

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

ENGROSSED

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

LLS NO. 25-0513.01 Richard Sweetman x4333

HOUSE BILL 25-1113

HOUSE SPONSORSHIP

Smith and McCormick,

SENATE SPONSORSHIP

Roberts,

House Committees

Agriculture, Water & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING LIMITING THE USE OF CERTAIN LANDSCAPING PRACTICES**
102 **IN NEW RESIDENTIAL DEVELOPMENT.**

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>.)

In the 2024 regular legislative session, the general assembly enacted Senate Bill 24-005, which:

- Prohibits a local entity, on and after January 1, 2026, from installing, planting, or placing, or allowing any person to install, plant, or place, any nonfunctional turf, artificial turf, or invasive plant species, as part of a new development

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.

HOUSE
Amended 2nd Reading
February 28, 2025

project or redevelopment project, on any portion of applicable property within the local entity's jurisdiction; and

- Requires a local entity, on or before January 1, 2026, to enact or amend ordinances, resolutions, regulations, or other laws regulating new development projects and redevelopment projects on applicable property in accordance with the new requirements.

For the purposes of Senate Bill 24-005, the bill expands the definition of "applicable property" to include residential real property that is used for apartment or condominium housing (applicable residential real property).

The bill also requires each local entity to enact or amend, on or before January 1, 2028, ordinances, resolutions, regulations, or other laws regulating new development projects and redevelopment projects within the local entity's jurisdiction to limit the installation of turf for all residential real property that is not applicable residential real property. Local entities must also impose limits on the installation of turf when enacting or amending ordinances, resolutions, regulations, or other laws on and after January 1, 2028.

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

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

4 (a) As Colorado continues to grapple with the impacts of climate
5 change, green urban spaces, such as urban tree canopies, are a vital
6 adaptation tool for mitigating the impacts of climate change, especially
7 for mitigating the urban heat island effect, which can increase energy
8 costs, air pollution, and heat-related illnesses and deaths;

9 (b) However, water supply in the western United States is
10 increasingly scarce due to climate change and increasing demand;

11 (c) Many communities in the state overuse nonnative grass for
12 landscaping purposes, which requires large amounts of water to maintain;

13 (d) While there are appropriate and important uses for turf,
14 including for civic, community, or recreational purposes such as use in

1 parks, sports fields, and playgrounds, much of the turf in the state is
2 nonfunctional, located in areas that receive little, if any, use, and could be
3 replaced with landscaping that adheres to water-wise landscaping
4 principles without adversely impacting quality of life or landscape
5 functionality;

6 (e) Prohibiting the installation, planting, or placement of
7 nonfunctional turf in multifamily property in the state can help conserve
8 the state's water resources;

9 (f) Requiring local governments to regulate turf in new residential
10 properties can help preserve the limited water in our state;

11 (g) Many communities and developments develop in a water-wise
12 manner already and are appreciated; and

13 (h) Installed vegetation that adheres to water-wise landscaping
14 principles can help reduce outdoor demand for water while avoiding heat
15 islands.

16 (2) The general assembly therefore declares that preventing the
17 installation, planting, or placement of nonfunctional turf, artificial turf,
18 and invasive plant species in applicable property in the state is:

19 (a) A matter of statewide concern; and

20 (b) In the public interest.

21 **SECTION 2.** In Colorado Revised Statutes, 37-99-102, **amend**
22 (1)(a)(II), (1)(a)(III), and (17); **repeal** (1)(b); and **add** (1)(a)(IV), (1.5),
23 (10.5), (14.5), and (18.5) as follows:

24 **37-99-102. Definitions.** As used in this article 99, unless the
25 context otherwise requires:

26 (1) (a) "Applicable property" means:

27 (II) Common interest community property; ~~or~~

1 (III) A street right-of-way, parking lot, median, or transportation
2 corridor; OR

3 (IV) APPLICABLE RESIDENTIAL REAL PROPERTY.

4 (b) ~~"Applicable property" does not include residential property.~~

5 (1.5) "APPLICABLE RESIDENTIAL REAL PROPERTY" MEANS A
6 MULTIFAMILY RESIDENTIAL HOUSING PREMISES PROPERTY THAT INCLUDES
7 MORE THAN TWELVE DWELLING UNITS.

8 (10.5) "MULTIFAMILY RESIDENTIAL HOUSING PREMISES PROPERTY"
9 MEANS COMMON INTEREST PROPERTY SUCH AS ENTRYWAYS, PARKS, AND
10 OTHER COMMON ELEMENTS AS DEFINED IN SECTION 38-33.3-103 (5).

11 (14.5) "RESIDENTIAL REAL PROPERTY" HAS THE MEANING SET
12 FORTH IN SECTION 39-1-102 (14.5).

13 (17) ~~"Turf" has the meaning set forth in section 37-60-135 (2)(i)~~
14 MEANS CONTINUOUS PLANT COVERAGE CONSISTING OF NONNATIVE
15 GRASSES OR GRASSES THAT HAVE NOT BEEN HYBRIDIZED FOR ARID
16 CONDITIONS AND WHICH, WHEN REGULARLY MOWED, FORM A DENSE
17 GROWTH OF LEAF BLADES AND ROOTS.

18 (18.5) "URBAN TREE" MEANS A PERENNIAL WOODY PLANT WITH A
19 SINGLE OR MULTIPLE TRUNKS THAT SUPPORT A CANOPY OF BRANCHES AND
20 LEAVES AND THAT PROVIDES ECOLOGICAL, SOCIAL, AND ECONOMIC
21 BENEFITS WITHIN A BUILT ENVIRONMENT.

22 **SECTION 3.** In Colorado Revised Statutes, 37-99-103, **amend**
23 (4)(d) and (4)(e); and **add** (4)(f) and (5) as follows:

24 **37-99-103. Prohibition of nonfunctional turf, artificial turf,**
25 **and invasive plant species - local entities - construction or renovation**
26 **of state facilities.** (4) Nothing in this section prohibits:

27 (d) A local entity or the department from establishing prohibitions

1 on, or requirements for, nonfunctional turf, artificial turf, or invasive
2 plant species that are more stringent than the requirements of this section;
3 or

4 (e) A local entity or the department from installing, or allowing
5 any A person to install, artificial turf on athletic fields of play; OR

6 (f) A LOCAL ENTITY OR THE DEPARTMENT FROM INSTALLING OR
7 PRESERVING URBAN TREES.

8 (5) (a) ON AND AFTER JANUARY 1, 2028, A LOCAL ENTITY SHALL
9 NOT INSTALL, PLANT, OR PLACE, OR ALLOW A PERSON TO INSTALL, PLANT,
10 OR PLACE, ANY NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR INVASIVE
11 PLANT SPECIES, AS PART OF A NEW DEVELOPMENT PROJECT OR
12 REDEVELOPMENT PROJECT, ON ANY PORTION OF APPLICABLE PROPERTIES
13 THAT INCLUDE MULTIFAMILY RESIDENTIAL HOUSING PREMISES PROPERTY.

14 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
15 CONTRARY, A LOCAL ENTITY OR THE DEPARTMENT SHALL NOT RESTRICT
16 A PERSON FROM INSTALLING OR ALLOWING ANOTHER PERSON TO INSTALL
17 GRASS SEED OR SOD THAT:

18 (I) IS A NATIVE PLANT;

19 (II) HAS BEEN HYBRIDIZED FOR ARID CONDITIONS; OR

20 (III) IS A LOW-WATER GRASS.

21 (c) ON OR BEFORE JANUARY 1, 2028, EACH LOCAL ENTITY WITH
22 LAND USE PLANNING AND ZONING AUTHORITY SHALL ENACT OR AMEND
23 ORDINANCES, RESOLUTIONS, REGULATIONS, OR OTHER LAWS REGULATING
24 NEW DEVELOPMENT PROJECTS AND REDEVELOPMENT PROJECTS TO:

25 (I) REGULATE THE INSTALLATION OF NONFUNCTIONAL TURF IN
26 ORDER TO REDUCE IRRIGATION WATER DEMAND ON APPLICABLE PROPERTY
27 IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION; AND

1 (II) INCLUDE CONSIDERATION OF APPLICABLE RESIDENTIAL REAL
2 PROPERTY.

3 SECTION 4. In Colorado Revised Statutes, add 37-99-104 as
4 follows:

5 37-99-104. Regulation of turf in new residential property -
6 local entities - exemptions. (1) ON OR BEFORE JANUARY 1, 2028, EACH
7 LOCAL ENTITY WITH LAND USE PLANNING AND ZONING AUTHORITY SHALL
8 ENACT OR AMEND ORDINANCES, RESOLUTIONS, REGULATIONS, OR OTHER
9 LAWS REGULATING NEW DEVELOPMENT PROJECTS AND REDEVELOPMENT
10 PROJECTS WITHIN THE LOCAL ENTITY'S JURISDICTION TO REGULATE THE
11 INSTALLATION OF TURF TO REDUCE IRRIGATION WATER DEMAND FOR ALL
12 RESIDENTIAL REAL PROPERTY THAT IS NOT APPLICABLE RESIDENTIAL REAL
13 PROPERTY.

14 (2) ON AND AFTER JANUARY 1, 2028, WHEN ENACTING OR
15 AMENDING ORDINANCES, RESOLUTIONS, REGULATIONS, OR OTHER LAWS
16 REGULATING NEW DEVELOPMENT PROJECTS AND REDEVELOPMENT
17 PROJECTS, EACH LOCAL ENTITY WITH LAND USE PLANNING AND ZONING
18 AUTHORITY SHALL REGULATE THE INSTALLATION OF TURF TO REDUCE
19 IRRIGATION WATER DEMAND FOR ALL RESIDENTIAL REAL PROPERTY THAT
20 IS NOT APPLICABLE RESIDENTIAL REAL PROPERTY.

21 (3) EACH LOCAL ENTITY WITH LAND USE PLANNING AND ZONING
22 AUTHORITY MAY CHOOSE THE STANDARD OR MECHANISM BY WHICH IT
23 REGULATES TURF IN NEW DEVELOPMENT PROJECTS AND REDEVELOPMENT
24 PROJECTS OF RESIDENTIAL REAL PROPERTY PURSUANT TO THIS SECTION.

25 (4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
26 CONTRARY, NEITHER A LOCAL ENTITY NOR THE DEPARTMENT SHALL
27 RESTRICT A PERSON FROM INSTALLING OR ALLOWING ANOTHER PERSON TO

1 INSTALL GRASS SEED OR SOD THAT:

2 (a) IS A NATIVE PLANT;

3 (b) HAS BEEN HYBRIDIZED FOR ARID CONDITIONS; OR

4 (c) IS A LOW-WATER GRASS.

5 **SECTION 5. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly; except
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V
9 of the state constitution against this act or an item, section, or part of this
10 act within such period, then the act, item, section, or part will not take
11 effect unless approved by the people at the general election to be held in
12 November 2026 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.