

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REREVISED**

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

LLS NO. 17-0277.01 Kristen Forrestal x4217

**HOUSE BILL 17-1257**

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**HOUSE SPONSORSHIP**

**Arndt**, Hooton, Nordberg, Thurlow

**SENATE SPONSORSHIP**

**Tate**, Kerr, Martinez Humenik, Moreno

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**House Committees**

Agriculture, Livestock, & Natural Resources

**Senate Committees**

Agriculture, Natural Resources, & Energy

SENATE  
3rd Reading Unamended  
May 1, 2017

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**A BILL FOR AN ACT**

101     **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**  
102     **DEPARTMENT OF NATURAL RESOURCES TO THE GENERAL**  
103     **ASSEMBLY.**

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SENATE  
2nd Reading Unamended  
April 28, 2017

**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/>.)*

HOUSE  
3rd Reading Unamended  
April 10, 2017

**Statutory Revision Committee.** Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

HOUSE  
2nd Reading Unamended  
April 7, 2017

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement.

The bill continues indefinitely reporting requirements of the department of natural resources that were scheduled to repeal according to section 24-1-136 (11)(a)(I).

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-30-1303, **amend**  
3           (3)(b)(II) as follows:

4           **24-30-1303. Office of the state architect - responsibilities.**

5           (3) (b) Projects under the supervision of the division of parks and  
6           wildlife that are excluded from paragraph (a) of this subsection (3), shall:

7               (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), report the  
8           current record of balances by capital project on or before September 15,  
9           2001, not less than one time annually on or before each September 15  
10           thereafter to the office of state planning and budgeting, the joint budget  
11           committee, and the capital development committee.

12           **SECTION 2.** In Colorado Revised Statutes, 24-33-111, **amend**  
13           (3)(a) as follows:

14           **24-33-111. Conservation of native species - fund created.**

15           **(3) Species conservation eligibility list and annual report.** (a) The  
16           executive director of the department of natural resources, after  
17           consultation with the Colorado water conservation board and its director,  
18           the parks and wildlife commission, and the director of the division of  
19           parks and wildlife, shall annually prepare a species conservation  
20           eligibility list describing programs and associated costs that are eligible  
21           to receive funding pursuant to this section. The species conservation  
22           eligibility list is subject to modification and adoption through passage of  
23           a bill. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), at the same time

1 as the species conservation eligibility list is submitted, the director of the  
2 department of natural resources, after consultation with the Colorado  
3 water conservation board and its director, the parks and wildlife  
4 commission, and the director of the division of parks and wildlife, shall  
5 also provide a detailed report to the general assembly on the progress and  
6 status of activities to date and their effectiveness in the recovery of the  
7 species and identify proposed future activities. The report shall include  
8 an assessment of habitat benefits, both public and private, attributable to  
9 such activities.

10                   **SECTION 3.** In Colorado Revised Statutes, 33-1-105.5, **amend**  
11 (9) as follows:

12                   **33-1-105.5.      Acquisition of property - procedure.**  
13 (9) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the commission  
14 shall include in its annual report, which report shall be submitted to the  
15 capital development committee and to the agriculture, livestock, and  
16 natural resources committee of the house of representatives and the  
17 agriculture, natural resources, and energy committee of the senate, a  
18 listing of all acquisitions of real property or interests in water made  
19 pursuant to the provisions of this section. Such report shall describe all  
20 property and interests in water acquired since July 1, 1992, the acquisition  
21 cost of each such property or interest in water, and the appraised value of  
22 each such property or interest in water, and shall contain a description of  
23 all pending acquisitions of property and interests in water.

24                   **SECTION 4.** In Colorado Revised Statutes, 33-1-112, **amend**  
25 (7)(a)(III) and (8)(b) as follows:

26                   **33-1-112.      Funds - cost accounting - definition - repeal.**  
27 (7) (a) (III) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the

1 commission shall submit an annual report of the ~~moneys~~ MONEY  
2 expended from the fund and matters accomplished by the expenditures  
3 from the preceding fiscal year to the senate agriculture, natural resources,  
4 and energy committee and the house of representatives agriculture,  
5 livestock, and natural resources committee, or their successor committees,  
6 by the convening date of each regular session of the general assembly in  
7 accordance with section 24-1-136 (9). ~~C.R.S.~~ The commission shall also  
8 submit to these committees a report on ~~moneys~~ MONEY proposed to be  
9 expended from the fund and the matters to be accomplished by the  
10 expenditures in the upcoming fiscal year.

11 (8) (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the  
12 council shall submit an annual report to the commission the senate and  
13 house agriculture committees, and the executive director of the  
14 department of natural resources specifically stating the items for which  
15 it has expended ~~moneys~~ MONEY from the fund and the purpose of such  
16 items.

17 **SECTION 5.** In Colorado Revised Statutes, 33-3-111, **amend** (1)  
18 introductory portion as follows:

19 **33-3-111. Annual report to the general assembly.**  
20 (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), commencing with  
21 the second regular session of the sixty-seventh general assembly, the  
22 division shall report at least annually, by January 31 of each year, to the  
23 senate agriculture and natural resources committee and the house of  
24 representatives agriculture, livestock, and natural resources committee,  
25 or their successor committees, on game damage and game damage  
26 prevention issues. Such report shall include, at a minimum:

27 **SECTION 6.** In Colorado Revised Statutes, 33-10-111, **amend**

1 (6)(c) as follows:

2           **33-10-111. Parks and outdoor recreation cash fund - parks for**  
3           **future generations trust fund - created - fees - accounting**  
4           **expenditures for roads and highways - definition - repeal.**  
5           (6)(c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the commission  
6           shall submit an annual report of the ~~moneys~~ MONEY expended from the  
7           fund and matters accomplished by the expenditures from the preceding  
8           fiscal year to the senate agriculture, natural resources, and energy  
9           committee and the house of representatives agriculture, livestock, and  
10           natural resources committee, or their successor committees, by the  
11           convening date of each regular session of the general assembly in  
12           accordance with section 24-1-136 (9). ~~C.R.S.~~ The commission shall also  
13           submit to these committees a report on ~~moneys~~ MONEY proposed to be  
14           expended from the fund and the matters to be accomplished by the  
15           expenditures in the upcoming fiscal year.

16           **SECTION 7.** In Colorado Revised Statutes, 33-10.5-103, **amend**  
17           (5) as follows:

18           **33-10.5-103. Powers and duties of the division - annual report.**  
19           (5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), beginning on  
20           January 15, 2009, and on or before January 15 of each year thereafter, the  
21           division and the water conservation board created in section 37-60-102  
22           ~~C.R.S.~~, shall make an annual report of the efforts in addressing aquatic  
23           nuisance species in Colorado for the preceding calendar year to the joint  
24           house agriculture, livestock, and natural resources committee and the  
25           senate agriculture, natural resources, and energy committee, or its  
26           successor committee. Each such report shall set forth a complete  
27           operating and financial statement covering the aquatic nuisance species

1 operations of the division during the year.

2 **SECTION 8.** In Colorado Revised Statutes, **amend** 33-60-106 as  
3 follows:

4 **33-60-106. Report required - general appropriations act.**  
5 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before September  
6 1 of each year beginning with 1993, each state agency that has received  
7 or is scheduled to receive ~~moneys~~ MONEY from the great outdoors  
8 Colorado trust fund shall provide the senate agriculture, natural resources,  
9 and energy committee and the house of representatives agriculture,  
10 livestock, and natural resources committee with a detailed accounting of  
11 all such ~~moneys~~ MONEY received or to be received along with a detailed  
12 accounting of how such ~~moneys have~~ MONEY HAS been or will be  
13 expended. For informational purposes, the expenditure of such ~~moneys~~  
14 MONEY may be indicated in the annual general appropriation act.

15 **SECTION 9.** In Colorado Revised Statutes, 36-1-102, **amend** (8)  
16 as follows:

17 **36-1-102. Employees - director - bonds - report.**  
18 (8) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the state board of  
19 land commissioners shall deliver a copy of the summary of land  
20 transactions required pursuant to subsection (4) of this section, the  
21 investment and development fund report required pursuant to section  
22 36-1-153 (4), and the income and inventory report required pursuant to  
23 section 36-1-153.5 (1) on or before November 1, 2011, and on or before  
24 November 1 of each year thereafter, to the members of the house and  
25 senate education committees, or any successor committees, the members  
26 of the house agriculture, livestock, and natural resources committee and  
27 the senate agriculture and natural resources committee, or any successor

1 committees, the members of the joint budget committee, the members of  
2 the state board of education, and the state treasurer. In addition, the state  
3 board of land commissioners shall make the summary of land  
4 transactions, the investment and development fund report, and the income  
5 and inventory report available to the public on the state board of land  
6 commissioners website on or before November 1, 2011, and on or before  
7 November 1 of each year thereafter.

8 **SECTION 10.** In Colorado Revised Statutes, 36-1-153.5, **amend**  
9 (1) introductory portion as follows:

10 **36-1-153.5. Annual income and inventory report.**

11 (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before  
12 November 1, 2011, and on or before each November 1 thereafter, the  
13 state board of land commissioners shall prepare an annual income and  
14 inventory report. The report shall include the following:

15 **SECTION 11.** In Colorado Revised Statutes, 37-60-121, **amend**  
16 (2.5)(d) as follows:

17 **37-60-121. Colorado water conservation board construction**  
18 **fund - creation - nature of fund - funds for investigations -**  
19 **contributions - use for augmenting the general fund - funds created**  
20 **- repeal.** (2.5) (d) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the  
21 board, in conjunction with the attorney general, shall report annually to  
22 the senate agriculture, natural resources, and energy committee and the  
23 house of representatives agriculture, livestock, and natural resources  
24 committee on any litigation that involves the use of any ~~moneys~~ MONEY  
25 from the litigation fund created in ~~paragraph (a) of this subsection~~ (2.5)  
26 SUBSECTION (2.5)(a) OF THIS SECTION.

27 **SECTION 12.** In Colorado Revised Statutes, 37-60-122, **amend**

1 (1) introductory portion and (1)(b) as follows:

2       **37-60-122. General assembly approval.** (1) ~~Moneys~~ MONEY in  
3 the Colorado water conservation board construction fund shall be  
4 expended in the following manner and under the following  
5 circumstances:

6       (b) The general assembly may authorize projects as it deems to be  
7 to the advantage of the people of the state of Colorado and shall direct the  
8 board to proceed with the projects in the priorities established by the  
9 general assembly under terms approved by the general assembly. The  
10 board is authorized to make loans without general assembly approval in  
11 amounts not to exceed ten million dollars. The unappropriated balance of  
12 ~~moneys~~ MONEY in the Colorado water conservation board construction  
13 fund and the state severance tax perpetual base fund shall be available  
14 and continuously appropriated for this purpose. NOTWITHSTANDING  
15 SECTION 24-1-136 (11)(a)(I), the board shall submit a written  
16 determination of the basis for the project loans to the general assembly by  
17 January 15 of the year following the year in which the loan was made.

18       **SECTION 13.** In Colorado Revised Statutes, 37-75-105, **amend**  
19 (4) as follows:

20       **37-75-105. Interbasin compact committee - report.**  
21 (4) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), commencing in  
22 2006, the committee shall submit an annual report to the house of  
23 representatives committee on agriculture, livestock, and natural resources  
24 and the senate committee on agriculture, natural resources, and energy,  
25 or their successor committees, by October 31 concerning the status of  
26 compact negotiations and, in consultation with the Colorado water  
27 conservation board created in section 37-60-102, how ~~moneys~~ MONEY

1 from the water supply reserve fund created in section 39-29-109 (2)(c)  
2 C.R.S., ~~were~~ WAS allocated during the previous twelve months for water  
3 activities approved by basin roundtables.

4 **SECTION 14.** In Colorado Revised Statutes, **amend** 37-87-114.4  
5 as follows:

6 **37-87-114.4. Annual report.** NOTWITHSTANDING SECTION  
7 24-1-136 (11)(a)(I), the state engineer shall submit an annual report to the  
8 general assembly by November 1 of each year concerning the activities  
9 of the state engineer and the division of water resources relating to  
10 sections 37-87-105 to 37-87-114 for the preceding fiscal year. The report  
11 must include information on the following: Approvals of plans and  
12 specifications for construction of dams and reservoirs and for alterations,  
13 modifications, repairs, and enlargements; number of safety inspections  
14 made and the results thereof; use of appropriated funds; receipts  
15 generated for inspections of dams and reservoirs; rules and regulations  
16 adopted or amended; enforcement orders and proceedings; dam failures  
17 and reasons therefor; and other available data regarding the effectiveness  
18 of the state's dam and reservoir safety program.

19 **SECTION 15.** In Colorado Revised Statutes, 37-95-116, **amend**  
20 (1) as follows:

21 **37-95-116. Annual report - annual audit - annual budget.**  
22 (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before April  
23 30 of each year, the authority shall make an annual report of its activities  
24 for the preceding fiscal year to the governor and the joint agriculture and  
25 natural resource committee of the house of representatives and the senate.  
26 Each such report shall set forth a complete operating and financial  
27 statement covering its operations during the year. Included within such

1 report shall be detailed financial data setting forth the manner in which  
2 any previously appropriated state funds have been used. The authority, no  
3 later than November 30 of each year, shall report to the governor any  
4 requests for state funds for the upcoming state fiscal year, detailing the  
5 purposes for which said funds are to be utilized.

6 **SECTION 16. Act subject to petition - effective date.** This act  
7 takes effect at 12:01 a.m. on the day following the expiration of the  
8 ninety-day period after final adjournment of the general assembly (August  
9 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
10 referendum petition is filed pursuant to section 1 (3) of article V of the  
11 state constitution against this act or an item, section, or part of this act  
12 within such period, then the act, item, section, or part will not take effect  
13 unless approved by the people at the general election to be held in  
14 November 2018 and, in such case, will take effect on the date of the  
15 official declaration of the vote thereon by the governor.