

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 21-0893.01 Thomas Morris x4218

HOUSE BILL 21-1260

HOUSE SPONSORSHIP

Garnett and Catlin, Amabile, Bacon, Benavidez, Bernett, Bird, Bockenfeld, Boesenecker, Caraveo, Cutter, Duran, Esgar, Exum, Froelich, Gonzales-Gutierrez, Gray, Herod, Holtorf, Hooton, Jackson, Jodeh, Kennedy, Kipp, Lontine, Luck, Lynch, McCluskie, McCormick, McKean, McLachlan, Michaelson Jenet, Mullica, Neville, Ortiz, Pelton, Rich, Ricks, Roberts, Sandridge, Sirota, Snyder, Soper, Sullivan, Titone, Valdez A., Valdez D., Weissman, Will, Woog, Young

SENATE SPONSORSHIP

Donovan and Simpson,

House Committees

Agriculture, Livestock, & Water
Appropriations

Senate Committees

Agriculture & Natural Resources
Appropriations

A BILL FOR AN ACT

101 **CONCERNING TRANSFERS OF MONEY FROM THE GENERAL FUND TO**
102 **IMPLEMENT THE STATE WATER PLAN, AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

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 allocates \$20 million from the general fund to the Colorado water conservation board (CWCB) to be spent to implement the state water plan as follows:

- \$15 million, which is transferred to the water plan implementation cash fund for expenditures and grants

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
Amended 2nd Reading
June 3, 2021

HOUSE
3rd Reading Unamended
April 29, 2021

HOUSE
2nd Reading Unamended
April 28, 2021

- administered by the CWCB to implement the state water plan; and
- \$5 million, which is transferred to the water supply reserve fund for CWCB to disperse to the basin roundtables.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby:

4 (a) Finds that:

5 (I) Investment in Colorado's water resources is critical to our
6 economy and quality of life;

7 (II) These investments are needed now to ensure Colorado's water
8 systems can be resilient to impacts of fire, drought, climate change, and
9 population growth;

10 (b) Determines that:

11 (I) Colorado's water plan provides a vision for ensuring water
12 supply and demand are met now and into the future while maintaining
13 Colorado values of vibrant communities, productive agriculture, and
14 world-class natural resources;

15 (II) The implementation of Colorado's water plan requires funding
16 projects that address challenges across the state, but our investments in
17 water infrastructure, natural and manmade, consistently lag behind our
18 needs; and

19 (c) Declares this act's one-time stimulative infusion of money
20 seeks to jumpstart the grant funding for diverse and multi-beneficial
21 projects for communities, rivers, and economies in all parts of Colorado.

22 **SECTION 2. In Colorado Revised Statutes, 37-60-106.3, amend**
23 **(6)(c) as follows:**

1 **37-60-106.3. State water plan - legislative declaration - grant**
2 **program. (6) Water plan implementation grant program.** The board
3 may approve grants pursuant to the following requirements:

4 (c) Grant money must amount to no more than fifty percent of the
5 total cost of an individual project, and the total money from all board
6 funding sources must not exceed seventy-five percent of the total cost of
7 an individual project THE BOARD SHALL ESTABLISH CRITERIA THAT
8 REQUIRE MATCHING FUNDS OF AT LEAST TWENTY-FIVE PERCENT; EXCEPT
9 THAT THE BOARD MAY AWARD GRANTS IN 2021 AND 2022 WITH REDUCED
10 MATCHING FUND REQUIREMENTS.

11 **SECTION 3.** In Colorado Revised Statutes, 37-60-123.3, **amend**
12 (1) as follows:

13 **37-60-123.3. Water plan implementation cash fund - created**
14 **- repeal.** (1) (a) There is hereby created in the state treasury the water
15 plan implementation cash fund, referred to in this section as the "fund".
16 The fund consists of sports betting revenues transferred from the sports
17 betting fund in accordance with section 44-30-1509 and any other money
18 that the general assembly may appropriate or transfer to the fund. The
19 state treasurer shall credit all interest and income derived from the deposit
20 and investment of money in the fund to the fund.

21 (b) (I) THE STATE TREASURER SHALL TRANSFER FIFTEEN MILLION
22 DOLLARS FROM THE GENERAL FUND TO THE FUND. THE BOARD MAY USE UP
23 TO FIVE PERCENT OF THE MONEY TRANSFERRED BY THIS SUBSECTION
24 (1)(b)(I) TO ADMINISTER GRANTS MADE PURSUANT TO SUBSECTION (2)(a)
25 OF THIS SECTION. BY JULY 1, 2023, THE BOARD SHALL AWARD PURSUANT
26 TO SUBSECTION (2) OF THIS SECTION ALL OF THE MONEY TRANSFERRED BY
27 THIS SUBSECTION (1)(b).

1 (II) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE SEPTEMBER
2 1, 2025.

3 **SECTION 4.** In Colorado Revised Statutes, 39-29-109, **add**
4 (2)(c)(V) as follows:

5 **39-29-109. Severance tax trust fund - created - administration**
6 **- distribution of money - legislative declaration - repeal.** (2) State
7 severance tax receipts must be credited to the severance tax trust fund as
8 provided in section 39-29-108. All income derived from the deposit and
9 investment of the money in the fund must be credited to the fund. At the
10 end of any fiscal year, all unexpended and unencumbered money in the
11 fund remains in the fund and must not be credited or transferred to the
12 general fund or any other fund. All money in the fund is subject to
13 appropriation by the general assembly for the following purposes:

14 (c) **The water supply reserve fund.** (V) (A) THE STATE
15 TREASURER SHALL TRANSFER FIVE MILLION DOLLARS FROM THE GENERAL
16 FUND TO THE FUND. BY JULY 1, 2023, THE BOARD SHALL AWARD
17 PURSUANT TO SUBSECTION (2)(c)(I) OF THIS SECTION ALL OF THE MONEY
18 TRANSFERRED BY THIS SUBSECTION (2)(c)(V).

19 (B) THIS SUBSECTION (2)(c)(V) IS REPEALED, EFFECTIVE
20 SEPTEMBER 1, 2025.

21 **SECTION 5. Appropriation.** (1) For the 2020-21 state fiscal
22 year, \$15,000,000 is appropriated to the department of natural resources
23 for use by the Colorado water conservation board. This appropriation is
24 from the water plan implementation cash fund created in section
25 37-60-123.3 (1), C.R.S. To implement this act, the Colorado water
26 conservation board may use this appropriation for the purpose specified
27 in section 37-60-123.3 (1)(b)(I), C.R.S.

1 (2) The money appropriated in subsection (1) of this section
2 remains available for the designated purposes until it is fully expended.

3 **SECTION 6. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, or safety.