

CHAPTER 71

WATER AND IRRIGATION

HOUSE BILL 24-1062

BY REPRESENTATIVE(S) Evans and Titone, Amabile, Bird, Duran, Froelich, Joseph, Kipp, Lindsay, Marshall, Parenti, Rutinel, Snyder, Valdez, Willford;
also SENATOR(S) Priola and Gardner, Jaquez Lewis.

AN ACT**CONCERNING ADMINISTRATIVE INSPECTION WARRANTS FOR A METROPOLITAN SEWAGE DISPOSAL DISTRICT.**

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

SECTION 1. In Colorado Revised Statutes, 32-4-510, **add** (1)(jj) as follows:

32-4-510. Powers of the district. (1) Any district has the following powers:

(jj) (I) FOR AUTHORIZED INSPECTORS OF THE DISTRICT, UPON PRESENTATION OF PROPER CREDENTIALS, TO ENTER AND INSPECT AT ANY REASONABLE TIME AND IN A REASONABLE MANNER, ANY PROPERTY, PREMISES, OR PLACE FOR THE PURPOSE OF INVESTIGATING ANY ACTUAL, SUSPECTED, OR POTENTIAL VIOLATIONS OF THE ENVIRONMENTAL PROTECTION AGENCY'S APPROVED INDUSTRIAL PRETREATMENT PROGRAM PURSUANT TO 40 CFR 403. THE INSPECTORS MAY OBTAIN SAMPLES OF WASTEWATER. THE DISTRICT MAY FURNISH A COPY OF THE RESULTS OF ANY ANALYSIS OF THE SAMPLE TO THE OWNER, OPERATOR, OR PERSON IN CHARGE OF THE PROPERTY, PREMISES, OR PLACE.

(II) IF THE OWNER, OPERATOR, OR PERSON IN CHARGE OF ANY PROPERTY, PREMISES, OR PLACE DENIES ENTRY OR INSPECTION, THE DISTRICT MAY OBTAIN FROM THE DISTRICT COURT OR COUNTY COURT FOR THE JUDICIAL DISTRICT OR COUNTY IN WHICH SUCH PROPERTY, PREMISES, OR PLACE IS LOCATED, A WARRANT TO ENTER AND INSPECT THE PROPERTY, PREMISES, OR PLACE. THE DISTRICT COURTS AND COUNTY COURTS OF THE STATE MAY ISSUE A WARRANT AS SPECIFIED IN THIS SUBSECTION (1)(jj)(II) UPON A DISTRICT'S PROPER SHOWING OF THE NEED FOR ENTRY AND INSPECTION.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

Approved: April 17, 2024