

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0215.01 Sam Anderson x4218

**SENATE BILL 26-025**

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**SENATE SPONSORSHIP**

**Rich and Snyder,**

**HOUSE SPONSORSHIP**

**Marshall,**

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**Senate Committees**  
Transportation & Energy

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING LAND SURVEY MONUMENTATION.**

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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>.)*

The bill permits setting reference monuments where a monument or marker is impractical or unsafe due to location in a traveled road within a federal, state, or other public right-of-way. The bill also requires land surveyors to submit monument records in electronic format and allows counties to maintain monument records in electronic format.

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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, 38-51-104, **amend**  
3     (3)(a) as follows:

4             **38-51-104. Monumentation of land surveys.**

5             (3) (a) If the monuments or markers required by subsection (1) of  
6     this section cannot practicably be set because of steep terrain, water,  
7     marsh, or existing structures; or if they would be lost as a result of  
8     proposed street, road, or other construction; OR THEY CANNOT BE SAFELY  
9     SET DUE TO THEIR POSITION ON A TRAVELED ROAD WITHIN A FEDERAL,  
10    STATE, OR OTHER PUBLIC RIGHT-OF-WAY, one or more reference  
11    monuments shall be set.

12            **SECTION 2.** In Colorado Revised Statutes, 38-51-105, **amend**  
13    (7)(a) as follows:

14            **38-51-105. Monumentation of subdivisions.**

15            (7) (a) If any monuments or markers required by subsection (1),  
16    (2), or (3) of this section cannot practicably be set because of steep  
17    terrain, water, marsh, or existing structures; or if they would be lost as a  
18    result of proposed street, road, or other construction; OR THEY CANNOT BE  
19    SAFELY SET DUE TO THEIR POSITION ON A TRAVELED ROAD WITHIN A  
20    FEDERAL, STATE, OR OTHER PUBLIC RIGHT-OF-WAY, one or more reference  
21    monuments shall be set.

22            **SECTION 3.** In Colorado Revised Statutes, 38-50-103, **amend**  
23    (2)(b) as follows:

24            **38-50-103. Public records - monument records.**

25            (2) (b) Each county clerk and recorder MAY maintain copies of  
26    monument records in a county record-keeping and indexing system and,  
27    upon receipt of each monument record provided pursuant to ~~paragraph (a)~~

1 of this subsection (2) SUBSECTION (2)(a) OF THIS SECTION, shall list it in  
2 the system. EACH COUNTY CLERK AND RECORDER MAY MAINTAIN COPIES  
3 OF MONUMENT RECORDS IN ELECTRONIC FORMAT.

4 **SECTION 4.** In Colorado Revised Statutes, 38-53-104, **amend**  
5 (1)(a) and (1)(b) as follows:

6 **38-53-104. Submission of monument record required.**

7 (1) (a) If a professional land surveyor conducts a survey that uses  
8 any monument representing a public land survey monument location,  
9 quarter section corner, sixteenth section corner, government land office  
10 or bureau of land management (~~government~~) lot corner as defined by the  
11 nomenclature of the United States public land survey system, or any  
12 United States geological survey or United States coast and geodetic  
13 survey, also known as the national ocean service/national geodetic survey,  
14 monument as a control corner, the professional land surveyor shall submit  
15 a monument record IN ELECTRONIC FORMAT describing such monument  
16 with the board if the monument and its accessories are not substantially  
17 described in an existing monument record previously submitted pursuant  
18 to this section or its predecessor.

19 (b) If a professional land surveyor establishes, restores, or  
20 rehabilitates any public land survey monument corner location or section  
21 corner, quarter section corner, or sixteenth section corner as defined by  
22 the nomenclature of the United States public land survey system, the  
23 professional land surveyor shall submit a monument record IN  
24 ELECTRONIC FORMAT.

25 **SECTION 5.** In Colorado Revised Statutes, **amend** 38-53-106 as  
26 follows:

27 **38-53-106. Form of monument records - prescribed by board.**

1           The board shall adopt and revise as necessary the form and  
2   technical specifications for submission of monument records, including  
3   the information to be included with, or as part of, the records. THE BOARD  
4   SHALL NOT REQUIRE THE FORMS SUBMITTED UNDER SECTION 38-53-104 TO  
5   BE SUBMITTED IN PAPER FORMAT.

6           **SECTION 6. Act subject to petition - effective date.** This act  
7   takes effect at 12:01 a.m. on the day following the expiration of the  
8   ninety-day period after final adjournment of the general assembly (August  
9   12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
10   referendum petition is filed pursuant to section 1 (3) of article V of the  
11   state constitution against this act or an item, section, or part of this act  
12   within such period, then the act, item, section, or part will not take effect  
13   unless approved by the people at the general election to be held in  
14   November 2026 and, in such case, will take effect on the date of the  
15   official declaration of the vote thereon by the governor.