Pelton B., Pelton R., Roberts

**HOUSE SPONSORSHIP**

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**Senate Committees**

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING CONSERVANCY DISTRICTS, AND, IN CONNECTION**  
102            **THEREWITH, AUTHORIZING A CONSERVANCY DISTRICT TO**  
103            **PARTICIPATE IN A PLAN FOR AUGMENTATION; CONTRACT WITH**  
104            **WATER USERS OUTSIDE THE CONSERVANCY DISTRICT FOR THE**  
105            **PROVISION OF SERVICES; EXERCISE CERTAIN POWERS**  
106            **REGARDING THE CONTROL, DELIVERY, USE, AND DISTRIBUTION**  
107            **OF WATER; ESTABLISH A WATER ACTIVITY ENTERPRISE; AND**  
108            **SELL, LEASE, OR OTHERWISE DISPOSE OF THE USE OF WATER OR**  
109            **CAPACITY IN WORKS BY CONTRACT.**

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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*

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.*

*applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Water Resources and Agriculture Review Committee.** Under current law, when certain conditions exist, a district court may establish conservancy districts for the conservation, development, utilization, and disposal of water for agricultural, municipal, and industrial uses. **Section 1** of the bill allows conservancy districts to conserve, develop, utilize, or dispose of water for commercial uses as well.

**Section 2** authorizes the board of directors of a conservancy district to:

- Submit and participate in a plan for augmentation for the benefit of water rights and wells within and outside of the boundaries of the conservancy district;
- Contract with water users within and outside of the conservancy district for the provision of services;
- Exercise certain powers concerning the management, control, delivery, use, and distribution of water in conjunction with a plan for augmentation;
- In conjunction with **sections 4 and 5**, establish a water activity enterprise, which is a government-run business, for the purpose of pursuing or continuing water activities; and
- Sell, lease, or otherwise dispose of the use of water or capacity in works by term contracts or by contracts for the perpetual use of the water or works to certain entities.

**Section 3** authorizes a conservancy district to:

- Enter into long-term contracts with public and private entities for the accomplishment of functions of the conservancy district; and
- Avail itself of aid, assistance, and cooperation from the federal government, the state government, and local governments.

**Sections 4 and 5** allow a conservancy district to establish a water activity enterprise, which is a business that receives less than 10% of its annual revenues in grants from all Colorado state and local governments combined, is authorized to issue its own revenue bonds, and is excluded from the provisions of the "Taxpayer's Bill of Rights" in the state constitution.

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

2 **SECTION 1.** In Colorado Revised Statutes, 37-2-101, **amend** (1)

3 introductory portion and (1)(f) as follows:

1           **37-2-101. Jurisdiction of district court to establish**  
2 **conservancy district - purposes of districts.** (1) ~~The district court~~  
3 ~~sitting in and for any county in this state has jurisdiction,~~ When the  
4 conditions stated in section 37-2-102 are found to exist, ~~to~~ A DISTRICT  
5 COURT MAY establish A conservancy ~~districts~~ DISTRICT, which may be  
6 entirely ~~within~~ or partly within ~~and partly without~~ the judicial district in  
7 which ~~said~~ THE court is located, for any of the following purposes:

8           (f) ~~The conservation, development, utilization, and disposal of~~  
9 ~~water~~ CONSERVING, DEVELOPING, UTILIZING, OR DISPOSING OF WATER for  
10 agricultural, municipal, ~~and~~ COMMERCIAL, OR industrial uses; ~~thereof,~~  
11 ~~when desirable as a part of a project or undertaking the principal purpose~~  
12 ~~of which is one or more of the purposes set out in this section;~~ OR

13           **SECTION 2.** In Colorado Revised Statutes, 37-3-103, **amend** (1)  
14 introductory portion and (1)(k); and **add** (1)(m), (1)(n), (1)(o), (1)(p), and  
15 (1)(q) as follows:

16           **37-3-103. General powers - definition.** (1) To protect life and  
17 property within the CONSERVANCY district and to protect or relieve land  
18 THAT IS subject to overflowing or washing or that is menaced or  
19 threatened by the normal flow, flood, surplus, or overflow of waters of  
20 any natural watercourse, stream, canyon, or wash, whether perennial,  
21 intermittent, or flood; ~~and to effect the protection of~~ PROTECT the land and  
22 other property in the CONSERVANCY district; and to accomplish all other  
23 purposes of the CONSERVANCY district, the board of directors is  
24 authorized:

25           (k) To participate in the development of parks and recreational  
26 facilities within the boundaries of the CONSERVANCY district, including  
27 the development of trails, greenways, and riverfronts, and to consider

1 such participation a current expense of the CONSERVANCY district; and

2 (m) TO SUBMIT AND PARTICIPATE IN A PLAN FOR AUGMENTATION,  
3 AS DEFINED IN SECTION 37-92-103 (9), FOR THE BENEFIT OF WATER  
4 RIGHTS, AS DEFINED IN SECTION 37-92-103 (12), AND WELLS, AS DEFINED  
5 IN SECTION 37-92-103 (14), INCLUDING AGRICULTURAL, MUNICIPAL,  
6 COMMERCIAL, AND INDUSTRIAL WELLS WITHIN AND OUTSIDE THE  
7 BOUNDARIES OF THE CONSERVANCY DISTRICT;

8 (n) (I) TO CONTRACT WITH WATER USERS WITHIN AND OUTSIDE OF  
9 THE CONSERVANCY DISTRICT FOR THE PROVISION OF SERVICES TO SUCH  
10 WATER USERS.

11 (II) AS USED IN THIS SUBSECTION (1)(n), "SERVICES" MEANS:

12 (A) TRANSFERRING, CONSERVING, RECHARGING, AUGMENTING,  
13 EXCHANGING, CHANGING, USING, OR REUSING WATER SUPPLIES;

14 (B) THE RETIREMENT OF WELLS; AND

15 (C) SUCH OTHER SERVICES AS THE BOARD MAY CONTRACT TO  
16 PROVIDE.

17 (o) TO EXERCISE, IN CONJUNCTION WITH A PLAN FOR  
18 AUGMENTATION, THE FOLLOWING POWERS CONCERNING THE  
19 MANAGEMENT, CONTROL, DELIVERY, USE, AND DISTRIBUTION OF WATER  
20 BY THE CONSERVANCY DISTRICT:

21 (I) TO MAKE AND ENFORCE ALL REASONABLE RULES FOR THE  
22 MANAGEMENT, CONTROL, DELIVERY, USE, AND DISTRIBUTION OF WATER;

23 (II) TO WITHHOLD, PURSUANT TO ANY CONTRACTS, THE DELIVERY  
24 OF WATER IF THERE ARE ANY DEFAULTS OR DELINQUENCIES OF PAYMENT;

25 (III) TO DECLARE FORFEITURES OF RIGHTS TO THE USE OF WATER  
26 UPON DEFAULT OR UPON FAILURE TO COMPLY WITH ANY COURT ORDER,  
27 CONTRACT, OR AGREEMENT FOR THE PURCHASE, LEASE, OR USE OF WATER

1 AND TO RESELL, LEASE, OR OTHERWISE DISPOSE OF WATER UPON WHICH  
2 FORFEITURE HAS BEEN DECLARED;

3 (IV) TO ALLOCATE AND REALLOCATE THE USE OF WATER TO LANDS  
4 WITHIN AND OUTSIDE OF THE CONSERVANCY DISTRICT;

5 (V) TO GRANT THE RIGHT, UPON TERMS, TO TRANSFER WATER  
6 FROM LANDS TO WHICH WATER HAS BEEN ALLOCATED TO OTHER LANDS  
7 WITHIN OR OUTSIDE OF THE CONSERVANCY DISTRICT;

8 (VI) TO RETIRE WELLS;

9 (VII) TO ACQUIRE, CONSTRUCT, OPERATE, CONTROL, AND USE ANY  
10 WORKS, FACILITIES, AND MEANS NECESSARY OR REASONABLE TO THE  
11 EXERCISE OF ITS POWER, BOTH WITHIN AND OUTSIDE OF THE  
12 CONSERVANCY DISTRICT FOR THE PURPOSE OF PROVIDING FOR THE USE OF  
13 WATER WITHIN THE DISTRICT; AND

14 (VIII) TO PERFORM ANY AND ALL TASKS NECESSARY OR  
15 REASONABLE FOR THE FULL EXERCISE OF THE POWERS GRANTED IN THIS  
16 SUBSECTION (1)(o);

17 (p) TO ESTABLISH A WATER ACTIVITY ENTERPRISE FOR THE  
18 PURPOSE OF PURSUING OR CONTINUING WATER ACTIVITIES, AS DESCRIBED  
19 IN ARTICLE 45.1 OF THIS TITLE 37; AND

20 (q) TO SELL, LEASE, OR OTHERWISE DISPOSE OF THE USE OF WATER  
21 OR CAPACITY IN WORKS BY TERM CONTRACTS OR BY CONTRACTS FOR THE  
22 PERPETUAL USE OF THE WATER OR WORKS TO PUBLIC CORPORATIONS;  
23 DISTRICTS, AS DEFINED IN SECTION 37-45.1-102 (1); CONSERVANCY  
24 DISTRICTS; UTILITIES; MUTUAL DITCH COMPANIES; WATER USERS'  
25 ASSOCIATIONS; PRIVATE CORPORATIONS; AND OTHER PERSONS FOR  
26 IRRIGATION, DOMESTIC, MUNICIPAL, INDUSTRIAL, COMMERCIAL, OR OTHER  
27 AUTHORIZED USES, IN WRITING, AUTHORIZED AND ENTERED INTO BY THE

1 BOARD. THE BOARD SHALL REQUIRE THAT SECURITY BE GIVEN TO SECURE  
2 THE PAYMENTS TO BE MADE UNDER THE CONTRACTS, WHICH SECURITY  
3 MAY INCLUDE THE SECURITY DESCRIBED IN SECTION 37-45-132 OR SUCH  
4 OTHER SECURITY AS THE BOARD DETERMINES TO BE APPROPRIATE. THE  
5 CONTRACTS MAY INCLUDE THE CONTRACTUAL PROVISIONS SPECIFIED IN  
6 SECTION 31-35-402 (1)(h) AS DETERMINED BY THE BOARD.

7 **SECTION 3.** In Colorado Revised Statutes, **add** 37-3-103.5 as  
8 follows:

9 **37-3-103.5. Cooperative powers - aid, assistance, and**  
10 **cooperation from governments.** (1) A CONSERVANCY DISTRICT MAY,  
11 WITHOUT CONDUCTING AN ELECTION, ENTER INTO LONG-TERM CONTRACTS  
12 WITH THE FEDERAL GOVERNMENT, THE STATE OR ANY POLITICAL  
13 SUBDIVISION OF THE STATE, A PRIVATE COMPANY, ANY PERSON, OR ANY  
14 COMBINATION THEREOF FOR A TERM NOT EXCEEDING SEVENTY-FIVE YEARS  
15 FOR THE PERFORMANCE OF FUNCTIONS OF THE CONSERVANCY DISTRICT,  
16 WHICH FUNCTIONS, IN THE DISCRETION OF THE CONSERVANCY DISTRICT,  
17 CAN DESIRABLY AND CONVENIENTLY BE CARRIED OUT UNDER CONTRACT.  
18 HOWEVER, ANY SUCH CONTRACT MUST INCLUDE TERMS AND CONDITIONS  
19 THAT ENABLE THE CONSERVANCY DISTRICT TO RETAIN REASONABLE  
20 SUPERVISION AND CONTROL OF SUCH FUNCTIONS.

21 (2) THE CONSERVANCY DISTRICT MAY ACT AS NECESSARY TO  
22 AVAIL ITSELF OF AID, ASSISTANCE, AND COOPERATION FROM THE STATE  
23 GOVERNMENT OR FEDERAL GOVERNMENT OR FROM ANY LOCAL  
24 GOVERNMENT.

25 **SECTION 4.** In Colorado Revised Statutes, 37-45.1-101, **amend**  
26 (1) introductory portion as follows:

27 **37-45.1-101. Legislative declaration.** (1) The general assembly

1 hereby finds, determines, and declares that in order to provide for the  
2 continued beneficial use of all waters originating in Colorado, the  
3 establishment of water activity enterprises within or by CONSERVANCY  
4 DISTRICTS, water conservancy districts, water conservation districts, and  
5 other entities of state and local government is critical to the health and  
6 welfare of the people of the state of Colorado. The general assembly  
7 further finds that water activities are necessary to:

8 **SECTION 5.** In Colorado Revised Statutes, 37-45.1-102, **amend**  
9 the introductory portion and (1) as follows:

10 **37-45.1-102. Definitions.** As used in this ~~article~~ ARTICLE 45.1,  
11 unless the context otherwise requires:

12 (1) "District" means any state or local governmental entity that has  
13 authority to conduct water activities, including A CONSERVANCY DISTRICT  
14 CREATED PURSUANT TO ARTICLE 2 OF THIS TITLE 37, a water conservancy  
15 district created pursuant to article 45 of this ~~title~~ TITLE 37, a water  
16 conservation district created by article 46, 47, 48, or 50 of this ~~title~~ TITLE  
17 37, a water and sanitation district or other entity created pursuant to title  
18 32, ~~C.R.S.~~, an entity created pursuant to title 29 ~~C.R.S.~~, or this ~~title~~ TITLE  
19 37, a county, or a municipality.

20 **SECTION 6. Act subject to petition - effective date.** This act  
21 takes effect at 12:01 a.m. on the day following the expiration of the  
22 ninety-day period after final adjournment of the general assembly; except  
23 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
24 of the state constitution against this act or an item, section, or part of this  
25 act within such period, then the act, item, section, or part will not take  
26 effect unless approved by the people at the general election to be held in

1 November 2024 and, in such case, will take effect on the date of the  
2 official declaration of the vote thereon by the governor.



Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

Bill C

LLS NO. 24-0361.01 Jennifer Berman x3286

SENATE BILL

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SENATE SPONSORSHIP

Roberts and Will, Bridges, Hinrichsen, Pelton B., Pelton R.

HOUSE SPONSORSHIP

McLachlan and Catlin, Lynch, Martinez, McCormick

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Senate Committees

House Committees

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A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT MEMBERS OF CERTAIN STATE  
102 REGULATORY BODIES WHO ARE APPOINTED BY THE GOVERNOR  
103 HOLD MEETINGS TO ELICIT PUBLIC ENGAGEMENT.

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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/>.)*

**Water Resources and Agriculture Review Committee.** Prior to the consolidation of the division of wildlife and the division of parks and recreation and their respective commissions in Senate Bill 11-208, enacted in 2011, members of the wildlife commission were required to hold at least 2 public meetings per year in their respective geographic

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.

districts.

The bill renews the public engagement requirement for the members of the parks and wildlife commission in the department of natural resources who are appointed by the governor and adds the same public engagement requirement for members of the state agricultural commission and the Colorado water conservation board who are appointed by the governor. The bill requires the public engagement meetings be held in person.

Commission and board members subject to the public engagement requirement are entitled to reimbursement for their reasonable costs in holding public meetings. Status updates on the commission and board members' compliance with the public engagement requirement must be reported to the chair of each member's respective commission or board and included in each member's respective executive department's annual "SMART Act" presentation to the general assembly.

---

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

2           **SECTION 1.** In Colorado Revised Statutes, 33-9-101, **amend** (8);  
3 and **add** (3)(g) as follows:

4           **33-9-101. Commission - creation - composition - terms -**  
5 **vacancies - removal - meetings - strategic plan - legislative**  
6 **declaration - public engagement - reports.** (3) (g) (I) EACH YEAR THAT  
7 A VOTING MEMBER OF THE COMMISSION SERVES ON THE COMMISSION, THE  
8 VOTING MEMBER SHALL HOLD AT LEAST TWO PUBLIC, IN-PERSON MEETINGS  
9 TO DIRECTLY ENGAGE THE CONSTITUENCY OF THE INDUSTRY OR ACTIVITY  
10 THE MEMBER WAS APPOINTED TO REPRESENT; EXCEPT THAT EACH OF THE  
11 MEMBERS APPOINTED TO REPRESENT THE PUBLIC AT LARGE SHALL INVITE  
12 THE GENERAL PUBLIC TO THE MEMBER'S MEETINGS AND HOLD AT LEAST  
13 ONE MEETING PER YEAR WEST OF THE CONTINENTAL DIVIDE AND AT LEAST  
14 ONE MEETING PER YEAR EAST OF THE CONTINENTAL DIVIDE.

15           (II) THE DIRECTOR SHALL:

16           (A) FOR EACH COMMISSION MEMBER SUBJECT TO THE PUBLIC  
17 MEETINGS REQUIREMENT SET FORTH IN SUBSECTION (3)(g)(I) OF THIS

1 SECTION, TRACK AND REPORT TO THE CHAIR OF THE COMMISSION ON THE  
2 STATUS OF THE MEMBER'S PUBLIC MEETINGS AT LEAST ONCE PER YEAR AT  
3 A TIME DETERMINED BY THE CHAIR; AND

4 (B) PROVIDE THE DATA TRACKED UNDER SUBSECTION (3)(g)(II)(A)  
5 OF THIS SECTION TO THE EXECUTIVE DIRECTOR FOR INCLUSION IN THE  
6 DEPARTMENT'S ANNUAL "SMART ACT" PRESENTATION TO THE GENERAL  
7 ASSEMBLY PURSUANT TO SECTION 2-7-203.

8 (III) THE GOVERNOR MAY DETERMINE THAT A VOTING MEMBER'S  
9 FAILURE TO HOLD PUBLIC MEETINGS PURSUANT TO THIS SUBSECTION (3)(g)  
10 QUALIFIES AS CAUSE FOR REMOVAL PURSUANT TO SUBSECTION (5) OF THIS  
11 SECTION.

12 (8) For each day actually engaged in the duties of the commission,  
13 the commission members are entitled to receive a per diem amount of  
14 fifty dollars, together with all actual and necessary travel expenses to be  
15 paid after the expenses are incurred. Mileage rates are as provided in  
16 section 24-9-104. ~~C.R.S.~~ VOTING COMMISSION MEMBERS ARE ENTITLED  
17 TO BE REIMBURSED FOR REASONABLE COSTS INCURRED IN HOLDING PUBLIC  
18 MEETINGS PURSUANT TO SUBSECTION (3)(g) OF THIS SECTION.

19 **SECTION 2.** In Colorado Revised Statutes, 35-1-105, **add** (3.5)  
20 as follows:

21 **35-1-105. State agricultural commission - creation -**  
22 **composition - public engagement - reports.** (3.5) (a) EACH YEAR THAT  
23 A MEMBER SERVES ON THE COMMISSION, THE MEMBER SHALL HOLD AT  
24 LEAST TWO PUBLIC, IN-PERSON MEETINGS IN THE MEMBER'S DISTRICT;  
25 EXCEPT THAT EACH OF THE FIVE MEMBERS APPOINTED FROM THE STATE AT  
26 LARGE SHALL HOLD AT LEAST ONE MEETING PER YEAR WEST OF THE  
27 CONTINENTAL DIVIDE AND AT LEAST ONE MEETING PER YEAR EAST OF THE

1 CONTINENTAL DIVIDE.

2 (b) MEMBERS ARE ENTITLED TO BE REIMBURSED FOR REASONABLE  
3 COSTS INCURRED IN HOLDING PUBLIC MEETINGS PURSUANT TO SUBSECTION  
4 (3.5)(a) OF THIS SECTION.

5 (c) THE COMMISSIONER SHALL:

6 (I) TRACK AND REPORT TO THE CHAIR OF THE COMMISSION THE  
7 STATUS OF EACH VOTING MEMBER'S PUBLIC MEETINGS AT LEAST ONCE PER  
8 YEAR AT A TIME DETERMINED BY THE CHAIR; AND

9 (II) INCLUDE THE DATA TRACKED UNDER SUBSECTION (3.5)(c)(I)  
10 OF THIS SECTION IN THE DEPARTMENT'S ANNUAL "SMART ACT"  
11 PRESENTATION TO THE GENERAL ASSEMBLY PURSUANT TO SECTION  
12 2-7-203.

13 (d) THE GOVERNOR MAY DETERMINE THAT A COMMISSION  
14 MEMBER'S FAILURE TO HOLD PUBLIC MEETINGS PURSUANT TO THIS  
15 SUBSECTION (3.5) QUALIFIES AS CAUSE FOR REMOVAL FROM THE  
16 COMMISSION.

17 **SECTION 3.** In Colorado Revised Statutes, 37-60-104, **add** (5)  
18 as follows:

19 **37-60-104. Composition of the board - public engagement -**  
20 **reports.** (5) (a) EACH YEAR THAT A BOARD MEMBER APPOINTED  
21 PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION SERVES ON THE BOARD,  
22 THE MEMBER SHALL HOLD AT LEAST TWO PUBLIC, IN-PERSON MEETINGS IN  
23 THE GEOGRAPHIC AREA THAT THE MEMBER REPRESENTS.

24 (b) MEMBERS ARE ENTITLED TO BE REIMBURSED FOR REASONABLE  
25 COSTS INCURRED IN HOLDING PUBLIC MEETINGS PURSUANT TO SUBSECTION  
26 (5)(a) OF THIS SECTION AS NECESSARY EXPENSES ACTUALLY INCURRED IN  
27 THE PERFORMANCE OF OFFICIAL DUTIES IN ACCORDANCE WITH SECTION

1 37-60-111.

2 (c) THE DIRECTOR OF THE BOARD SHALL:

3 (I) FOR EACH BOARD MEMBER SUBJECT TO THE PUBLIC MEETINGS  
4 REQUIREMENT SET FORTH IN SUBSECTION (5)(a) OF THIS SECTION, TRACK  
5 AND REPORT TO THE CHAIR OF THE BOARD THE STATUS OF THE BOARD  
6 MEMBER'S PUBLIC MEETINGS AT LEAST ONCE PER YEAR AT A TIME  
7 DETERMINED BY THE CHAIR; AND

8 (II) PROVIDE THE DATA TRACKED UNDER SUBSECTION (5)(c)(I) OF  
9 THIS SECTION TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
10 NATURAL RESOURCES FOR INCLUSION IN THE DEPARTMENT'S ANNUAL  
11 "SMART ACT" PRESENTATION TO THE GENERAL ASSEMBLY PURSUANT TO  
12 SECTION 2-7-203.

13 (d) THE GOVERNOR MAY DETERMINE THAT A BOARD MEMBER'S  
14 FAILURE TO HOLD PUBLIC MEETINGS PURSUANT TO THIS SUBSECTION (5)  
15 QUALIFIES AS CAUSE FOR REMOVAL FROM THE BOARD.

16 **SECTION 4. Act subject to petition - effective date.** This act  
17 takes effect January 1, 2025; except that, if a referendum petition is filed  
18 pursuant to section 1 (3) of article V of the state constitution against this  
19 act or an item, section, or part of this act within the ninety-day period  
20 after final adjournment of the general assembly, then the act, item,  
21 section, or part will not take effect unless approved by the people at the  
22 general election to be held in November 2024 and, in such case, will take  
23 effect January 1, 2025, or on the date of the official declaration of the  
24 vote thereon by the governor, whichever is later.



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

**Bill D**

LLS NO. 24-0362.02 Sarah Lozano x3858

**SENATE BILL**

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**SENATE SPONSORSHIP**

**Roberts and Simpson,** Bridges, Hinrichsen

**HOUSE SPONSORSHIP**

**McCormick and McLachlan,**

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**Senate Committees**

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CONSERVATION OF WATER IN THE STATE THROUGH**  
102 **THE PROHIBITION OF CERTAIN LANDSCAPING PRACTICES.**

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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/>.)*

**Water Resources and Agriculture Review Committee.** On and after January 1, 2025, the bill prohibits local governments and unit owners' associations of common interest communities from allowing the installation, planting, or placement of nonfunctional turf, artificial turf, or invasive plant species on commercial, institutional, or industrial property or a transportation corridor. The bill also prohibits the

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.

department of personnel from allowing the installation, planting, or placement of nonfunctional turf, artificial turf, or invasive plant species as part of a project for the construction or renovation of a state facility, which project commences on or after January 1, 2025.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 99 to title  
3 37 as follows:

4 **ARTICLE 99**

5 **Prohibition of Nonfunctional Turf,**  
6 **Artificial Turf, and Invasive Plant Species**

7 **37-99-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
8 HEREBY FINDS THAT:

9 (a) AS COLORADO CONTINUES TO GRAPPLE WITH THE IMPACTS OF  
10 CLIMATE CHANGE, GREEN URBAN SPACES, SUCH AS URBAN TREE CANOPIES,  
11 ARE A VITAL ADAPTATION TOOL FOR MITIGATING THE IMPACTS OF CLIMATE  
12 CHANGE, ESPECIALLY FOR MITIGATING THE URBAN HEAT ISLAND EFFECT,  
13 WHICH CAN INCREASE ENERGY COSTS, AIR POLLUTION, AND HEAT-RELATED  
14 ILLNESSES AND DEATHS;

15 (b) HOWEVER, WATER SUPPLY IN THE WESTERN UNITED STATES IS  
16 UNDER INCREASING PRESSURE DUE TO CLIMATE CHANGE AND INCREASING  
17 DEMAND;

18 (c) MANY COMMUNITIES IN THE STATE OVERUSE NONNATIVE  
19 GRASS FOR LANDSCAPING PURPOSES, WHICH REQUIRES LARGE AMOUNTS  
20 OF WATER TO MAINTAIN;

21 (d) WHILE THERE ARE APPROPRIATE AND IMPORTANT USES FOR  
22 TURF, INCLUDING FOR CIVIC, COMMUNITY, OR RECREATIONAL PURPOSES  
23 SUCH AS USE IN PARKS, SPORTS FIELDS, AND PLAYGROUNDS, MUCH OF THE



1 TURF IN THE STATE IS NONFUNCTIONAL, LOCATED IN AREAS THAT RECEIVE  
2 LITTLE, IF ANY, USE, AND COULD BE REPLACED WITH WATER-WISE  
3 LANDSCAPING WITHOUT ADVERSELY IMPACTING QUALITY OF LIFE OR  
4 LANDSCAPE FUNCTIONALITY;

5 (e) PROHIBITING THE INSTALLATION, PLANTING, OR PLACEMENT OF  
6 NONFUNCTIONAL TURF IN COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL  
7 PROPERTY OR A TRANSPORTATION CORRIDOR IN THE STATE CAN HELP  
8 CONSERVE THE STATE'S WATER RESOURCES; AND

9 (f) ADDITIONALLY, ARTIFICIAL TURF CAN CAUSE NEGATIVE  
10 ENVIRONMENTAL IMPACTS, SUCH AS EXACERBATING HEAT ISLAND EFFECTS  
11 IN URBAN AREAS AND RELEASING HARMFUL CHEMICALS INTO THE  
12 ENVIRONMENT AND WATERSHEDS.

13 (2) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT  
14 PREVENTING THE INSTALLATION, PLANTING, OR PLACEMENT OF  
15 NONFUNCTIONAL TURF, ARTIFICIAL TURF, AND INVASIVE PLANT SPECIES IN  
16 COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL PROPERTY OR A  
17 TRANSPORTATION CORRIDOR IS:

18 (a) A MATTER OF STATEWIDE CONCERN; AND

19 (b) IN THE PUBLIC INTEREST.

20 **37-99-102. Definitions.** AS USED IN THIS ARTICLE 99, UNLESS THE  
21 CONTEXT OTHERWISE REQUIRES:

22 (1) "ARTIFICIAL TURF" MEANS AN INSTALLATION OF SYNTHETIC  
23 MATERIALS DEVELOPED TO RESEMBLE NATURAL GRASS.

24 (2) "COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL" HAS THE  
25 MEANING SET FORTH IN SECTION 37-60-135 (2)(b).

26 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF PERSONNEL  
27 CREATED IN SECTION 24-1-128 (1).

1 (4) "INVASIVE PLANT SPECIES" HAS THE MEANING SET FORTH IN  
2 SECTION 37-60-135 (2)(e).

3 (5) "LOCAL ENTITY" MEANS A:

4 (a) HOME RULE OR STATUTORY CITY, COUNTY, CITY AND COUNTY,  
5 TERRITORIAL CHARTER CITY, OR TOWN;

6 (b) SPECIAL DISTRICT; AND

7 (c) UNIT OWNERS' ASSOCIATION.

8 (6) "MAINTAIN" OR "MAINTAINING" MEANS AN ACTION TO  
9 PRESERVE THE EXISTING STATE OF NONFUNCTIONAL TURF, ARTIFICIAL  
10 TURF, OR INVASIVE PLANT SPECIES THAT HAS ALREADY BEEN INSTALLED,  
11 PLANTED, OR PLACED.

12 (7) (a) "NONFUNCTIONAL TURF" MEANS TURF THAT IS:

13 (I) PREDOMINANTLY ORNAMENTAL; AND

14 (II) LOCATED IN AN AREA ON, OR ADJACENT TO, A STREET,  
15 SIDEWALK, DRIVEWAY, PARKING LOT, FRONTAGE AREA, OR MEDIAN THAT  
16 IS NOT REGULARLY USED FOR CIVIC, COMMUNITY, OR RECREATIONAL  
17 PURPOSES.

18 (b) "NONFUNCTIONAL TURF" DOES NOT INCLUDE TURF THAT IS  
19 LOCATED IN A PARK, SPORTS FIELD, OR PLAYGROUND.

20 (8) "SPECIAL DISTRICT" HAS THE MEANING SET FORTH IN SECTION  
21 32-1-103 (20).

22 (9) "TURF" HAS THE MEANING SET FORTH IN SECTION 37-60-135  
23 (2)(i).

24 (10) "UNIT OWNERS' ASSOCIATION" HAS THE MEANING SET FORTH  
25 IN SECTION 38-33.3-103 (3).

26 **37-99-103. Prohibition of nonfunctional turf, artificial turf,**  
27 **and invasive plant species - local entities - construction or renovation**

1 **of state facilities.** (1) ON AND AFTER JANUARY 1, 2025, A LOCAL ENTITY  
2 SHALL NOT INSTALL, PLANT, OR PLACE, OR ALLOW ANY PERSON TO  
3 INSTALL, PLANT, OR PLACE, ANY NONFUNCTIONAL TURF, ARTIFICIAL TURF,  
4 OR INVASIVE PLANT SPECIES ON ANY PORTION OF A COMMERCIAL,  
5 INSTITUTIONAL, OR INDUSTRIAL PROPERTY OR A TRANSPORTATION  
6 CORRIDOR WITHIN THE LOCAL ENTITY'S JURISDICTION.

7 (2) THE DEPARTMENT SHALL NOT INSTALL, PLANT, OR PLACE, OR  
8 ALLOW ANY PERSON TO INSTALL, PLANT, OR PLACE, ANY NONFUNCTIONAL  
9 TURF, ARTIFICIAL TURF, OR INVASIVE PLANT SPECIES AS PART OF A PROJECT  
10 FOR THE CONSTRUCTION OR RENOVATION OF A STATE FACILITY, WHICH  
11 PROJECT COMMENCES ON OR AFTER JANUARY 1, 2025.

12 (3) NOTHING IN THIS SECTION PROHIBITS A LOCAL ENTITY OR THE  
13 DEPARTMENT FROM:

14 (a) MAINTAINING, OR ALLOWING ANY PERSON TO MAINTAIN, ANY  
15 NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR INVASIVE PLANT SPECIES  
16 INSTALLED, PLANTED, OR PLACED BEFORE JANUARY 1, 2025; OR

17 (b) INSTALLING, OR ALLOWING ANY PERSON TO INSTALL,  
18 ARTIFICIAL TURF ON ATHLETIC FIELDS OF PLAY.

19 **SECTION 2.** In Colorado Revised Statutes, 38-33.3-106.5, **add**  
20 (3) as follows:

21 **38-33.3-106.5. Prohibitions contrary to public policy -**  
22 **patriotic, political, or religious expression - public rights-of-way - fire**  
23 **prevention - renewable energy generation devices - affordable**  
24 **housing - drought prevention measures - child care - definitions.**

25 (3) NOTWITHSTANDING SUBSECTIONS (1)(i) AND (1)(i.5) OF THIS SECTION,  
26 AN ASSOCIATION SHALL NOT INSTALL, PLANT, OR PLACE, OR ALLOW ANY  
27 PERSON TO INSTALL, PLANT, OR PLACE, ANY NONFUNCTIONAL TURF,

1 ARTIFICIAL TURF, OR INVASIVE PLANT SPECIES, AS THOSE TERMS ARE  
2 DEFINED IN SECTION 37-99-102, IN A COMMON INTEREST COMMUNITY IN  
3 A MANNER THAT VIOLATES SECTION 37-99-103.

4 **SECTION 3. Act subject to petition - effective date -**  
5 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
6 the expiration of the ninety-day period after final adjournment of the  
7 general assembly; except that, if a referendum petition is filed pursuant  
8 to section 1 (3) of article V of the state constitution against this act or an  
9 item, section, or part of this act within such period, then the act, item,  
10 section, or part will not take effect unless approved by the people at the  
11 general election to be held in November 2024 and, in such case, will take  
12 effect on the date of the official declaration of the vote thereon by the  
13 governor.

14 (2) This act does not apply to projects approved by the department  
15 of personnel or a local entity before the effective date of this act.

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

**Bill E**

LLS NO. 24-0363.01 Christopher McMichael x4775

**HOUSE BILL**

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**HOUSE SPONSORSHIP**

**McCormick and Martinez**, McLachlan

**SENATE SPONSORSHIP**

**Ginal and Pelton B.**, Pelton R., Simpson

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**House Committees**

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE PROVISION OF VETERINARY SERVICES THROUGH**  
102      **TELEHEALTH.**

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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/>.)*

**Water Resources and Agriculture Review Committee.** The bill concerns the use of telehealth to provide veterinary services. The bill defines different types of telehealth tools that can be used in a veterinary practice.

In current law, one criterion for the establishment of a veterinarian-client-patient relationship is that the veterinarian has

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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.

conducted an examination of the animal that is the patient. The bill clarifies that the examination must be an in-person, physical examination. The bill also extends the veterinarian-client-patient relationship to other licensed veterinarians who share the same physical premises as the veterinarian who established the relationship if the other veterinarians have access to and have reviewed the patient's medical records.

The bill allows a licensed veterinarian who has established a veterinarian-client-patient relationship to use telehealth to provide veterinary services to clients and patients in Colorado with the consent of the client. A licensed veterinarian may also refer a patient to a veterinary specialist, who may provide veterinary services via telemedicine under the referring veterinarian's veterinarian-client-patient relationship.

The bill authorizes the board of veterinary medicine to establish rules for the use of telehealth to provide veterinary services.

The bill clarifies that only a licensed veterinarian with an established veterinarian-client-patient relationship may prescribe medication using telemedicine.

The bill allows a licensed veterinarian who has established a veterinarian-client-patient relationship to supervise veterinary personnel who are not located on the same premises using telesupervision if the veterinarian and the personnel are employees of the same veterinary practice and the veterinary premises, veterinary professionals or other veterinary personnel, and the patient are all located in Colorado.

The bill establishes record-keeping, confidentiality, and privacy requirements related to the use of telehealth.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-315-104, **amend**  
3 (19) as follows:

4 **12-315-104. Definitions.** As used in this article 315, unless the  
5 context otherwise requires:

6 (19)(a) "Veterinarian-client-patient relationship" means ~~that~~ THE  
7 relationship established when:

8 ~~(a)~~ (I) The veterinarian has assumed the responsibility for making  
9 medical judgments regarding the health of an animal and the need for  
10 medical treatment, and the owner or other caretaker has agreed to follow  
11 the instruction of the veterinarian;



1 VETERINARY SERVICES

2 **12-315-301. Definitions - rules.** AS USED IN THIS PART 3, UNLESS  
3 THE CONTEXT OTHERWISE REQUIRES:

4 (1) "TELE-ADVICE" MEANS THE PROVISION OF ANY HEALTH  
5 INFORMATION, OPINION, OR GUIDANCE BY A VETERINARY PROFESSIONAL  
6 THAT IS NOT SPECIFIC TO A PARTICULAR ANIMAL'S, OR GROUP OF ANIMALS',  
7 HEALTH, ILLNESS, OR INJURY AND THAT IS NOT INTENDED TO DIAGNOSE,  
8 TREAT, OR ISSUE PROGNOSSES OF AN ANIMAL'S, OR GROUP OF ANIMALS',  
9 PHYSICAL OR BEHAVIORAL ILLNESS OR INJURY. A  
10 VETERINARY-CLIENT-PATIENT RELATIONSHIP IS NOT REQUIRED TO PROVIDE  
11 TELE-ADVICE.

12 (2) "TELECONSULTING" MEANS A VETERINARIAN WHO  
13 COMMUNICATES WITH A VETERINARY SPECIALIST OR OTHER QUALIFIED  
14 EXPERT USING TELECOMMUNICATIONS TECHNOLOGY TO GAIN INSIGHT OR  
15 ADVICE REGARDING THE CARE OF A PATIENT.

16 (3) "TELE-EDUCATION" MEANS THE USE OF INFORMATION AND  
17 TELECOMMUNICATIONS TECHNOLOGY FOR DISTANCE LEARNING.

18 (4) (a) "TELEHEALTH" MEANS THE USE OF TELECOMMUNICATIONS  
19 TECHNOLOGY TO PROVIDE VETERINARY SERVICES OR TO COLLECT AND  
20 DELIVER VETERINARY HEALTH INFORMATION OR EDUCATION VIRTUALLY  
21 AND CAN ENCOMPASS GENERAL VETERINARY SERVICES OR  
22 PATIENT-SPECIFIC VETERINARY SERVICES.

23 (b) "TELEHEALTH" MAY INCLUDE TELE-ADVICE, TELECONSULTING,  
24 TELE-EDUCATION, TELEMEDICINE, TELEMONITORING, TELEREFERRAL,  
25 TELESUPERVISION, TELETRIAGE, AND OTHER TOOLS THAT HELP  
26 VETERINARY PROFESSIONALS DELIVER VETERINARY EDUCATION AND  
27 SERVICES VIRTUALLY.



1           (5) "TELEMEDICINE" MEANS THE REMOTE PRACTICE OF  
2 VETERINARY MEDICINE THROUGH THE USE OF TELECOMMUNICATIONS  
3 TECHNOLOGY THAT ALLOWS A LICENSED VETERINARIAN WITH AN  
4 ESTABLISHED VETERINARIAN-CLIENT-PATIENT RELATIONSHIP TO  
5 EVALUATE, DIAGNOSE, AND TREAT A PATIENT VIRTUALLY.

6           (6) "TELEMONITORING" OR "REMOTE MONITORING" MEANS THE  
7 USE OF TELECOMMUNICATIONS TECHNOLOGY TO AUGMENT VETERINARY  
8 SERVICES BY COLLECTING AND DELIVERING HEALTH INFORMATION FROM  
9 A PATIENT.

10          (7) "TELEREFERRAL" MEANS A VETERINARIAN WITH AN  
11 ESTABLISHED VETERINARIAN-CLIENT-PATIENT RELATIONSHIP WHO REFERS  
12 THE CLIENT TO A VETERINARY SPECIALIST TO PROVIDE VETERINARY  
13 SERVICES USING TELECOMMUNICATIONS TECHNOLOGY UNDER THE  
14 ESTABLISHED VETERINARIAN-CLIENT-PATIENT RELATIONSHIP.

15          (8) "TELESUPERVISION" MEANS THE SUPERVISION OF INDIVIDUALS  
16 PROVIDING VETERINARY SERVICES USING MEDIA SUCH AS AUDIO,  
17 AUDIO-VISUAL CONFERENCING, TEXT MESSAGING, E-MAIL, OR OTHER  
18 VIRTUAL OR DIGITAL TECHNOLOGIES.

19          (9) "TELETRIAGE" MEANS THE SAFE, APPROPRIATE, AND TIMELY  
20 ASSESSMENT OF AN ANIMAL, OR A GROUP OF ANIMALS, UNDER CONDITIONS  
21 OF UNCERTAINTY AND URGENCY, AND THE POSSIBLE REFERRAL TO A  
22 LICENSED VETERINARIAN, AFTER DISCUSSION WITH THE INDIVIDUAL  
23 RESPONSIBLE FOR THE ANIMAL OR GROUP OF ANIMALS, USING  
24 TELECOMMUNICATIONS TECHNOLOGY. A VETERINARY-CLIENT-PATIENT  
25 RELATIONSHIP IS NOT REQUIRED FOR SUCH AN ASSESSMENT OR REFERRAL.  
26 "TELETRIAGE" DOES NOT INCLUDE THE RENDERING OF A DIAGNOSIS.

27          (10) "VETERINARY SPECIALIST" MEANS A VETERINARIAN WHO IS

1 FORMALLY RECOGNIZED AS A SPECIALIST FROM A SPECIALTY  
2 ORGANIZATION THAT IS RECOGNIZED BY THE AMERICAN VETERINARY  
3 MEDICAL ASSOCIATION'S AMERICAN BOARD OF VETERINARY  
4 SPECIALTIES, OR ITS SUCCESSOR ORGANIZATION, OR ANOTHER  
5 ASSOCIATION THAT RECOGNIZES VETERINARY SPECIALISTS THAT THE  
6 STATE BOARD OF VETERINARY MEDICINE HAS APPROVED BY RULE.

7 **12-315-302. Veterinarian-client-patient relationship -**  
8 **telemedicine.** (1) ONLY A LICENSED VETERINARIAN MAY ESTABLISH A  
9 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP IN THIS STATE.

10 (2) (a) A VETERINARIAN-CLIENT-PATIENT RELATIONSHIP MUST BE  
11 ESTABLISHED BY AN IN-PERSON, PHYSICAL EXAMINATION OF THE ANIMAL  
12 OR TIMELY VISITS TO THE PREMISES WHERE THE ANIMAL IS KEPT.

13 (b) A VETERINARY SPECIALIST MAY USE TELECOMMUNICATIONS  
14 TECHNOLOGY TO SEE A PATIENT UNDER ANOTHER VETERINARIAN'S  
15 PREVIOUSLY ESTABLISHED VETERINARY-CLIENT-PATIENT RELATIONSHIP  
16 PURSUANT TO SECTION 12-315-306.

17 (3) AN ESTABLISHED VETERINARIAN-CLIENT-PATIENT  
18 RELATIONSHIP MAY BE MAINTAINED THROUGH EXAMINATIONS THAT  
19 OCCUR USING TELECOMMUNICATIONS TECHNOLOGY IN BETWEEN  
20 IN-PERSON, PHYSICAL EXAMINATIONS OR VISITS TO THE PREMISES WHERE  
21 THE PATIENT IS KEPT.

22 **12-315-303. Treatment of patients using telehealth -**  
23 **telemedicine - licensure - technology - consent.** (1) (a) A PERSON MUST  
24 BE LICENSED TO PRACTICE VETERINARY MEDICINE IN COLORADO IN ORDER  
25 TO PRACTICE TELEMEDICINE IN COLORADO.

26 (b) A PERSON WHO IS NOT A LICENSED VETERINARIAN IN  
27 COLORADO AND WHO USES TELEMEDICINE TO PROVIDE VETERINARY

1 SERVICES TO ANIMALS AND INDIVIDUALS RESPONSIBLE FOR THE ANIMALS  
2 ENGAGES IN THE UNAUTHORIZED PRACTICE OF VETERINARY MEDICINE.  
3 SUCH PERSON IS SUBJECT TO PENALTIES FOR THE UNAUTHORIZED PRACTICE  
4 OF VETERINARY MEDICINE PURSUANT TO SECTION 12-315-114.

5 (2) A LICENSED VETERINARIAN SHALL EMPLOY SOUND,  
6 PROFESSIONAL JUDGMENT WHEN DETERMINING WHETHER TO PROVIDE  
7 VETERINARY SERVICES TO A PATIENT THROUGH TELEMEDICINE AND SHALL  
8 USE TELEMEDICINE ONLY WHEN SUCH USE IS MEDICALLY APPROPRIATE  
9 BASED ON THE PATIENT'S CONDITION.

10 (3) A VETERINARY PROFESSIONAL SHALL ENSURE THAT THE  
11 TECHNOLOGY USED WHEN PROVIDING VETERINARY SERVICES THROUGH  
12 TELEHEALTH IS OF APPROPRIATE QUALITY TO ENSURE:

13 (a) ACCURACY OF THE REMOTE ASSESSMENT OF THE PATIENT'S  
14 CONDITION OR BEHAVIOR;

15 (b) CLEAR COMMUNICATION WITH CLIENTS; AND

16 (c) COMPLIANCE WITH ALL RELEVANT PRIVACY AND  
17 CONFIDENTIALITY REQUIREMENTS.

18 (4) (a) A VETERINARY PROFESSIONAL SHALL OBTAIN CONSENT  
19 FROM THE CLIENT BEFORE PROVIDING VETERINARY SERVICES THROUGH  
20 TELEHEALTH AND SHALL RECORD THE CLIENT'S CONSENT IN THE PATIENT'S  
21 MEDICAL RECORD.

22 (b) A VETERINARY PROFESSIONAL USING TELEHEALTH TO PROVIDE  
23 VETERINARY SERVICES SHALL INFORM THE CLIENT, OR THE CLIENT'S  
24 AUTHORIZED REPRESENTATIVE, OF:

25 (I) THE VETERINARY PROFESSIONAL'S NAME, LOCATION, AND, IF  
26 APPLICABLE, LICENSE NUMBER AND LICENSURE STATUS;

27 (II) WHETHER, IN THE VETERINARIAN'S PROFESSIONAL OPINION,

1 THE PATIENT'S CONDITION CAN BE ACCURATELY DIAGNOSED OR TREATED  
2 USING TELEMEDICINE; AND

3 (III) THE DIAGNOSIS, PROGNOSIS, AND TREATMENT OPTIONS FOR  
4 THE PATIENT.

5 **12-315-304. Standard of care.** (1) A LICENSED VETERINARIAN  
6 USING TELEHEALTH TO PROVIDE VETERINARY SERVICES SHALL CONDUCT  
7 ALL NECESSARY PATIENT EVALUATIONS AND TREATMENT USING THE  
8 APPLICABLE STANDARD OF CARE FOR THOSE EVALUATIONS AND  
9 TREATMENTS.

10 (2) A LICENSED VETERINARIAN SHALL NOT RECOMMEND  
11 TREATMENT OR CARE FOR AN ANIMAL BASED SOLELY ON A CLIENT'S  
12 RESPONSES TO AN ONLINE QUESTIONNAIRE.

13 **12-315-305. Prescribing medication through telemedicine.**

14 (1) (a) ONLY A LICENSED VETERINARIAN WITH AN ESTABLISHED  
15 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP MAY PRESCRIBE  
16 MEDICATION THROUGH TELEMEDICINE.

17 (b) A LICENSED VETERINARIAN SHALL USE PROFESSIONAL  
18 JUDGMENT WHEN DETERMINING IF IT IS APPROPRIATE TO PRESCRIBE  
19 MEDICATION THROUGH TELEMEDICINE.

20 (2) A LICENSED VETERINARIAN WHO PRESCRIBES MEDICATION  
21 THROUGH TELEMEDICINE IS SUBJECT TO THE LIMITATIONS ON  
22 PRESCRIPTIONS SPECIFIED IN SECTION 12-30-109.

23 **12-315-306. Telereferral.** (1) A VETERINARIAN WITH AN  
24 ESTABLISHED VETERINARIAN-CLIENT-PATIENT RELATIONSHIP MAY REFER  
25 A PATIENT TO A VETERINARY SPECIALIST.

26 (2) A VETERINARY SPECIALIST TO WHOM A PATIENT IS REFERRED  
27 MAY PROVIDE VETERINARY SERVICES USING TELECOMMUNICATIONS

1 TECHNOLOGY FOR THE PATIENT AND CLIENT UNDER THE REFERRING  
2 VETERINARIAN'S VETERINARIAN-CLIENT-PATIENT RELATIONSHIP.

3 (3) A VETERINARY SPECIALIST TO WHOM A PATIENT IS REFERRED  
4 SHALL PROVIDE THE REFERRING VETERINARIAN WITH INFORMATION  
5 RELATED TO THE DIAGNOSIS, TREATMENT, AND PROGRESS OF THE PATIENT.

6 (4) (a) A VETERINARY SPECIALIST TO WHOM A PATIENT IS  
7 REFERRED SHALL NOT PRESCRIBE MEDICATIONS TO THE PATIENT UNLESS  
8 THE VETERINARY SPECIALIST ESTABLISHES A  
9 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP THROUGH AN IN-PERSON,  
10 PHYSICAL EXAMINATION OF THE PATIENT.

11 (b) THE LICENSED VETERINARIAN WITH THE ESTABLISHED  
12 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP MAY PRESCRIBE  
13 MEDICATIONS TO THE PATIENT AFTER CONSULTATION WITH THE  
14 VETERINARY SPECIALIST TO WHOM THE PATIENT WAS REFERRED.

15 **12-315-307. Telesupervision.** (1) A LICENSED VETERINARIAN  
16 MAY PROVIDE, AT THE VETERINARIAN'S DISCRETION, TELESUPERVISION  
17 FOR VETERINARY SERVICES THAT DO NOT REQUIRE DIRECT OR IMMEDIATE  
18 SUPERVISION, PURSUANT TO BOARD RULES.

19 (2) A SUPERVISING LICENSED VETERINARIAN WHO HAS AN  
20 ESTABLISHED VETERINARIAN-CLIENT-PATIENT RELATIONSHIP MAY USE  
21 TELESUPERVISION TO SUPERVISE VETERINARY PERSONNEL WHO ARE NOT  
22 LOCATED ON THE SAME PREMISES AS THE SUPERVISING VETERINARIAN IF:

23 (a) THE SUPERVISING LICENSED VETERINARIAN AND THE  
24 VETERINARY PROFESSIONAL OR OTHER VETERINARY PERSONNEL ARE  
25 EMPLOYEES OF THE SAME VETERINARY PRACTICE; AND

26 (b) THE VETERINARY PREMISES, VETERINARY PROFESSIONALS OR  
27 OTHER VETERINARY PERSONNEL, AND PATIENT ARE LOCATED IN

1 COLORADO.

2 **12-315-308. Emergency care - continuity of care.** (1) A  
3 LICENSED VETERINARIAN WHO PRACTICES VETERINARY MEDICINE  
4 THROUGH TELEMEDICINE SHALL BE AVAILABLE IN PERSON AT A  
5 VETERINARY PREMISES THAT IS ACCESSIBLE TO THE CLIENT AND PATIENT  
6 OR SHALL ARRANGE FOR ANOTHER LICENSED VETERINARIAN IN COLORADO  
7 TO BE AT A VETERINARY PREMISES THAT IS ACCESSIBLE TO THE CLIENT  
8 AND PATIENT IN CASE OF AN EMERGENCY OR FOR NECESSARY FOLLOW-UP  
9 EVALUATIONS.

10 (2) A LICENSED VETERINARIAN SHALL PROVIDE THE CLIENT WITH  
11 A PLAN FOR EMERGENCY OR FOLLOW-UP CARE WHEN PROVIDING  
12 VETERINARY SERVICES THROUGH TELEMEDICINE.

13 **12-315-309. Medical records - definition.** (1) AS USED IN THIS  
14 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "ANIMAL CARE  
15 PROVIDER" HAS THE MEANING SET FORTH IN SECTION 12-315-119 (1).

16 (2) AN ANIMAL CARE PROVIDER THAT USES TELEHEALTH TO  
17 PROVIDE VETERINARY SERVICES SHALL MAINTAIN MEDICAL RECORDS  
18 PURSUANT TO SECTION 12-315-119.

19 (3) AN ANIMAL CARE PROVIDER THAT CREATES MEDICAL RECORDS  
20 DURING THE PROVISION OF VETERINARY SERVICES, INCLUDING THE  
21 CLIENT'S CONSENT TO TELEHEALTH SERVICES, SHALL INCLUDE THE  
22 RECORDS IN THE PATIENT'S MEDICAL RECORD AND MAKE THE RECORDS  
23 ACCESSIBLE TO BOTH THE CLIENT AND THE ANIMAL CARE PROVIDER.

24 **12-315-310. Confidentiality and privacy.** A LICENSED  
25 VETERINARIAN SHALL ENSURE THAT A CLIENT'S PRIVACY AND  
26 CONFIDENTIALITY ARE PROTECTED WHEN THE VETERINARIAN IS PROVIDING  
27 VETERINARY SERVICES USING TELEHEALTH PURSUANT TO THE

1 VETERINARIAN'S PROFESSIONAL AND LEGAL OBLIGATIONS.

2           **SECTION 4. Act subject to petition - effective date.** This act  
3 takes effect at 12:01 a.m. on the day following the expiration of the  
4 ninety-day period after final adjournment of the general assembly; except  
5 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
6 of the state constitution against this act or an item, section, or part of this  
7 act within such period, then the act, item, section, or part will not take  
8 effect unless approved by the people at the general election to be held in  
9 November 2024 and, in such case, will take effect on the date of the  
10 official declaration of the vote thereon by the governor.

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

**Bill F**

LLS NO. 24-0365.01 Jennifer Berman x3286

**SENATE BILL**

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**SENATE SPONSORSHIP**

**Simpson and Bridges,** Hinrichsen, Roberts

**HOUSE SPONSORSHIP**

**Lynch and McCormick,** Catlin, Martinez, McLachlan

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**Senate Committees**

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING ALTERNATIVE MECHANISMS FOR ACHIEVING**  
102      **COMPLIANCE WITH WATER QUALITY STANDARDS.**

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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/>.)*

**Water Resources and Agriculture Review Committee.** The bill requires the division of administration (division) in the department of public health and environment (department), in collaboration with the university of Colorado's Mortenson center in global engineering and resilience and the Colorado water institute located within Colorado state university, to:

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.



- Conduct a feasibility study of the use of green infrastructure, which refers to nature-based, watershed-scale water quality management solutions that are an alternative to traditional gray infrastructure, which refers to centralized water treatment facilities, and the use of green financing mechanisms for water quality management;
- Establish one or more pilot projects in the state to demonstrate the use of green infrastructure, green financing mechanisms, or both;
- Adopt rules establishing a prepermit baseline date to assist municipalities and other water providers to pursue prepermit solutions for compliance with state and federal water quality standards; and
- Submit a report and present to the water resources and agriculture review committee on the progress of the feasibility study and any pilot projects and on any legislative and administrative recommendations to promote the use of green infrastructure and green financing mechanisms for water quality management in the state.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 25-8-311 as  
3 follows:

4           **25-8-311. Water quality green infrastructure - feasibility**  
5 **studies - pilot projects - division collaboration with universities -**  
6 **legislative declaration - definitions - rules - reports - gifts, grants, or**  
7 **donations - repeal.** (1) (a) THE GENERAL ASSEMBLY FINDS AND  
8 DETERMINES THAT GREEN INFRASTRUCTURE MAY PROVIDE SIGNIFICANT  
9 BENEFITS TO WATER PROVIDERS AND WATER USERS IN COLORADO BY:

10           (I) SUPPORTING COST-EFFECTIVE, HOLISTIC SOLUTIONS FOR THE  
11 ATTAINMENT OF WATER QUALITY STANDARDS;

12           (II) IN FURTHERANCE OF THE COLORADO POLLUTANT TRADING  
13 POLICY, HELPING OWNERS AND OPERATORS OF WATER AND WASTEWATER  
14 TREATMENT FACILITIES MEET STATE AND FEDERAL WATER QUALITY

1 STANDARDS WITHOUT HAVING TO INVEST IN GRAY INFRASTRUCTURE  
2 UPGRADES; AND

3 (III) TO FINANCE THE MONITORING, MANAGEMENT,  
4 CONSERVATION, ALLOCATION, AND WATER QUALITY IMPROVEMENT OF  
5 BOTH SURFACE AND GROUNDWATER IN THE STATE, CONNECTING  
6 OPERATORS OF WATER AND WASTEWATER TREATMENT FACILITIES WITH  
7 NEW, CLIMATE-FOCUSED SOURCES OF FINANCING AND CAPITAL, INCLUDING  
8 CARBON CREDITS AND WILDFIRE MITIGATION INVESTMENTS.

9 (b) THE GENERAL ASSEMBLY DECLARES THAT:

10 (I) THE DIVISION, IN COLLABORATION WITH THE UNIVERSITY OF  
11 COLORADO AND THE COLORADO WATER INSTITUTE LOCATED WITHIN  
12 COLORADO STATE UNIVERSITY, SHOULD CONDUCT A FEASIBILITY STUDY  
13 REGARDING THE USE OF GREEN INFRASTRUCTURE AND DEVELOP PILOT  
14 PROJECTS TO DEMONSTRATE GREEN INFRASTRUCTURE IN COLORADO; AND

15 (II) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO  
16 AUTHORIZE OR ENCOURAGE SPECULATION IN THE DEVELOPMENT OF A  
17 WATER RIGHT, AS DEFINED IN SECTION 37-92-103 (12), OR ANY VIOLATION  
18 OF:

19 (A) THE "WATER RIGHT DETERMINATION AND ADMINISTRATION  
20 ACT OF 1969", ARTICLE 92 OF TITLE 37;

21 (B) A COURT DECREE ESTABLISHING WATER RIGHTS OR  
22 CONDITIONAL WATER RIGHTS PURSUANT TO SECTION 37-92-301;

23 (C) A WELL PERMIT FOR USE OF UNDERGROUND WATER, AS  
24 DEFINED IN SECTION 37-92-103 (11), ISSUED PURSUANT TO ARTICLE 90 OF  
25 TITLE 37;

26 (D) A SUBSTITUTE WATER SUPPLY PLAN APPROVED PURSUANT TO  
27 SECTION 37-92-308; OR

1 (E) AN INTERRUPTIBLE WATER SUPPLY AGREEMENT APPROVED  
2 PURSUANT TO SECTION 37-92-309.

3 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
4 REQUIRES:

5 (a) "ALTERNATIVE COMPLIANCE PROGRAM" MEANS A PROGRAM  
6 ESTABLISHED TO COMPLY WITH STATE AND FEDERAL WATER QUALITY  
7 STANDARDS THROUGH THE USE OF GREEN INFRASTRUCTURE.

8 (b) "COLORADO POLLUTANT TRADING POLICY" MEANS THE  
9 "COLORADO POLLUTANT TRADING POLICY" PUBLISHED BY THE DIVISION  
10 IN OCTOBER 2004.

11 (c) "FEDERAL WATER QUALITY TRADING POLICY" MEANS THE  
12 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S "WATER  
13 QUALITY TRADING POLICY", PUBLISHED IN 2003.

14 (d) "GRAY INFRASTRUCTURE" MEANS TRADITIONAL, CENTRALIZED  
15 WATER QUALITY TREATMENT FACILITIES, SUCH AS WASTEWATER  
16 TREATMENT FACILITIES OR DRINKING WATER TREATMENT PLANTS.

17 (e) "GREEN INFRASTRUCTURE" MEANS A STRATEGICALLY  
18 PLANNED, MANAGED, AND INTERCONNECTED NETWORK OF GREEN SPACES,  
19 SUCH AS CONSERVED NATURAL AREAS AND FEATURES, PUBLIC AND  
20 PRIVATE CONSERVATION LANDS, AND PRIVATE WORKING LANDS WITH  
21 CONSERVATION VALUE.

22 (3) (a) ON OR BEFORE DECEMBER 31, 2025, THE DIVISION SHALL  
23 CONDUCT A FEASIBILITY STUDY REGARDING THE USE OF GREEN  
24 INFRASTRUCTURE IN THE STATE. THE FEASIBILITY STUDY MUST INCLUDE  
25 A DETERMINATION OF WHETHER AND HOW:

26 (I) GREEN INFRASTRUCTURE, RATHER THAN TRADITIONAL GRAY  
27 INFRASTRUCTURE, MAY BE USED IN AN ALTERNATIVE COMPLIANCE

1 PROGRAM USING MECHANISMS DESCRIBED IN THE COLORADO POLLUTANT  
2 TRADING POLICY AND THE FEDERAL WATER QUALITY TRADING POLICY;

3 (II) NEW SOURCES OF FUNDING THROUGH ENVIRONMENT-FOCUSED  
4 MECHANISMS, SUCH AS GREEN BONDS, MITIGATION BANKING, CLIMATE  
5 FINANCE, AND CARBON CREDITS, MAY:

6 (A) REDUCE COSTS ASSOCIATED WITH COMPLYING WITH STATE  
7 AND FEDERAL WATER QUALITY STANDARDS; AND

8 (B) PROVIDE FUNDING FOR GREEN INFRASTRUCTURE PROJECTS  
9 PRIOR TO THE ISSUANCE OF A WATER QUALITY PERMIT;

10 (III) AN ALTERNATIVE COMPLIANCE PROGRAM MAY BE ALIGNED  
11 WITH OTHER STATE AND COMMUNITY INTERESTS INCLUDING WILDFIRE  
12 MITIGATION; AND

13 (IV) THE USE OF ALTERNATIVE COMPLIANCE PROGRAMS WOULD  
14 REDUCE COSTS FOR THE DEPARTMENT OF PUBLIC HEALTH AND  
15 ENVIRONMENT, MUNICIPALITIES, AND OTHER WATER PROVIDERS IN THE  
16 STATE IN COMPARISON TO USING GRAY INFRASTRUCTURE TO COMPLY WITH  
17 STATE AND FEDERAL WATER QUALITY STANDARDS.

18 (b) (I) AFTER COMPLETING THE FEASIBILITY STUDY REQUIRED  
19 UNDER SUBSECTION (3)(a) OF THIS SECTION AND CONSIDERING THE  
20 FINDINGS OF THE FEASIBILITY STUDY, THE DIVISION SHALL ESTABLISH ONE  
21 OR MORE PILOT PROJECTS IN THE STATE TO DEMONSTRATE THE:

22 (A) USE OF GREEN INFRASTRUCTURE IN AN ALTERNATIVE  
23 COMPLIANCE PROGRAM; AND

24 (B) FINANCING OF AN ALTERNATIVE COMPLIANCE PROGRAM WITH  
25 ONE OR MORE SOURCES OF FUNDING LISTED IN SUBSECTION (3)(a)(II) OF  
26 THIS SECTION.

27 (II) A PILOT PROJECT ESTABLISHED PURSUANT TO THIS SUBSECTION

1 (3)(b) MAY BE OPERATED FOR UP TO FIVE YEARS. THE DIVISION MAY  
2 PROVIDE TECHNICAL ASSISTANCE TO THE OPERATOR OF A PILOT PROJECT  
3 THAT THE DIVISION ESTABLISHES UNDER THIS SUBSECTION (3)(b).

4 (c) THE DIVISION SHALL COORDINATE WITH THE UNIVERSITY OF  
5 COLORADO'S MORTENSON CENTER IN GLOBAL ENGINEERING AND  
6 RESILIENCE AND THE COLORADO WATER INSTITUTE CREATED IN SECTION  
7 23-31-801 (1) TO CONDUCT THE FEASIBILITY STUDY AND DEVELOP,  
8 PROVIDE TECHNICAL ASSISTANCE FOR, AND REVIEW ANY PILOT PROJECTS  
9 APPROVED PURSUANT TO THIS SUBSECTION (3).

10 (4) (a) ON OR BEFORE DECEMBER 31, 2024, THE DIVISION SHALL  
11 IDENTIFY MUNICIPALITIES AND OTHER WATER PROVIDERS THROUGHOUT  
12 THE STATE THAT ARE INTERESTED IN PURSUING PREPERMIT SOLUTIONS FOR  
13 ACHIEVING COMPLIANCE WITH STATE AND FEDERAL WATER QUALITY  
14 STANDARDS.

15 (b) ON OR BEFORE DECEMBER 31, 2025, THE COMMISSION SHALL  
16 ADOPT RULES TO ESTABLISH A PREPERMIT BASELINE DATE WITH WHICH AN  
17 OPERATOR UTILIZING NATURE-BASED SOLUTIONS FOR ACHIEVING  
18 COMPLIANCE WITH STATE AND FEDERAL WATER QUALITY STANDARDS  
19 DEMONSTRATES COMPLIANCE FOR FUTURE PERMIT OBLIGATIONS. IN  
20 DRAFTING THE RULES REQUIRED UNDER THIS SUBSECTION (4)(b), THE  
21 COMMISSION, IN CONSULTATION WITH THE ENTITIES LISTED IN SUBSECTION  
22 (3)(c) OF THIS SECTION, SHALL CONVENE A REPRESENTATIVE GROUP OF  
23 INTERESTED PARTIES PURSUANT TO SECTION 24-4-103 (2) AND ENGAGE  
24 SOME OR ALL OF THE INTERESTED MUNICIPALITIES AND OTHER WATER  
25 PROVIDERS IDENTIFIED PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION  
26 AS PART OF THE REPRESENTATIVE GROUP OF INTERESTED PARTIES.

27 (5) (a) ON OR BEFORE JULY 1, 2025, THE DIVISION, IN

1 COORDINATION WITH THE ENTITIES LISTED IN SUBSECTION (3)(c) OF THIS  
2 SECTION, SHALL SUBMIT A REPORT AND MAKE A PRESENTATION  
3 SUMMARIZING THE PROGRESS ON THE FEASIBILITY STUDY AND ANY PILOT  
4 PROJECTS TO THE WATER RESOURCES AND AGRICULTURE REVIEW  
5 COMMITTEE CREATED IN SECTION 37-98-102 (1)(a)(I). THE COMMITTEE  
6 MAY REQUEST SIMILAR REPORTS AND PRESENTATIONS BE MADE ON OR  
7 BEFORE JULY 15 IN ANY YEAR AFTER 2025 IN WHICH THE FEASIBILITY  
8 STUDY OR A PILOT PROJECT IS BEING CONDUCTED PURSUANT TO  
9 SUBSECTION (3) OF THIS SECTION.

10 (b) THE REPORT MUST INCLUDE:

11 (I) ANY CONCLUSIONS OF THE DIVISION, IN COORDINATION WITH  
12 THE ENTITIES LISTED IN SUBSECTION (3)(c) OF THIS SECTION, REGARDING  
13 THE POTENTIAL SUCCESS OF ALTERNATIVE COMPLIANCE PROGRAMS OR  
14 FUNDING SOURCES LISTED IN SUBSECTION (3)(a)(II) OF THIS SECTION; AND

15 (II) ANY RECOMMENDATIONS FOR LEGISLATIVE OR  
16 ADMINISTRATIVE ACTION NEEDED TO PROMOTE THE USE OF ALTERNATIVE  
17 COMPLIANCE PROGRAMS OR THE FUNDING SOURCES LISTED IN SUBSECTION  
18 (3)(a)(II) OF THIS SECTION.

19 (6) IN DEVELOPING THE FEASIBILITY STUDY PURSUANT TO  
20 SUBSECTION (3)(a) OF THIS SECTION, ANY PILOT PROJECTS PURSUANT TO  
21 SUBSECTION (3)(b) OF THIS SECTION, AND ANY LEGISLATIVE OR  
22 ADMINISTRATIVE RECOMMENDATIONS PURSUANT TO SUBSECTION  
23 (5)(b)(II) OF THIS SECTION, THE DIVISION AND THE ENTITIES LISTED IN  
24 SUBSECTION (3)(c) OF THIS SECTION MUST TAKE INTO ACCOUNT:

- 25 (a) THE COLORADO POLLUTANT TRADING POLICY;
- 26 (b) THE FEDERAL WATER QUALITY TRADING POLICY; AND
- 27 (c) THE PRIOR APPROPRIATION SYSTEM ESTABLISHED IN SECTIONS

1 5 AND 6 OF ARTICLE XVI OF THE STATE CONSTITUTION AND THE "WATER  
2 RIGHT DETERMINATION AND ADMINISTRATION ACT OF 1969", ARTICLE 92  
3 OF TITLE 37.

4 (7) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OR  
5 ANY ENTITY LISTED IN SUBSECTION (3)(c) OF THIS SECTION MAY SEEK,  
6 ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FOR THE  
7 IMPLEMENTATION OF THIS SECTION.

8 (8) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2032.

9 **SECTION 2. Act subject to petition - effective date.** This act  
10 takes effect at 12:01 a.m. on the day following the expiration of the  
11 ninety-day period after final adjournment of the general assembly; except  
12 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
13 of the state constitution against this act or an item, section, or part of this  
14 act within such period, then the act, item, section, or part will not take  
15 effect unless approved by the people at the general election to be held in  
16 November 2024 and, in such case, will take effect on the date of the  
17 official declaration of the vote thereon by the governor.

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

Bill G

LLS NO. 24-0367.01 Sarah Lozano x3858

SENATE BILL

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SENATE SPONSORSHIP

Roberts, Bridges

HOUSE SPONSORSHIP

Lukens and McLachlan, McCormick

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Senate Committees

House Committees

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A BILL FOR AN ACT

101 CONCERNING LOCAL AUTHORITY TO ENFORCE VIOLATIONS OF LAWS  
102 RELATED TO THE PREVENTION OF NOXIOUS WEEDS.

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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/>.)*

**Water Resources and Agriculture Review Committee.** Current law allows the commissioner of agriculture to assess civil penalties for violations of state laws related to the prevention of noxious weeds (violations). The bill:

- Clarifies that a board of county commissioners (board) may allow for the assessment and collection of fines for

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.



violations of local laws enacted to enforce the management of noxious weeds in the county;

- Creates a civil infraction for violations;
- Creates a civil penalty for violations that is no less than \$500 and no more than \$1,000;
- Allows a county attorney to issue an injunction to prevent an ongoing violation; and
- Allows a board to appoint a district attorney to enforce violations in the event that the county does not have a county attorney or in any other circumstance that the board deems appropriate.

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

2 **SECTION 1.** In Colorado Revised Statutes, 35-5.5-105, **amend**  
3 (1) as follows:

4 **35-5.5-105. Noxious weed management - powers of county**  
5 **commissioners.** (1) The board of county commissioners of each county  
6 in the state shall adopt a noxious weed management plan for all of the  
7 unincorporated lands within the county. ~~Such~~ A NOXIOUS WEED  
8 MANAGEMENT plan ~~shall~~ MUST include all of the requirements and duties  
9 imposed by this ~~article~~ ARTICLE 5.5. Guidelines may be included that  
10 address no pesticide noxious weed management plans. In addition to and  
11 not in limitation of the powers delegated to boards of county  
12 commissioners in section 30-11-107, ~~and~~ article 15 of title 30, ~~C.R.S.~~,  
13 article 5 of this ~~title~~ TITLE 35, and elsewhere as provided by law, the  
14 board of county commissioners may adopt and provide for the  
15 enforcement, INCLUDING THE ASSESSMENT AND COLLECTION OF FINES, of  
16 ~~such~~ ordinances, resolutions, rules, and other regulations as may be  
17 necessary and proper to enforce ~~said~~ A NOXIOUS WEED MANAGEMENT plan  
18 and otherwise provide for the management of noxious weeds within the  
19 county, subject to the following limitation: ~~No~~ A county ordinance, rule,

1 resolution, other regulation, or exercise of power pursuant to this ~~article~~  
2 ~~shall~~ ARTICLE 5.5 DOES NOT apply within the corporate limits of any  
3 incorporated municipality ~~nor~~ OR to any municipal service, function,  
4 facility, or property, whether owned by or leased to the incorporated  
5 municipality outside the municipal boundaries, unless the county and  
6 municipality agree otherwise pursuant to part 2 of article 1 of title 29  
7 ~~C.R.S.~~, or article 20 of title 29. ~~C.R.S.~~

8 **SECTION 2.** In Colorado Revised Statutes, **add** 35-5.5-118.5 as  
9 follows:

10 **35-5.5-118.5. Local enforcement - civil infraction - civil**  
11 **penalty - injunction - definition.** (1) AS USED IN THIS SECTION, UNLESS  
12 THE CONTEXT OTHERWISE REQUIRES, "VIOLATION" MEANS A VIOLATION OF  
13 THIS ARTICLE 5.5, ANY RULE PROMULGATED PURSUANT TO THIS ARTICLE  
14 5.5, OR ANY COUNTY ORDINANCE, RESOLUTION, RULE, OR OTHER  
15 REGULATION IMPLEMENTING THIS ARTICLE 5.5.

16 (2) IN ADDITION TO THE ENFORCEMENT AUTHORITY OF THE  
17 COMMISSIONER PURSUANT TO SECTION 35-5.5-118, A PERSON WHO  
18 VIOLATES THIS ARTICLE 5.5, ANY RULE PROMULGATED PURSUANT TO THIS  
19 ARTICLE 5.5, OR ANY COUNTY ORDINANCE, RESOLUTION, RULE, OR OTHER  
20 REGULATION IMPLEMENTING THIS ARTICLE 5.5 COMMITS A CIVIL  
21 INFRACTION. THE COUNTY ATTORNEY FOR THE COUNTY WHERE THE  
22 VIOLATION OCCURS SHALL ENFORCE CIVIL INFRACTIONS PURSUANT TO THIS  
23 SUBSECTION (2) BY PROSECUTION. EACH DAY THAT A VIOLATION  
24 CONTINUES IS A SEPARATE OFFENSE.

25 (3) (a) (I) IN ADDITION TO THE ENFORCEMENT AUTHORITY OF THE  
26 COMMISSIONER PURSUANT TO SECTION 35-5.5-118 AND THE COUNTY  
27 ATTORNEY PURSUANT TO SUBSECTION (2) OF THIS SECTION, A COUNTY

1 COURT, UPON A FINDING BY A PREPONDERANCE OF THE EVIDENCE THAT A  
2 VIOLATION OCCURRED OR IS OCCURRING, SHALL ORDER THE VIOLATOR TO  
3 PAY A CIVIL PENALTY OF NO LESS THAN FIVE HUNDRED DOLLARS AND NO  
4 MORE THAN ONE THOUSAND DOLLARS.

5 (II) NOTWITHSTANDING SECTION (3)(a)(I) OF THIS SECTION, EACH  
6 DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE, AND A  
7 VIOLATOR IS SUBJECT TO A CONTINUING CIVIL PENALTY OF NO MORE THAN  
8 ONE HUNDRED DOLLARS FOR EACH DAY THAT THE VIOLATION CONTINUES.

9 (b) (I) UNTIL THE FILING WITH THE COUNTY COURT OF A RECEIPT  
10 ISSUED BY THE COUNTY TREASURER SHOWING PAYMENT IN FULL OF A CIVIL  
11 PENALTY ORDERED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION OR  
12 THE GRANTING OF A MOTION OF THE COUNTY ATTORNEY INDICATING THAT  
13 THE MATTER HAS BEEN RESOLVED PURSUANT TO SUBSECTION (3)(c)(I) OF  
14 THIS SECTION, THE CIVIL PENALTY, AS OF THE DATE OF THE RECORDING OF  
15 THE CIVIL PENALTY WITH THE CLERK AND RECORDER OF THE COUNTY  
16 WHERE THE VIOLATION OCCURRED OR IS OCCURRING, IS A LIEN AGAINST  
17 THE PROPERTY WHERE THE VIOLATION OCCURRED OR IS OCCURRING.

18 (II) IF THE CIVIL PENALTY IS NOT PAID WITHIN THIRTY DAYS AFTER  
19 THE ORDER OF THE COUNTY COURT, THE COUNTY ATTORNEY MAY CERTIFY  
20 THE CIVIL PENALTY TO THE COUNTY TREASURER, WHO SHALL COLLECT THE  
21 CIVIL PENALTY AND A TEN PERCENT ADDITIONAL PENALTY FOR THE COST  
22 OF COLLECTION IN THE SAME MANNER AS OTHER TAXES ARE COLLECTED.

23 (III) ANY STATE LAWS APPLICABLE TO THE ASSESSMENT AND  
24 COLLECTION OF GENERAL TAXES, INCLUDING THE LAWS FOR THE SALE AND  
25 REDEMPTION OF PROPERTY FOR TAXES, APPLY TO THE COLLECTION OF  
26 CIVIL PENALTIES PURSUANT TO SUBSECTION (3)(b)(II) OF THIS SECTION.

27 (c) (I) UPON THE FILING WITH THE COUNTY COURT OF A RECEIPT

1 ISSUED BY THE COUNTY TREASURER SHOWING PAYMENT IN FULL OF A CIVIL  
2 PENALTY ORDERED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION, THE  
3 COUNTY COURT SHALL DISMISS THE ACTION AND ISSUE A SATISFACTION IN  
4 FULL OF THE COUNTY COURT'S JUDGMENT. THE COUNTY COURT MAY ALSO  
5 DISMISS THE ACTION UPON A MOTION OF THE COUNTY ATTORNEY  
6 INDICATING THAT THE MATTER HAS BEEN RESOLVED.

7 (II) IF THE EVENTS DESCRIBED IN SUBSECTION (3)(c)(I) OF THIS  
8 SECTION DO NOT OCCUR, THE ACTION CONTINUES. IF A COUNTY ATTORNEY  
9 FILES A MOTION IN COUNTY COURT AND PRESENTS PROOF THAT THE  
10 VIOLATION HAS NOT BEEN CURED, REMOVED, OR CORRECTED, THE COUNTY  
11 COURT SHALL ORDER AN ADDITIONAL CIVIL PENALTY IN AN AMOUNT  
12 CONSISTENT WITH SUBSECTION (3)(a) OF THIS SECTION.

13 (4) THE COUNTY ATTORNEY MAY INSTITUTE AN INJUNCTION,  
14 MANDAMUS, ABATEMENT, OR OTHER APPROPRIATE ACTION OR  
15 PROCEEDING TO PREVENT, ENJOIN, ABATE, OR REMOVE AN ONGOING  
16 VIOLATION.

17 (5) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
18 CONTRARY, THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY  
19 WHERE A VIOLATION OCCURRED OR IS OCCURRING MAY APPOINT THE  
20 DISTRICT ATTORNEY FOR THE JUDICIAL DISTRICT WHERE A VIOLATION  
21 OCCURRED OR IS OCCURRING TO CONDUCT AN ENFORCEMENT ACTION  
22 PURSUANT TO THIS SECTION:

23 (a) IF THERE IS NO COUNTY ATTORNEY FOR THE COUNTY WHERE  
24 THE VIOLATION OCCURRED; OR

25 (b) IN ANY OTHER CIRCUMSTANCE THAT THE BOARD OF COUNTY  
26 COMMISSIONERS DEEMS APPROPRIATE.

27 (6) EXCEPT FOR ANY SURCHARGES OR COURT COSTS COLLECTED

1 BY A COURT, ANY FINES, FEES, OR COSTS COLLECTED PURSUANT TO THIS  
2 SECTION MUST BE TRANSMITTED TO THE COUNTY TREASURER OF THE  
3 COUNTY WHERE THE VIOLATION OCCURRED.

4 (7) NOTWITHSTANDING ANY PROVISION TO THE CONTRARY, IT IS  
5 WITHIN THE DISCRETION OF A COUNTY ATTORNEY OR DISTRICT ATTORNEY,  
6 AS APPLICABLE, TO DETERMINE WHETHER TO PURSUE AN ENFORCEMENT  
7 ACTION PURSUANT TO THIS SECTION OR TO PURSUE ANOTHER REMEDY  
8 AVAILABLE UNDER THE LAW.

9 **SECTION 3. Act subject to petition - effective date -**  
10 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
11 the expiration of the ninety-day period after final adjournment of the  
12 general assembly; except that, if a referendum petition is filed pursuant  
13 to section 1 (3) of article V of the state constitution against this act or an  
14 item, section, or part of this act within such period, then the act, item,  
15 section, or part will not take effect unless approved by the people at the  
16 general election to be held in November 2024 and, in such case, will take  
17 effect on the date of the official declaration of the vote thereon by the  
18 governor.

19 (2) This act applies to conduct occurring on or after the applicable  
20 effective date of this act.

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

Bill H

LLS NO. 24-0371.02 Jennifer Berman x3286

SENATE BILL

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SENATE SPONSORSHIP

**Roberts and Pelton B.**, Bridges, Pelton R.

HOUSE SPONSORSHIP

**McCluskie**, Martinez, McCormick, McLachlan

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Senate Committees

House Committees

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A BILL FOR AN ACT

101 **CONCERNING DIRECT-TO-CONSUMER SALES OF RAW MILK.**

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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/>.)*

**Water Resources and Agriculture Review Committee.** The bill authorizes a raw milk producer (producer) that registers with the department of public health and environment (department) to engage in direct-to-consumer sales of raw milk in the state if the producer complies with certain labeling, storage, handling, and transportation requirements. The direct-to-consumer sales may take place at the location where the raw milk is produced, at the consumer's residence, or at a farmers' market or roadside market. The bill authorizes the department of agriculture to:

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.

- Adopt rules related to the storage, handling, and transportation of raw milk intended for sale directly to consumers;
- Inspect producers' raw milk and operations;
- Enforce against a violation in court or by imposition of a civil penalty.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 62 to title  
3 35 as follows:

4 **ARTICLE 62**

5 **Raw Milk**

6 **35-62-101. Definitions.** AS USED IN THIS ARTICLE 62, UNLESS THE  
7 CONTEXT OTHERWISE REQUIRES:

8 (1) "COMMISSIONER" MEANS THE COMMISSIONER OF AGRICULTURE  
9 APPOINTED PURSUANT TO SECTION 35-1-107 (1).

10 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF AGRICULTURE  
11 CREATED IN SECTION 35-1-103.

12 (3) (a) "RAW MILK" MEANS UNPASTEURIZED COW OR GOAT MILK.

13 (b) "RAW MILK" DOES NOT INCLUDE UNPASTEURIZED HUMAN MILK.

14 (4) "RAW MILK PRODUCER" OR "PRODUCER" MEANS A FARMER,  
15 FARM, OR DAIRY THAT PRODUCES RAW MILK.

16 (5) "RETAIL FOOD ESTABLISHMENT":

17 (a) EXCEPT AS PROVIDED IN SUBSECTIONS (5)(b) AND (5)(c) OF  
18 THIS SECTION, HAS THE MEANING SET FORTH IN SECTION 25-4-1602 (14);

19 (b) INCLUDES A FOOD CO-OP; AND

20 (c) DOES NOT INCLUDE A FARMERS' MARKET OR A ROADSIDE  
21 MARKET.

22 **35-62-102. Raw milk - direct-to-consumer sales - requirements**

1     **- rules.** (1) (a) ON AND AFTER JANUARY 1, 2025, A PERSON IN THE STATE  
2     SHALL NOT SELL OR OFFER FOR SALE RAW MILK UNLESS THE RAW MILK IS  
3     SOLD OR OFFERED FOR SALE IN ACCORDANCE WITH THIS SECTION.

4             (b) ON AND AFTER JANUARY 1, 2025, A RAW MILK PRODUCER THAT  
5     HAS REGISTERED WITH THE DEPARTMENT OF PUBLIC HEALTH AND  
6     ENVIRONMENT PURSUANT TO SECTION 25-5.5-117(2) MAY SELL OR OFFER  
7     TO SELL RAW MILK DIRECTLY TO A CONSUMER IF:

8             (I) THE SALE OR OFFER TO SELL TAKES PLACE AT THE LOCATION  
9     WHERE THE RAW MILK IS PRODUCED, THE CONSUMER'S RESIDENCE, OR A  
10    FARMERS' MARKET OR ROADSIDE MARKET;

11            (II) RAW MILK OFFERED FOR SALE IS PLACED IN A STERILE OR  
12    SINGLE-USE CONTAINER AND SOLD NO MORE THAN FIVE DAYS AFTER THE  
13    CONTAINER IS FILLED;

14            (III) WHEN TRANSPORTING THE RAW MILK FOR SALE OR DELIVERY:

15            (A) THE PRODUCER OR ANY PERSON WHO TRANSPORTS OR  
16    DELIVERS RAW MILK ON BEHALF OF A PRODUCER PURSUANT TO  
17    SUBSECTION (3) OF THIS SECTION MAINTAINS THE RAW MILK IN AIR  
18    TEMPERATURES AT OR BELOW FORTY DEGREES FAHRENHEIT AT ALL TIMES  
19    EXCEPT DURING THE TRANSFER OF THE RAW MILK FROM ONE STORAGE  
20    AREA TO ANOTHER OR FROM ONE TRANSPORTATION VEHICLE TO ANOTHER;  
21    AND

22            (B) THE PRODUCER OR ANY PERSON WHO TRANSPORTS OR  
23    DELIVERS RAW MILK ON BEHALF OF A PRODUCER PURSUANT TO  
24    SUBSECTION (3) OF THIS SECTION PROTECTS THE RAW MILK FROM  
25    EXPOSURE TO DIRECT SUNLIGHT;

26            (IV) THE PRODUCER MAINTAINS THE RAW MILK IN ACCORDANCE  
27    WITH ANY ADDITIONAL STORAGE, HANDLING, AND TRANSPORTATION



1 REQUIREMENTS THAT THE COMMISSIONER, IN CONSULTATION WITH THE  
2 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, ESTABLISHES  
3 PURSUANT TO RULES ADOPTED PURSUANT TO SUBSECTION (2) OF THIS  
4 SECTION; AND

5 (V) THE PRODUCER AFFIXES A LABEL TO EACH CONTAINER OF RAW  
6 MILK SOLD OR OFFERED FOR SALE THAT INCLUDES:

7 (A) THE PRODUCER'S NAME;

8 (B) THE CALENDAR DATE THAT THE RAW MILK WAS PACKAGED IN  
9 THE CONTAINER; AND

10 (C) THE FOLLOWING STATEMENT: "THIS PRODUCT CONTAINS  
11 UNPASTEURIZED MILK. CONSUMING RAW FOODS, INCLUDING RAW DAIRY  
12 PRODUCTS, MAY INCREASE YOUR RISK OF FOOD-BORNE ILLNESS.  
13 INDIVIDUALS AT HIGHER RISK FOR FOOD-BORNE ILLNESS INCLUDE  
14 INDIVIDUALS WHO ARE PREGNANT OR NURSING, CHILDREN, THE ELDERLY,  
15 AND INDIVIDUALS WITH WEAKENED IMMUNE SYSTEMS."

16 (2) ON OR BEFORE DECEMBER 31, 2024, THE COMMISSIONER, IN  
17 CONSULTATION WITH THE DEPARTMENT OF PUBLIC HEALTH AND  
18 ENVIRONMENT, MAY ADOPT RULES SETTING FORTH ADDITIONAL SAFE  
19 STORAGE, HANDLING, AND TRANSPORTATION REQUIREMENTS FOR RAW  
20 MILK THAT IS SOLD OR OFFERED FOR SALE PURSUANT TO THIS SECTION.

21 (3) A PRODUCER MAY CONTRACT WITH ANOTHER PERSON TO  
22 TRANSPORT OR DELIVER RAW MILK IN ACCORDANCE WITH THIS SECTION.  
23 THE PRODUCER AND SUCH OTHER PERSON ARE JOINTLY AND SEVERALLY  
24 LIABLE FOR ANY VIOLATION OF THIS SECTION OR OF ANY RULE ADOPTED  
25 PURSUANT TO SUBSECTION (2) OF THIS SECTION, WHICH VIOLATION IS  
26 COMMITTED BY THE OTHER PERSON.

27 (4) A RAW MILK PRODUCER SHALL NOT PUBLISH ANY STATEMENT

1 THAT IMPLIES APPROVAL OR ENDORSEMENT BY THE COLORADO  
2 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

3 **35-62-103. Restrictions.** (1) THIS ARTICLE 62 DOES NOT  
4 AUTHORIZE:

5 (a) THE SALE OF RAW MILK TO OR ON THE PREMISES OF A RETAIL  
6 FOOD ESTABLISHMENT, THROUGH USE OF A FOOD DELIVERY SERVICE, OR  
7 THROUGH COMMUNITY-SUPPORTED AGRICULTURE;

8 (b) THE SALE OR OFFER FOR SALE OF RAW MILK BY ANY PERSON  
9 OTHER THAN A RAW MILK PRODUCER REGISTERED PURSUANT TO SECTION  
10 25-5.5-117 (2); OR

11 (c) THE SALE OR OFFER FOR SALE OF RAW MILK FOR A PURPOSE  
12 OTHER THAN HUMAN CONSUMPTION UNLESS IT HAS BEEN TREATED WITH  
13 A DYE APPROVED BY THE DEPARTMENT OF PUBLIC HEALTH AND  
14 ENVIRONMENT, AS DESCRIBED IN SECTION 25-1-114 (1)(i).

15 **35-62-104. Inspections - enforcement - penalties.** (1) THE  
16 DEPARTMENT, UPON RECEIPT OF A COMPLAINT BY A THIRD PARTY OR ON  
17 ITS OWN MOTION, MAY TEST A PRODUCER'S RAW MILK; INSPECT A  
18 PRODUCER'S RAW MILK STORAGE, HANDLING, OR TRANSPORTATION  
19 OPERATIONS; OR REQUEST RECORDS FROM A PRODUCER REGARDING THE  
20 PRODUCER'S RAW MILK PRODUCTION OPERATION.

21 (2) IF THE DEPARTMENT DETERMINES THAT A PERSON HAS  
22 VIOLATED THIS ARTICLE 62 OR ANY RULE ADOPTED PURSUANT TO SECTION  
23 35-62-102 (2), THE COMMISSIONER MAY:

24 (a) REQUEST THAT THE ATTORNEY GENERAL'S OFFICE OR THE  
25 DISTRICT ATTORNEY OF THE JUDICIAL DISTRICT IN WHICH THE ALLEGED  
26 VIOLATION OCCURRED, ON THE DEPARTMENT'S BEHALF, BRING AN ACTION  
27 IN A COURT OF COMPETENT JURISDICTION PURSUANT TO SECTION 35-1-110;

1 OR

2 (b) UPON NOTICE AND AN OPPORTUNITY TO BE HEARD, IMPOSE A  
3 CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED ONE THOUSAND DOLLARS  
4 PER VIOLATION. EACH CONTAINER OF RAW MILK SOLD IN VIOLATION OF  
5 THIS ARTICLE 62 CONSTITUTES A SEPARATE VIOLATION.

6 **SECTION 2.** In Colorado Revised Statutes, 25-5.5-117, **amend**  
7 (3) as follows:

8 **25-5.5-117. Raw milk.** (3) Retail sales of raw, unpasteurized  
9 milk ~~shall not be allowed~~ ARE PROHIBITED, EXCEPT AS AUTHORIZED IN  
10 ARTICLE 62 OF TITLE 35 FOR DIRECT-TO-CONSUMER SALES. Resale of raw  
11 milk ~~obtained from a cow share or goat share~~ is strictly prohibited. Raw  
12 milk that is not intended for pasteurization shall not be sold to or offered  
13 ~~for sale at farmers' markets~~, educational institutions, health-care facilities,  
14 nursing homes, governmental organizations, or any RETAIL food  
15 establishment UNLESS THE RAW MILK IS SOLD OR OFFERED FOR SALE IN  
16 ACCORDANCE WITH SECTION 35-62-102.

17 **SECTION 3. 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 2024 and, in such case, will take effect on the date of the  
25 official declaration of the vote thereon by the governor.

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

**Bill I**

LLS NO. 24-0372.02 Jennifer Berman x3286

**HOUSE BILL**

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**HOUSE SPONSORSHIP**

**Lynch and Duran**, Catlin, Martinez, McLachlan

**SENATE SPONSORSHIP**

**Ginal and Will**,

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**House Committees**

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING AN EXTENSION OF THE TIME FOR IMPLEMENTATION OF**  
102      **THE WILD HORSE POPULATION MANAGEMENT PROGRAM.**

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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/>.)*

**Water Resources and Agriculture Review Committee.** The bill extends to December 31, 2025, the time in which the department of agriculture may implement wild horse population management pursuant to Senate Bill 23-275.

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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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 35-1-119, **amend** (2)  
3 as follows:

4 **35-1-119. Wild horse population management - repeal.**

5 (2) This section is repealed, effective ~~July 31, 2024~~ DECEMBER 31, 2025.

6 **SECTION 2. Safety clause.** The general assembly finds,  
7 determines, and declares that this act is necessary for the immediate  
8 preservation of the public peace, health, or safety or for appropriations for  
9 the support and maintenance of the departments of the state and state  
10 institutions.