

Colorado Legislative Council Staff Fiscal Note

LOCAL

REVISED FISCAL IMPACT

(replaces fiscal note dated January 16, 2007)

Drafting Number: LLS 07-0511

Date: March 6, 2007

Prime Sponsor(s): Rep. Sonnenberg
Sen. Shaffer

Bill Status: Senate Agriculture

Fiscal Analyst: Bill Goosmann (303-866-3561)

TITLE: CONCERNING RESTRICTIONS ON THE ABILITY OF GOVERNMENTAL BODIES TO ACQUIRE SPECIFIED WATER RIGHTS THROUGH THE EXERCISE OF THE POWER OF EMINENT DOMAIN.

Fiscal Impact Summary	FY 2007-2008	FY 2008-2009
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
FTE Position Change	0.0 FTE	0.0 FTE
Effective Date: Unless a referendum petition is filed, the bill will take effect August 8, 2007, assuming the General Assembly adjourns on May 9, 2007, as scheduled.		
Appropriation Summary for FY 2007-08: None.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

The reengrossed bill prohibits the state or any political subdivision, including home rule entities, from using eminent domain to acquire appropriated water rights.

Local Government Impact

Loss of the ability to acquire water rights through condemnation may affect how much local governments pay for those water rights and the ability of local governments to plan for and control growth. Without condemnation powers, local governments may be forced to delay purchase and, therefore, may be required to pay more than they otherwise would have. In terms of growth, the extent to which growth is restricted for lack of water may limit local tax revenues. However, the number of situations involving either impact cannot be accurately predicted.

Departments Contacted

Judicial
Local Affairs

Law
Natural Resources