

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture, Livestock, & Water.

SB22-028 be amended as follows:

1 Amend reengrossed bill, page 2, line 7, after "**declaration -**" insert  
2 "**transfer - definitions - reports -**".

3 Page 4, after line 27 insert:

4        "(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES  
5 THAT:

6        (a) THIS SECTION IS INTENDED TO RESPOND TO THE NEGATIVE  
7 ECONOMIC IMPACTS CAUSED BY THE COVID-19 PANDEMIC AND  
8 RESULTING PUBLIC HEALTH EMERGENCY BY PROVIDING FINANCIAL  
9 INCENTIVES FOR THE VOLUNTARY RETIREMENT OF IRRIGATED ACREAGE IN  
10 ORDER TO MAINTAIN INTERSTATE COMPACT COMPLIANCE;

11        (b) MONEY ALLOCATED TO THE STATE PURSUANT TO THE  
12 "AMERICAN RESCUE PLAN ACT OF 2021" AND TRANSFERRED TO THE  
13 GROUNDWATER COMPACT COMPLIANCE AND SUSTAINABILITY FUND  
14 CREATED IN SUBSECTION (3)(a) OF THIS SECTION MAY BE USED FOR THE  
15 PURPOSES OF THIS SECTION; AND

16        (c) THE COMPACT COMPLIANCE, GROUNDWATER RESOURCE  
17 SUSTAINABILITY, AND GROUNDWATER CONSERVATION PURPOSES  
18 DESCRIBED IN THIS SECTION ARE IMPORTANT GOVERNMENT SERVICES.".

19 Renumber succeeding subsections accordingly.

20 Page 5, strike line 2 and substitute "SUSTAINABILITY FUND IS".

21 Page 6, line 3, strike "(3)." and substitute "(4).".

22 Page 6, line 12, strike "REPEALED." and substitute "REPEALED; EXCEPT  
23 THAT THIS SECTION SHALL NOT BE REPEALED BEFORE JANUARY 1, 2025.".

24 Page 6, line 14, strike "(5)" and substitute "(6)".

25 Page 6, after line 22 insert:

26        "(7) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL  
27 ASSEMBLY SHALL APPROPRIATE TO THE FUND SIXTY MILLION DOLLARS  
28 FROM THE ECONOMIC RECOVERY AND RELIEF CASH FUND CREATED IN  
29 SECTION 24-75-228 (2)(a). THE BOARD MAY USE THE MONEY  
30 APPROPRIATED FOR THE PURPOSES SET FORTH IN THIS SECTION. EXCEPT AS  
31 PROVIDED IN SUBSECTION (7)(b) OF THIS SECTION, ANY MONEY  
32 APPROPRIATED TO THE FUND IN THE 2022-23 STATE FISCAL YEAR THAT IS  
33 UNOBLIGATED OR UNEXPENDED AT THE END OF THE STATE FISCAL YEAR  
34 REMAINS AVAILABLE FOR EXPENDITURE BY THE BOARD IN SUBSEQUENT

1 STATE FISCAL YEARS WITHOUT FURTHER APPROPRIATION, SUBJECT TO THE  
2 REQUIREMENTS FOR OBLIGATING AND EXPENDING MONEY RECEIVED  
3 UNDER THE "AMERICAN RESCUE PLAN ACT OF 2021", AS SPECIFIED IN  
4 SECTION 24-75-226 (4)(d).

5 (b) ON AUGUST 15, 2024, IF THERE IS UNOBLIGATED MONEY IN THE  
6 FUND, THE STATE TREASURER SHALL:

7 (I) IF THE AMOUNT OF UNOBLIGATED MONEY IS TWENTY MILLION  
8 DOLLARS OR LESS, TRANSFER ALL OF THE UNOBLIGATED MONEY TO THE  
9 WATER PLAN IMPLEMENTATION ACCOUNT; OR

10 (II) IF THE AMOUNT OF UNOBLIGATED MONEY IS GREATER THAN  
11 TWENTY MILLION DOLLARS, TRANSFER TO THE WATER PLAN  
12 IMPLEMENTATION ACCOUNT ALL BUT THE AMOUNT OF THE UNOBLIGATED  
13 MONEY THAT IS EQUAL TO FORTY MILLION DOLLARS MINUS THE AMOUNT  
14 OF UNOBLIGATED MONEY.

15 (8) (a) THE BOARD AND ANY PERSON THAT RECEIVES MONEY FROM  
16 THE BOARD PURSUANT TO THIS SECTION OR SECTION 37-60-123.3 (3)  
17 SHALL COMPLY WITH THE COMPLIANCE, REPORTING, RECORD-KEEPING,  
18 AND PROGRAM EVALUATION REQUIREMENT ESTABLISHED BY THE OFFICE  
19 OF STATE PLANNING AND BUDGETING AND THE STATE CONTROLLER IN  
20 ACCORDANCE WITH SECTION 24-75-226 (5).

21 (b) COMMENCING IN 2023, AND FOR EACH YEAR THEREAFTER  
22 THROUGH 2027, AS PART OF ITS ANNUAL PRESENTATIONS TO THE GENERAL  
23 ASSEMBLY UNDER THE "STATE MEASUREMENT FOR ACCOUNTABLE,  
24 RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2  
25 OF ARTICLE 7 OF TITLE 2, THE DEPARTMENT OF NATURAL RESOURCES  
26 SHALL REPORT ON HOW MUCH MONEY THE BOARD HAS EXPENDED UNDER  
27 THIS SECTION AND IF THE BOARD EXPECTS TO EXPEND THE FULL SIXTY  
28 MILLION DOLLARS FOR THE PURPOSES SET FORTH IN THIS SECTION OR, IF  
29 MONEY IS TRANSFERRED TO THE WATER PLAN IMPLEMENTATION ACCOUNT  
30 IN 2024, IF THE BOARD IS ON TRACK TO EXPEND THE FULL SIXTY MILLION  
31 DOLLARS FOR THE PURPOSES SET FORTH IN THIS SECTION AND THE  
32 PURPOSES SET FORTH IN SECTION 37-60-123.3 (3).

33 (9) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
34 REQUIRES:

35 (a) "AMERICAN RESCUE PLAN ACT OF 2021" MEANS THE FEDERAL  
36 "AMERICAN RESCUE PLAN ACT OF 2021", PUB. L. 117-2, AS THE ACT MAY  
37 BE SUBSEQUENTLY AMENDED.

38 (b) "COVID-19" MEANS THE CORONAVIRUS DISEASE CAUSED BY  
39 THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO  
40 KNOWN AS SARS-CoV-2.

41 (c) "FUND" MEANS THE GROUNDWATER COMPACT COMPLIANCE  
42 AND SUSTAINABILITY FUND CREATED IN SUBSECTION (3)(a) OF THIS  
43 SECTION.

1 (d) "WATER PLAN IMPLEMENTATION ACCOUNT" MEANS THE WATER  
2 PLAN IMPLEMENTATION ACCOUNT CREATED IN SECTION 37-60-123.3  
3 (3)(b).

4           **SECTION 2.** In Colorado Revised Statutes, 37-60-123.3, **add** (3)  
5 as follows:

6           **37-60-123.3. Water plan implementation cash fund - created**  
7   **- water plan implementation account - created - legislative**  
8   **declaration - reporting - repeal.** (3) (a) THE GENERAL ASSEMBLY FINDS  
9   AND DECLARES THAT:

10 (I) THIS SUBSECTION (3) IS INTENDED TO RESPOND TO THE  
11 NEGATIVE ECONOMIC IMPACTS CAUSED BY THE COVID-19 PANDEMIC, AS  
12 DEFINED IN SECTION 37-60-134 (9)(b), AND THE RESULTING PUBLIC  
13 HEALTH EMERGENCY BY PROVIDING GRANT MONEY TO PROMOTE PROJECTS  
14 AND ACTIONS THAT ADVANCE PROGRESS TOWARD ACCOMPLISHING THE  
15 CRITICAL ACTIONS IDENTIFIED IN THE STATE WATER PLAN;

16 (II) MONEY ALLOCATED TO THE STATE PURSUANT TO THE  
17 "AMERICAN RESCUE PLAN ACT OF 2021", AS DEFINED IN SECTION  
18 37-60-134 (9)(a), AND TRANSFERRED TO THE WATER PLAN  
19 IMPLEMENTATION ACCOUNT MAY BE USED FOR THE PURPOSES OF THIS  
20 SUBSECTION (3); AND

21 (III) THE WATER PLAN IMPLEMENTATION PURPOSES DESCRIBED IN  
22 THIS SUBSECTION (3) ARE IMPORTANT GOVERNMENT SERVICES.

23 (b) THERE IS HEREBY CREATED IN THE WATER PLAN  
24 IMPLEMENTATION CASH FUND THE WATER PLAN IMPLEMENTATION  
25 ACCOUNT, REFERRED TO IN THIS SUBSECTION (3) AS THE "ACCOUNT". THE  
26 MONEY IN THE ACCOUNT IS CONTINUOUSLY APPROPRIATED TO THE BOARD  
27 TO USE FOR THE PURPOSES SET FORTH IN THIS SUBSECTION (3).

(c) THE ACCOUNT CONSISTS OF ALL MONEY TRANSFERRED TO THE ACCOUNT ON AUGUST 15, 2024, FROM THE GROUNDWATER COMPACT COMPLIANCE AND SUSTAINABILITY FUND CREATED IN SECTION 37-60-134 (3)(a).

32 (d) THE BOARD AND ANY PERSON THAT RECEIVES MONEY FROM  
33 THE BOARD PURSUANT TO THIS SUBSECTION (3) SHALL COMPLY WITH THE  
34 COMPLIANCE, REPORTING, RECORD-KEEPING, AND PROGRAM EVALUATION  
35 REQUIREMENT ESTABLISHED BY THE OFFICE OF STATE PLANNING AND  
36 BUDGETING AND THE STATE CONTROLLER IN ACCORDANCE WITH SECTION  
37 24-75-226 (5).

38 (e) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
39 2027.".

40 Renumber succeeding section accordingly.

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