

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

**PREAMENDED**

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

LLS NO. 24-0867.01 Jennifer Berman x3286

**SENATE BILL 24-148**

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**SENATE SPONSORSHIP**

**Van Winkle,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**

Agriculture & Natural Resources

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING ALLOWING CERTAIN FACILITIES TO USE WATER**  
102                    **DETAINED IN A STORM WATER DETENTION AND INFILTRATION**  
103                    **FACILITY FOR PRECIPITATION HARVESTING.**

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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>.)*

Under current law, an entity that owns, operates, or has oversight over a storm water detention and infiltration facility (facility) is not allowed to divert, store, or otherwise use water detained in the facility. For facilities that are also approved for use as a precipitation harvesting facility, either through a substitute water supply plan or an augmentation

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.*

plan, the bill authorizes the use of water detained in the facility for precipitation harvesting.

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

2 **SECTION 1. In Colorado Revised Statutes, 37-60-115, amend**  
3 **(6)(a) introductory portion and (6)(a)(III) as follows:**

4 **37-60-115. Water studies - rules - reports - definitions - repeal.**  
5 **(6) Precipitation harvesting pilot projects. (a) The board shall, in**  
6 **consultation with the state engineer, select the sponsors of up to ten new**  
7 **residential or mixed-use developments that will conduct individual pilot**  
8 **projects to collect precipitation from rooftops and impermeable surfaces**  
9 **for nonpotable uses. The ~~purpose~~ PURPOSES of the pilot projects shall be**  
10 **ARE to:**

11 **(III) Evaluate a variety of precipitation harvesting system designs,**  
12 **INCLUDING INTEGRATED STORM WATER AND PRECIPITATION HARVESTING**  
13 **FACILITIES. NOTWITHSTANDING THE DEFINITION OF A STORM WATER**  
14 **DETENTION AND INFILTRATION FACILITY IN SECTION 37-92-602 (8)(b)(I),**  
15 **A PILOT PROJECT MAY INCLUDE A SINGLE INTEGRATED FACILITY SERVING**  
16 **THE TEMPORARY DETENTION OR INFILTRATION PURPOSES OF A STORM**  
17 **WATER DETENTION AND INFILTRATION FACILITY AND A PRECIPITATION**  
18 **HARVESTING FACILITY IF PRECIPITATION CAPTURED IN THE FACILITY FOR**  
19 **BENEFICIAL USE, AS DEFINED IN SECTION 37-92-103 (4), IS REPLACED IN**  
20 **ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION (6)(c) OF THIS**  
21 **SECTION, AND ANY WATER CAPTURED IN THE FACILITY THAT IS NOT THE**  
22 **SUBJECT OF THE PRECIPITATION HARVESTING PILOT PROJECT IS MANAGED**  
23 **AND RELEASED BACK TO THE STREAM SYSTEM IN ACCORDANCE WITH THE**  
24 **REQUIREMENTS OF SECTION 37-92-602 (8).**

25 **SECTION 2. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the  
2 ninety-day period after final adjournment of the general assembly; except  
3 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
4 of the state constitution against this act or an item, section, or part of this  
5 act within such period, then the act, item, section, or part will not take  
6 effect unless approved by the people at the general election to be held in  
7 November 2024 and, in such case, will take effect on the date of the  
8 official declaration of the vote thereon by the governor.