

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0215.01 Sam Anderson x4218

SENATE BILL 26-025

SENATE SPONSORSHIP

Rich and Snyder,

HOUSE SPONSORSHIP

Marshall,

Senate Committees

Transportation & Energy

House Committees

A BILL FOR AN ACT

101 CONCERNING LAND SURVEY MONUMENTATION.

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>.)

The bill permits setting reference monuments where a monument or marker is impractical or unsafe due to location in a traveled road within a federal, state, or other public right-of-way. The bill also requires land surveyors to submit monument records in electronic format and allows counties to maintain monument records in electronic format.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 38-51-104, **amend**
3 (3)(a) as follows:

4 **38-51-104. Monumentation of land surveys.**

5 (3) (a) If the monuments or markers required by subsection (1) of
6 this section cannot practicably be set because of steep terrain, water,
7 marsh, or existing structures; or if they would be lost as a result of
8 proposed street, road, or other construction; OR THE POSITION IS ON A
9 TRAVELED ROAD WITHIN A FEDERAL, STATE, OR OTHER PUBLIC
10 RIGHT-OF-WAY, one or more reference monuments shall be set.

11 **SECTION 2.** In Colorado Revised Statutes, 38-51-105, **amend**
12 (7)(a) as follows:

13 **38-51-105. Monumentation of subdivisions.**

14 (7) (a) If any monuments or markers required by subsection (1),
15 (2), or (3) of this section cannot practicably be set because of steep
16 terrain, water, marsh, or existing structures; or if they would be lost as a
17 result of proposed street, road, or other construction; OR THE POSITION IS
18 ON A TRAVELED ROAD WITHIN A FEDERAL, STATE, OR OTHER PUBLIC
19 RIGHT-OF-WAY, one or more reference monuments shall be set.

20 **SECTION 3.** In Colorado Revised Statutes, 38-50-103, **amend**
21 (2)(b) as follows:

22 **38-50-103. Public records - monument records.**

23 (2) (b) Each county clerk and recorder shall maintain copies of
24 monument records in a county record-keeping and indexing system and,
25 upon receipt of each monument record provided pursuant to ~~paragraph (a)~~
26 ~~of this subsection~~ ~~(2)~~ SUBSECTION (2)(a) OF THIS SECTION, shall list it in
27 the system. EACH COUNTY CLERK AND RECORDER MAY MAINTAIN COPIES

1 OF MONUMENT RECORDS IN ELECTRONIC FORMAT.

2 **SECTION 4.** In Colorado Revised Statutes, 38-53-104, **amend**
3 (1)(a) and (1)(b) as follows:

4 **38-53-104. Submission of monument record required.**

5 (1) (a) If a professional land surveyor conducts a survey that uses
6 any monument representing a public land survey monument location,
7 quarter section corner, sixteenth section corner, government land office
8 or bureau of land management (~~government~~) lot corner as defined by the
9 nomenclature of the United States public land survey system, or any
10 United States geological survey or United States coast and geodetic
11 survey, also known as the national ocean service/national geodetic survey,
12 monument as a control corner, the professional land surveyor shall submit
13 a monument record **IN ELECTRONIC FORMAT** describing such monument
14 with the board if the monument and its accessories are not substantially
15 described in an existing monument record previously submitted pursuant
16 to this section or its predecessor.

17 (b) If a professional land surveyor establishes, restores, or
18 rehabilitates any public land survey monument corner location or section
19 corner, quarter section corner, or sixteenth section corner as defined by
20 the nomenclature of the United States public land survey system, the
21 professional land surveyor shall submit a monument record **IN**
22 **ELECTRONIC FORMAT.**

23 **SECTION 5.** In Colorado Revised Statutes, **amend** 38-53-106 as
24 follows:

25 **38-53-106. Form of monument records - prescribed by board.**

26 The board shall adopt and revise as necessary the form and
27 technical specifications for submission of monument records, including

1 the information to be included with, or as part of, the records. THE BOARD
2 SHALL NOT REQUIRE THE FORMS SUBMITTED UNDER SECTION 38-53-104 TO
3 BE SUBMITTED IN PAPER FORMAT.

4 **SECTION 6. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 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.