

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 18-0706.01 Thomas Morris x4218

HOUSE BILL 18-1073

HOUSE SPONSORSHIP

Gray,

SENATE SPONSORSHIP

Gardner,

House Committees

Agriculture, Livestock, & Natural Resources
Finance

Senate Committees

Agriculture, Natural Resources, & Energy

A BILL FOR AN ACT

101 **CONCERNING WATER DISTRICTS' ABILITY TO ENTER INTO CONTRACTS**
102 **REGARDING THEIR WATER-RELATED ASSETS.**

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 authorizes water districts, including water activity enterprises, to enter into contracts for water and the capacity in works and allows the contracts to be based on municipalities' authority to contract for water and sewer facilities. It also specifies that water conservancy districts' contracts can be for municipal and industrial use by the recipient of the water.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
2nd Reading Unamended
March 6, 2018

HOUSE
3rd Reading Unamended
February 13, 2018

HOUSE
Amended 2nd Reading
February 12, 2018

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 37-45-131 as
3 follows:

4 **37-45-131. Sale of water by contract.** The board may sell, lease,
5 or otherwise dispose of the use of water OR CAPACITY IN WORKS by term
6 contracts or by contracts for the perpetual use of ~~such~~ THE water OR
7 WORKS to public corporations, DISTRICTS, AS THAT TERM IS DEFINED IN
8 SECTION 37-45.1-102 (1), UTILITIES, persons, mutual ditch companies,
9 water users' associations, and other private corporations for irrigation,
10 domestic, MUNICIPAL, INDUSTRIAL, ~~or commercial, use~~ OR OTHER
11 ~~AUTHORIZED USES~~ as ~~shall be~~ provided by contracts, in writing, authorized
12 and entered into by the board. ~~and~~ The board shall require that security be
13 given to secure the payments to be made under ~~such~~ THE contracts, WHICH
14 SECURITY MAY INCLUDE THE SECURITY SPECIFIED IN SECTION 37-45-132
15 OR SUCH OTHER SECURITY AS THE BOARD DETERMINES TO BE
16 APPROPRIATE. THE CONTRACTS MAY INCLUDE THE CONTRACTUAL
17 PROVISIONS SPECIFIED IN SECTION 31-35-402 (1)(h) AS DETERMINED BY
18 THE BOARD.

19 **SECTION 2.** In Colorado Revised Statutes, 37-45.1-106, **add** (4)
20 as follows:

21 **37-45.1-106. Contracts.** (4) A DISTRICT OR ITS WATER ACTIVITY
22 ENTERPRISE MAY CONTRACT WITH ANY OTHER ~~PERSON, INCLUDING A~~
23 DISTRICT OR A WATER ACTIVITY ENTERPRISE OF ANOTHER ~~DISTRICT~~, FOR
24 THE USE OF WATER OR A WATER PROJECT OR FACILITY, WHICH CONTRACT
25 MAY CONTAIN PROVISIONS SPECIFIED IN SECTION 31-35-402 (1)(h) AS
26 DETERMINED BY THE DISTRICT OR WATER ACTIVITY ENTERPRISE.

1 **SECTION 3. Act subject to petition - effective date -**
2 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
3 the expiration of the ninety-day period after final adjournment of the
4 general assembly (August 8, 2018, if adjournment sine die is on May 9,
5 2018); except that, if a referendum petition is filed pursuant to section 1
6 (3) of article V of the state constitution against this act or an item, section,
7 or part of this act within such period, then the act, item, section, or part
8 will not take effect unless approved by the people at the general election
9 to be held in November 2018 and, in such case, will take effect on the
10 date of the official declaration of the vote thereon by the governor.
11 (2) This act applies to conduct occurring on or after the applicable
12 effective date of this act.