



Colorado Water Congress State Affairs

2023 Legislative Session at a Glance

Status as of May 9, 2023

The legislative session adjourned *sine die* late in the evening on May 8. Several bills were rewritten (multiple times) in the final weeks of the session and differ from the introduced versions. Some did not clear Appropriations committees – were not killed in Appropriations, but were not scheduled because of prioritization of other measures. This is not intended to be exhaustive, but is meant to simply state the purpose of each bill tracked on the State Affairs Status sheet and provide clarifying comments when warranted.

Bill Number and SA position	Short title/Topic	Purpose at final disposition	Status	Comment
HB 1005 Support	New energy improvement districts	Adds water and resiliency to the purposes for which a new energy improvement district may provide financing	Signed	These special districts were first est. in 2010 to finance renewable and efficient energy for voluntary assessments
HB 1010 No position	High alt. water storage study	The bill would have created a task force to study opportunities for water storage in snowpack	Killed (Pi'd)	Originally requested by late Rep. McKean
HB 1018 Support	Timber industry incentives	Would have provided an income tax credit for purchase of machinery used by timber industry	Killed on calendar	Failed to get past appropriations committee
HB 1023 Support	Special district construction contracts	Doubles amount of public exp. Before required publication of contract to \$120,000 and adds inflation starting in 2028	Signed	
HB 1065 Monitor	Local Govt Ind. Ethics Comm.	Would have added special district officials and school district officials under jurisdiction of Indep. Ethics Comm.	Killed on calendar	Controversial; failed to clear debate in Senate final days
HB 1125 Support	Water Well Info. procedures	Updates type of notification re ownership of water well and who files info	Signed	Simple, procedural bill
HB 1152 Monitor	Prohibit foreign ownership natural resources	Would have prohibited persons from certain foreign countries from acquiring ownership in ag or natural resources property including water rights	Killed (Pi'd)	This issue is more prevalent regarding ag lands in Midwest

HB 1220 Support	Study economic impact of non-compliance Republican River compact	Directs Center for Water Studies at CSU to study economic consequences of potential non-compliance with Republican River Compact	Passed both chambers	Second to last bill passed in Senate 5/8/23
HB 1221 Amend	Water Quality Data Stds.	Would have required Water Quality Control Div. to use quality assured standards in setting TMDLs for state waters	Killed on calendar	Not prioritized for moving forward in final days of session
HB 1242 No position	Water use Oil/Gas operations	Requires oil/gas operators to report to OGCC on water use, VMT hauling water, and increase use of recycled/produced water; also est. a produced water consortium to study uses	House concurred Senate amendments	Bill substantially rewritten in Senate before final passage; ongoing work for consortium
HB 1255 No position	Prohibit anti-growth laws	Prohibits restrictions on growth except following disaster emergency, May allow temporary (24 months in 5 years) to amend land use or acquisition or extension of services or water	House concurred Senate amendments	This was a companion to Housing/Land Use bill that failed
HB 1257 Support	Mobile home park water quality	Directs Water Quality Control Div. to est. testing program for drinking water in mobile home parks, respond to complaints, notify multiple entities of results. Mobile home park owners required to develop and implement a remediation plan.	House concurred with Senate amendments	
HB 1274 Support	Funding for species conservation	Annual funding for species conservation projects within CWCB; appropriates \$5 million from Species Cons. Trust Fund	Sent to Gov.	
HB 1282 Oppose	Utilities under Consumer Protection Act	Would have placed utilities, including water utilities, under the Consumer Protection Act for enforcement of consumer complaints (AGs office)	Killed on calendar	House laid over to 7/1 (after end of session)
SB 005 Support	Forestry/Wildfire mitigation workforce	Provides funding to inst. Of higher ed to create and expand forestry programs; funds internships through timber business; fee for service contracts and grants to train educators in forestry and wildfire mitigation	Sent to Governor	Perceived overlap with HB 1018

SB 010 Support	Water and Ag Resources Interim	Authorized the Water and Ag resources interim to meet year round.	Signed	First meetings held March and April
SB 032 No position	Wildfire detection pilot program	Would have directed the implementation of a pilot program using remote camera and AI technologies for early detection of wildfires	Killed on calendar	Failed to advance from House appropriations in final days
SB 053 Monitor	Governmental non-disclosure agreements	Prohibits schools, educational institutions, state and state agencies, and local governments from requiring non-disclosure agreements with certain exceptions. Prohibits retaliation.	Sent to Governor	Numerous exceptions provided to protect personal info, trade secrets, security
SB 057 Amend	County Treasurer no longer Ex Officio for districts	Increases fee for county treasurer to collect assessments for irrigation and drainage districts; directs boards to appoint district treasurer; principal and interest on bonds paid at direction of boards.	Signed	
SB 059 No position	Local Access funding for State Parks	The bill CPW to charge a fee of up to \$2 on daily vehicle passes for access to state parks at the request of a local government. It also requires CPW to study local access to state parks	Passed both chambers	
SB 103 Support	Landowner liability rec use	The bill would have increased landowner protections from liability for injury when allowing recreational use on private lands	Killed (Pl'd)	Opposition from trial lawyers who won landowner liability case on AF property
SB 150 Support	Labeling of disposable wipes	The bill requires labeling of wipes that should not be flushed to avoid damage to infrastructure	Signed	
SB 177 Support	CWCB water projects	Funding authorization for annual CWCB projects bill	Sent to Governor	
SB 178 Support	HOA landscaping	Prohibits HOAs from restricting homeowners use of xeriscape and drought tolerant plantings on 80% of their property; allows vegetable gardens on front, side or back of property, limits hardscape requirements to 20% of a common interest property.	Sent to Governor	

		Requires HOAs to pre-approve three drought tolerant plant designs that may be used to meet aesthetic guidelines. Allows civil action for HOA violation.		
SB 186 No position	Methane Seepage Raton Basin	Directs the OGCC and Water Quality Control Division to study methane seepage in Raton Basin and associated water to identify best practices for capture of seepage, evaluate the quality of the water, and evaluate opportunity to preserve and make beneficial use of the water.	Senate concurred House amendments	
SB 213 Oppose	Land Use/Housing	The bill would have mandated planning, studies, and approval at multiple levels of government; pre-empted local government planning for residential housing. State Affairs opposed because of mandates to serve increased density and expanded development regardless of water and infrastructure requirements	Killed on the calendar	The bill was rewritten by amendment multiple times right up to the end of the last day. House and Senate could not agree on path forward.
SB 237 Support	Funding water plan	Transfers \$12.6 million from severance tax operational fund to water plan implementation	Signed	
SB 238	Small communities water and wastewater	Authorizes Small communities water and wastewater grant fund to be used to provide matching dollars for federal grants	Signed	
SB 262 Monitor	Water Desalinization study	Directed CWCB to study desalination in California and Mexico and report to legislature	Killed on calendar	Did not clear House appropriations
SB 267 Support	Chatfield water quality fee	Authorizes CPW to collect a \$1 fee at entrance to Chatfield state park to be used for water quality purposes	Senate concurred with House amendments	
SB 270 Support	Stream Restoration	Creates a rebuttable presumption that a minor stream restoration project does not cause material injury to a vested water right. If a water right holder believes a stream restoration project has caused material injury to their water right, they may challenge this rebuttable presumption by	Passed both chambers	Numerous meetings with DNR and sponsors about this bill

		presenting evidence of the material injury in the appropriate division water court		
SB 274 Monitor	Water permit fees	Removes water permit fees from statute and directs Water Quality Control Commission to set fees following stakeholder meetings; changes composition of Commission	Passed both chambers	Bill directs CDPHE to hold stakeholder meetings to discuss division needs, sources of funding, recommend fees to Commission for rulemaking
SB 285 No position	Energy and Carbon Management	Changes mission and name of Oil and Gas Conservation Commission to Energy and Carbon Management Commission. Establishes jurisdiction for State Engineer over shallow geothermal wells and ECMC for deeper geothermal wells.	Senate concurred House amendments	
SB 286 Amend	CORA/public records	Requires that records stored in digital format be transferred to requester in digital format; requires custodian of records to accept electronic payment; requires state agencies to submit records retention policy to Leg. Council	Senate concurred House amendments	As originally introduced require preferential rates/response for media
SB 295 Amend	Colorado River Drought Task Force	Establishes a 17-member task force to discuss potential legislative action on collaboration between CWCB, Colorado River District, districts in basins dependent on and influenced by Colorado River. Twelve meetings are authorized starting no later than July 31, report by Dec. 15.	Senate concurred House amendments	This bill sponsored by West Slope legislators replaced competing drafts developed by State and River District
HJR 1007	Project Eligibility List	Annual bill to obtain legislative approval for projects that may receive funding from Water and Power Authority	Signed	