

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 09-0481.01 Duane Gall

HOUSE BILL 09-1017

HOUSE SPONSORSHIP

Pace,

SENATE SPONSORSHIP

Hodge,

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

Senate Committees

Agriculture and Natural Resources
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE WATER EFFICIENCY GRANT PROGRAM CASH FUND,**
102 **AND, IN CONNECTION THEREWITH, GIVING THE COLORADO**
103 **WATER CONSERVATION BOARD CONTINUOUS AUTHORITY TO**
104 **SPEND MONEYS TRANSFERRED TO THE WATER EFFICIENCY**
105 **GRANT PROGRAM CASH FUND FROM THE OPERATIONAL**
106 **ACCOUNT OF THE SEVERANCE TAX TRUST FUND.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

 Gives the Colorado water conservation board (CWCB) the authority to spend moneys transferred from the operational account of the

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.

SENATE
2nd Reading Unamended
April 30, 2009

HOUSE
3rd Reading Unamended
April 15, 2009

HOUSE
Amended 2nd Reading
April 14, 2009

severance tax trust fund to the water efficiency grant program cash fund, which were encumbered in a prior fiscal year, and to allow such moneys to be carried forward into future fiscal years. Allows such moneys to be charged against the appropriation from the year in which the funds were originally encumbered. Gives the CWCB the authority to expend unspent moneys from the prior fiscal year that revert to the water efficiency grant program cash fund. Makes statutory changes in accordance with the appropriations clause contained in Senate Bill 07-008.

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

2 **SECTION 1.** 37-60-126 (12) (a), Colorado Revised Statutes, is
3 amended to read:

4 **37-60-126. Water conservation and drought mitigation**
5 **planning - programs - relationship to state assistance for water**
6 **facilities - guidelines - water efficiency grant program - repeal.**

7 (12) (a) (I) There is hereby created the water efficiency grant program for
8 purposes of providing state funding to aid in the planning and
9 implementation of water conservation plans developed in accordance with
10 the requirements of this section and to promote the benefits of water
11 efficiency. The board is authorized to distribute grants to covered
12 entities, other state or local governmental entities, and agencies in
13 accordance with its guidelines from the moneys transferred to and
14 appropriated from the water efficiency grant program cash fund, which
15 is hereby created in the state treasury.

16 (II) **MONEYS IN THE WATER EFFICIENCY GRANT PROGRAM CASH**
17 **FUND ARE HEREBY CONTINUOUSLY APPROPRIATED TO THE BOARD FOR THE**
18 **PURPOSES OF THIS SUBSECTION (12) AND SHALL BE AVAILABLE FOR USE**
19 **UNTIL THE PROGRAMS AND PROJECTS FINANCED USING THE GRANTS HAVE**
20 **BEEN COMPLETED.**

21 (III) For the 2005-06 through 2010-11 fiscal years, the general

1 assembly shall appropriate from the fund to the board up to five hundred
2 thousand dollars annually for the purpose of providing grants to covered
3 entities, other state and local governmental entities, and agencies in
4 accordance with this subsection (12). Commencing July 1, 2008, the
5 general assembly shall also appropriate from the fund to the board fifty
6 thousand dollars each fiscal year through 2011-12 to cover the costs
7 associated with the administration of the grant program and the
8 requirements of section 37-60-124. However, if less than five hundred
9 thousand dollars is appropriated or expended in any such fiscal year, an
10 amount equal to the difference between five hundred thousand dollars and
11 the amount actually appropriated or expended in that fiscal year shall be
12 available for appropriation and expenditure to the grant program in the
13 next fiscal year in addition to the five hundred thousand dollars available
14 for appropriation in that fiscal year. MONEYS APPROPRIATED PURSUANT
15 TO THIS SUBPARAGRAPH (III) SHALL REMAIN AVAILABLE UNTIL EXPENDED
16 OR UNTIL JUNE 30, 2012, WHICHEVER OCCURS FIRST.

17 (IV) Any moneys remaining in the fund on June 30, 2012, shall
18 be transferred to the ~~reserve in the~~ operational account of the severance
19 tax trust fund described in section ~~39-29-109.3 (3)~~ 39-29-109 (2) (b),
20 C.R.S.

21 **SECTION 2. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.