



**Colorado  
Legislative  
Council  
Staff**

**SB16-145**

**FINAL  
FISCAL NOTE**

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

<b>Drafting Number:</b> LLS 16-1095	<b>Date:</b> July 27, 2016
<b>Prime Sponsor(s):</b> Sen. Baumgardner; Donovan	<b>Bill Status:</b> Signed into Law
Rep. Mitsch Bush; Willett	<b>Fiscal Analyst:</b> Clare Pramuk (303-866-2677)

**BILL TOPIC:** COLORADO RIVER DISTRICT SUBDISTRICT FORMATION

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	Minimal workload increase.	
Appropriation Required: None.		
Future Year Impacts: None.		

**Summary of Legislation**

This bill provides an alternative method for the Colorado River Water Conservation District to form subdistricts. Current law requires that a petition signed by 50 percent of the property owners in the proposed subdistrict be presented to and approved by a court. The bill allows for a petition process which requires:

- majority approval by the district's board of directors;
- unanimous approval by the members of the board of directors from the counties within the proposed subdistrict;
- presentation to a court of a petition with signatures of 10 percent or 200 electors in the proposed subdistrict;
- upon court approval, the petition is put to an election within the boundaries of the proposed subdistrict; and
- if approved by majority vote, the court declares the subdistrict organized and gives it the corporate name designated by the petition.

**Background**

The Colorado River Water Conservation District is a public water policy agency chartered by the Colorado General Assembly in 1937 that provides legal, technical, and political representation regarding Colorado River issues for its constituents. The district includes 15 western slope counties and covers approximately 29,000 square miles. Each of the 15 counties appoints a representative to a board of directors that governs the district. The 15 counties are:

Delta	Ouray
Eagle	Pitkin
Garfield	Rio Blanco
Grand	Routt
Gunnison	Summit
Mesa	portions of Montrose, Saguache and Hinsdale
Moffat	

A subdistrict is a political subdivision established for a special purpose often for funding a special improvement that affects a portion of a district.

### **State Expenditures**

The Colorado River Water Conservation District includes the water courts for districts 3 through 7. These water courts in the Judicial Department will have a minimal one-time workload increase to prepare for handling a petition submitted under the alternative mechanism for creating a subdistrict. The alternative mechanism itself does not significantly change the water court workload for processing a petition, so the bill can be implemented within existing appropriations.

### **Statutory Public Entity and Local Impact**

The Colorado River Water Conservation District can choose whichever method is most effective when proposing a subdistrict. If the district uses the alternative mechanism, the issue will appear on a coordinated ballot created by the affected county. The district will reimburse the counties for their portion of the costs of the election.

### **Effective Date**

The bill was signed into law by the Governor on June 10, 2016, and takes effect August 10, 2016, assuming no referendum petition is filed. The bill applies to petitions filed on or after the effective date.

### **State and Local Government Contacts**

Counties	County Clerks	Information Technology
Judicial	Municipalities	Natural Resources
Secretary of State		

### **Research Note Available**

An LCS Research Note for Senate Bill 16-145 is available online and through the iLegislate app. Research notes provide additional policy and background information about the bill and summarize action taken by the General Assembly concerning the bill.