

*Colorado Legislative Council Staff Fiscal Note***NO FISCAL IMPACT**

Drafting Number: LLS 15-0874
Prime Sponsor(s): Rep. Vigil

Date: March 23, 2015
Bill Status: House Agriculture
Fiscal Analyst: Clare Pramuk (303-866-2677)

BILL TOPIC: USE AG WATER RIGHTS TO CULTIVATE MARIJUANA

Summary of Legislation

This bill clarifies that an agricultural water right can be used for cultivation of retail and medical marijuana without a change of water right regardless of whether the water is used indoors or outdoors. This bill does not expand a current water right or prevent the owner of another water right from seeking remedies if the use of the water for retail or medical marijuana will cause material injury or is subject to a requirement to replace out-of-priority depletions.

Assessment

Because this bill conforms with the current administration of water rights by the Division of Water Resources in the Department of Natural Resources (DNR), it is assessed as having no fiscal impact. Changing the application of irrigation water from one agricultural crop to medical or retail marijuana does not currently require a change in use decree. The bill does not change revenue or expenditures for the DNR, water courts, or any other state or local agency.

Effective Date

The bill takes effect August 5, 2015, if the General Assembly adjourns on May 6, 2015, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Judicial Department
Governor's Office

Natural Resources

Agriculture