

First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0744.01 Richard Sweetman x4333

HOUSE BILL 25-1211

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HOUSE SPONSORSHIP

Stewart R. and Lieder,

SENATE SPONSORSHIP

Bridges,

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House Committees

Transportation, Housing & Local Government

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE PROVISION OF WATER SERVICE BY SPECIAL  
102 DISTRICTS, AND, IN CONNECTION THEREWITH, REQUIRING A  
103 SPECIAL DISTRICT TO SATISFY CERTAIN REQUIREMENTS WHEN  
104 ESTABLISHING THE AMOUNT OF A TAP FEE.

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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>.)*

A tap fee is a fee that is paid by a developer or property owner in order to connect a property to a public water or sewer system. Current law allows the board (board) of any sanitation, water and sanitation, or water

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.*

district (water district) to impose and set the amount of a tap fee.

The bill states that a board has a duty to provide water service if the water district has the capacity to do so. The bill also requires a board, in determining the amount of a tap fee, to:

- Ensure that the amount of the tap fee is reasonably related to the costs incurred by the water district in providing water service, which may include costs relating to the acquisition of water rights; and
- Take into consideration as supporting a reduced or proportional tap fee at least 2 of the following factors:
  - Expected long-term water usage, both indoor and outdoor;
  - The square footage of the unit;
  - The presence of low-water-usage appliances, if applicable;
  - The number of bedrooms and bathrooms; and
  - The presence of graywater treatment works, if applicable.

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

2 **SECTION 1.** In Colorado Revised Statutes, 32-1-1006, **amend**  
3 (1)(g); and **add** (9) as follows:

4 **32-1-1006. Sanitation, water and sanitation, or water districts**  
5 **- additional powers - special provisions.** (1) In addition to the powers  
6 specified in section 32-1-1001, the board of any sanitation, water and  
7 sanitation, or water district has the following powers for and on behalf of  
8 such district:

9 (g) To fix and ~~from time to time to~~ ON OCCASION increase or  
10 decrease tap fees IN ACCORDANCE WITH SUBSECTION (9) OF THIS SECTION.  
11 The board may pledge ~~such~~ revenue RAISED FROM THE IMPOSITION OF TAP  
12 FEES for the payment of any indebtedness of the special district.

13 (9) (a) THE BOARD OF A SANITATION, WATER AND SANITATION, OR  
14 WATER DISTRICT HAS A DUTY TO PROVIDE WATER SERVICE IF THE SPECIAL  
15 DISTRICT HAS THE CAPACITY TO DO SO.

1 (b) IN DETERMINING THE AMOUNT OF A TAP FEE AS DESCRIBED IN  
2 SUBSECTION (1)(g) OF THIS SECTION, THE BOARD OF A SANITATION, WATER  
3 AND SANITATION, OR WATER DISTRICT SHALL:

4 (I) ENSURE THAT THE AMOUNT OF THE TAP FEE IS REASONABLY  
5 RELATED TO THE COSTS INCURRED BY THE SANITATION, WATER AND  
6 SANITATION, OR WATER DISTRICT IN PROVIDING WATER SERVICE, WHICH  
7 MAY INCLUDE COSTS RELATING TO THE ACQUISITION OF WATER RIGHTS;  
8 AND

9 (II) TAKE INTO CONSIDERATION AS SUPPORTING A REDUCED OR  
10 PROPORTIONAL TAP FEE AT LEAST TWO OF THE FOLLOWING FACTORS:

11 (A) EXPECTED LONG-TERM WATER USAGE, BOTH INDOOR AND  
12 OUTDOOR;

13 (B) THE SQUARE FOOTAGE OF THE UNIT;

14 (C) THE PRESENCE OF LOW-WATER-USAGE APPLIANCES, IF  
15 APPLICABLE;

16 (D) THE NUMBER OF BEDROOMS AND BATHROOMS; AND

17 (E) THE PRESENCE OF GRAYWATER TREATMENT WORKS, AS  
18 DEFINED IN SECTION 25-8-103 (8.4), IF APPLICABLE.

19 **SECTION 2. Act subject to petition - effective date.** This act  
20 takes effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly; except  
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
23 of the state constitution against this act or an item, section, or part of this  
24 act within such period, then the act, item, section, or part will not take  
25 effect unless approved by the people at the general election to be held in  
26 November 2026 and, in such case, will take effect on the date of the  
27 official declaration of the vote thereon by the governor.