

## CHAPTER 374

---

**NATURAL RESOURCES**

---

**HOUSE BILL 04-1426**

BY REPRESENTATIVE(S) Hoppe, Miller, Brophy, Hodge, Johnson R., McCluskey, Rose, Spradley, Tochtrop, White, Boyd, and Rippy;  
also SENATOR(S) Chlouber, Entz, and Evans.

**AN ACT**

CONCERNING A REQUIREMENT THAT APPLICANTS FOR A MINING PERMIT ISSUED PURSUANT TO THE "COLORADO MINED LAND RECLAMATION ACT" MAIL A COPY OF THE APPLICATION TO ONLY THOSE SURFACE OWNERS WHOSE INTERESTS APPEAR OF RECORD.

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

**SECTION 1.** 34-32-112 (10) (c), Colorado Revised Statutes, is amended to read:

**34-32-112. Application for reclamation permit - changes in permits - fees - notice.** (10) (c) In addition, the applicant shall mail a copy of such notice immediately after first publication to all owners OF RECORD of the surface rights of the affected land, to the owners of record of immediately adjacent lands, and to any other persons who are owners of record that may be designated by the board ~~which~~ THAT might be affected by the proposed mining operation. Proof of such notice and mailing, such as certified mail with return receipt requested where possible, shall be provided to the board or the office and become part of the application.

**SECTION 2. Applicability.** This act shall apply to mining permit application notices mailed on or after the effective date of this act.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 4, 2004

---

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*