

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

PREAMENDED

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

LLS NO. 20-0327.01 Duane Gall x4335

HOUSE BILL 20-1072

HOUSE SPONSORSHIP

Arndt and Saine, Catlin, Roberts, Titone

SENATE SPONSORSHIP

Sonnenberg and Bridges, Coram, Donovan

House Committees

Rural Affairs & Agriculture
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT THE UNIVERSITY OF COLORADO**
102 **STUDY POTENTIAL USES OF EMERGING TECHNOLOGIES TO MORE**
103 **EFFECTIVELY MANAGE COLORADO'S WATER SUPPLY, AND, IN**
104 **CONNECTION THEREWITH, MAKING AN APPROPRIATION,**
105 **CONDITIONED ON THE RECEIPT OF MATCHING FUNDS FROM**
106 **GIFTS, GRANTS, AND DONATIONS.**

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 Review Committee. The bill declares that new

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.

technologies, such as blockchain, telemetry, improved sensors, and advanced aerial observation platforms, can improve monitoring, management, conservation, and trading of water and enhance confidence in the reliability of data underlying water rights transactions. To advance the potential use of these new technologies, the bill:

! Authorizes and directs the university of Colorado, in collaboration with the Colorado water institute at Colorado state university, to conduct feasibility studies and pilot deployments of these new technologies to improve water management in Colorado; and

! Appropriates \$40,000 from the general fund, contingent on the university of Colorado's receipt of a matching \$40,000 in gifts, grants, and donations, for the purpose of funding the studies and pilot programs.

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 determines that emerging new and improved technologies may
4 offer significant benefits to Colorado water users and managers by:

5 (a) Improving the monitoring, management, conservation, and
6 trading of both surface water and groundwater;

7 (b) Reducing inefficiency and waste in the process of recycling,
8 reclaiming, or disposing of produced water and wastewater; and

9 (c) Allowing parties to water rights transactions to have more
10 confidence in the data on which those transactions are based.

11 (2) Therefore, the general assembly declares that it is in the public
12 interest to authorize and direct the university of Colorado, in
13 collaboration with the Colorado water institute, to conduct feasibility
14 studies and pilot deployments of these technologies and to report to the
15 general assembly on the potential of these technologies to improve
16 Colorado water management.

17 **SECTION 2.** In Colorado Revised Statutes, **add** 23-20-141 as

1 follows:

2 **23-20-141. Emerging technologies for water management -**

3 **study - report - repeal.** (1) (a) SUBJECT TO SUBSECTION (2) OF THIS
4 SECTION AND IN COLLABORATION WITH THE COLORADO WATER INSTITUTE
5 CREATED IN SECTION 23-31-801 OR ITS SUCCESSOR, THE UNIVERSITY OF
6 COLORADO SHALL CONDUCT FEASIBILITY STUDIES AND PILOT
7 DEPLOYMENTS OF NEW AND EMERGING TECHNOLOGIES THAT HAVE
8 POTENTIAL TO IMPROVE THE MONITORING, MANAGEMENT, CONSERVATION,
9 AND TRADING OF SURFACE WATER AND GROUNDWATER AND TO REDUCE
10 INEFFICIENCY AND WASTE IN THE PROCESS OF RECYCLING, RECLAIMING, OR
11 DISPOSING OF PRODUCED WATER AND WASTEWATER.

12 (b) THE TECHNOLOGIES TO BE INVESTIGATED BY THE UNIVERSITY
13 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION MAY INCLUDE:

14 (I) IN-SITU SENSORS TO MONITOR SURFACE AND GROUNDWATER
15 USE;

16 (II) DIRECT OR REMOTE SENSORS TO MONITOR WATER QUALITY;

17 (III) CELLULAR AND SATELLITE TELEMTRY SYSTEMS ALLOWING
18 REMOTE ACCESS TO SENSOR DATA;

19 (IV) AERIAL OBSERVATION PLATFORMS, INCLUDING
20 HIGH-ALTITUDE BALLOONS AND UNMANNED AERIAL VEHICLES;

21 (V) SATELLITE-BASED REMOTE SENSING AND WATER RESOURCE
22 FORECASTING TECHNOLOGIES; AND

23 (VI) BLOCKCHAIN-BASED DOCUMENTATION, COMMUNICATION,
24 AND AUTHENTICATION OF DATA REGARDING WATER USE, TRADING, AND
25 CONSERVATION.

26 (c) ON OR BEFORE JULY 15, 2021, AND UPON REQUEST OF THE
27 WATER RESOURCES REVIEW COMMITTEE IN ANY YEAR THEREAFTER,

1 NOTWITHSTANDING SECTION 24-1-136 (11), THE UNIVERSITY SHALL
2 PROVIDE LIVE TESTIMONY AND A WRITTEN REPORT ON THE PROGRESS OF
3 THE STUDIES AND PILOT DEPLOYMENTS CONDUCTED PURSUANT TO THIS
4 SUBSECTION (1), INCLUDING ANY CONCLUSIONS REGARDING THE
5 POTENTIAL OF THESE TECHNOLOGIES TO IMPROVE COLORADO WATER
6 MANAGEMENT AND ANY RECOMMENDATIONS FOR ADMINISTRATIVE OR
7 LEGISLATIVE ACTION TO PROMOTE THEIR USE, TO THE WATER RESOURCES
8 REVIEW COMMITTEE OF THE GENERAL ASSEMBLY.

9 (2) (a) THE UNIVERSITY OF COLORADO MAY SEEK, ACCEPT, AND
10 EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES
11 FOR THE PURPOSES OF THIS SECTION. THE UNIVERSITY SHALL NOT
12 CONDUCT THE STUDIES OR PILOT DEPLOYMENTS DESCRIBED IN SUBSECTION
13 (1) OF THIS SECTION UNTIL IT HAS RECEIVED AT LEAST FORTY THOUSAND
14 DOLLARS PURSUANT TO THIS SUBSECTION (2). AFTER THE UNIVERSITY HAS
15 CERTIFIED TO THE STATE CONTROLLER THAT THE UNIVERSITY HAS
16 RECEIVED AT LEAST FORTY THOUSAND DOLLARS FROM GIFTS, GRANTS,
17 AND DONATIONS FOR THE PURPOSES OF CARRYING OUT THIS SECTION, THE
18 GENERAL ASSEMBLY SHALL APPROPRIATE AN ADDITIONAL FORTY
19 THOUSAND DOLLARS FROM THE GENERAL FUND TO THE UNIVERSITY.

20 (b) THIS SUBSECTION (2) WILL BE REPEALED IF THE UNIVERSITY
21 DETERMINES THAT INSUFFICIENT MONEY HAS BEEN RECEIVED TO SATISFY
22 THE CONDITION STATED IN SUBSECTION (2)(a) OF THIS SECTION. THE
23 UNIVERSITY SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF THE
24 DATE ON WHICH A CONDITION SPECIFIED IN THIS SUBSECTION (2) HAS
25 OCCURRED BY E-MAILING THE NOTICE TO
26 REVISOROFSTATUTES.GA@STATE.CO.US. THIS SUBSECTION (2) IS
27 REPEALED, EFFECTIVE THE SEPTEMBER 1 FOLLOWING THE DATE IDENTIFIED

1 IN THE NOTICE THAT THE CONDITION SPECIFIED IN THIS SUBSECTION (2)
2 HAS OCCURRED OR, IF THE NOTICE DOES NOT SPECIFY THAT DATE,
3 FOLLOWING THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.

4 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2022.

5 **SECTION 3.** In Colorado Revised Statutes, 23-31-801, **amend**
6 (4)(e)(V) and (4)(f); and **add** (4)(g) as follows:

7 **23-31-801. Colorado water institute - creation.** (4) It is the duty
8 of the institute to:

9 (e) Facilitate and stimulate scientific research and policy analysis
10 that:

11 (V) Examines the interconnections between climate change, water
12 supply, and water quality and provides tools water managers and
13 policymakers need to adapt to global climate change; ~~and~~

14 (f) Establish and maintain a clearinghouse and archive of water
15 research, water quality, and climate projection data; AND

16 (g) COLLABORATE WITH THE UNIVERSITY OF COLORADO IN
17 STUDYING THE FEASIBILITY OF NEW AND IMPROVED WATER-RELATED
18 TECHNOLOGIES IN ACCORDANCE WITH SECTION 23-20-141.

19 **SECTION 4.** In Colorado Revised Statutes, 23-3.3-103, **add** (9)
20 as follows:

21 **23-3.3-103. Annual appropriations - repeal.** (9) (a) THE
22 PROVISIONS OF SUBSECTION (1) OF THIS SECTION CONCERNING
23 APPROPRIATIONS FOR STUDENT FINANCIAL ASSISTANCE UNDER THIS
24 ARTICLE 3.3 DO NOT APPLY TO APPROPRIATIONS MADE FOR THE PURPOSE
25 OF CONDUCTING FEASIBILITY STUDIES AND PILOT PROGRAMS TO
26 INVESTIGATE EMERGING TECHNOLOGIES FOR WATER MANAGEMENT
27 PURSUANT TO SECTION 23-20-141.

1 (b) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2022.

2 SECTION 5. In Colorado Revised Statutes, 23-18-308, amend
3 (1)(f); and add (1)(h) as follows:

4 23-18-308. Fee-for-service contracts - limited purpose - repeal.

5 (1) Subject to available appropriations, the department shall enter into
6 fee-for-service contracts for the following purposes:

7 (f) Providing services to maximize concurrent enrollment across
8 the community college system as provided in section 23-60-202.7; and

9 (h) THE CONDUCT OF FEASIBILITY STUDIES AND PILOT PROGRAMS
10 TO INVESTIGATE EMERGING TECHNOLOGIES FOR WATER MANAGEMENT
11 PURSUANT TO SECTION 23-20-141. THIS SUBSECTION (1)(h) IS REPEALED,
12 EFFECTIVE JUNE 30, 2022.

13 SECTION 6. Appropriation. (1) For the 2020-21 state fiscal
14 year, \$40,000 is appropriated to the department of higher education. This
15 appropriation is from the general fund. To implement this act, the
16 department may use this appropriation for the college opportunity fund
17 program to be used for limited purpose fee-for-service contracts with
18 state institutions.

19 (2) For the 2020-21 state fiscal year, \$40,000 is appropriated to
20 the department of higher education. This appropriation is from
21 reappropriated funds received from the limited purpose fee-for-service
22 contracts with state institutions under subsection (1) of this section. To
23 implement this act, the department may use this appropriation for the
24 regents of the university of Colorado.

25 SECTION 7. Act subject to petition - effective date. (1) Except
26 as otherwise provided in subsection (2) of this section, this act takes
27 effect at 12:01 a.m. on the day following the expiration of the ninety-day

1 period after final adjournment of the general assembly (August 5, 2020,
2 if adjournment sine die is on May 6, 2020); except that, if a referendum
3 petition is filed pursuant to section 1 (3) of article V of the state
4 constitution against this act or an item, section, or part of this act within
5 such period, then the act, item, section, or part will not take effect unless
6 approved by the people at the general election to be held in November
7 2020 and, in such case, will take effect on the date of the official
8 declaration of the vote thereon by the governor.

9 (2) Section 6 of this act shall only take effect if the university of
10 Colorado certifies in writing to the state controller that the university has
11 received at least forty thousand dollars (\$40,000) in gifts, grants, and
12 donations for the purposes of this act. After receiving this certification,
13 the state controller shall notify the joint budget committee in writing that
14 the state controller has received the certification from the university.