



**Colorado
Legislative
Council
Staff**

HB16-1005

FISCAL NOTE

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

Drafting Number: LLS 16-0094	Date: January 19, 2016
Prime Sponsor(s): Rep. Esgar; Danielson Sen. Merrifield	Bill Status: House Agriculture
	Fiscal Analyst: Clare Pramuk (303-866-2677)

BILL TOPIC: RESIDENTIAL PRECIPITATION COLLECTION

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	Increased workload. See State Expenditures section.	
FTE Position Change		
Appropriation Required: None.		
Future Year Impacts: None.		

Summary of Legislation

This bill allows the collection of precipitation from the roof of a home in up to two rain barrels with a combined storage capacity of 110 gallons or less if the following conditions are met:

- the building is a single-family residence or a multi-family residence with up to four units;
- the precipitation collected is used for outdoor purposes on the residential property where the precipitation is collected, including irrigation of lawns and gardens; and
- the precipitation must not be used for drinking water or indoor household purposes.

The State Engineer in the Department of Natural Resources (DNR) is required to provide information on its website on the permitted use of rain barrels for collecting precipitation from rooftops to the extent practicable within existing resources.

The Department of Public Health and Environment (DPHE) is required to develop best practices for nonpotable usage of collected precipitation and vector control (disease prevention) to the extent practicable within existing resources. The DPHE will post the best practices on its website and the State Engineer will either post the best practices on its website or include a link to the best practices.

The bill requires homeowners' associations to allow the use of rain barrels for collection of residential rooftop precipitation.

Background

Colorado law currently allows for limited applications of rooftop precipitation collection. Certain property owners who have wells, or are legally entitled to have a well, may collect precipitation from rooftops, after applying for and receiving a special permit. The DNR administers a 10-year pilot program for the collection of precipitation from rooftops for nonpotable uses. The program can include up to 10 new residential or mixed-use developments to develop data and methods to measure local precipitation, native plant consumption, and ground water flow. These projects are required to replace the water collected according to an approved substitute water supply plan.

State Expenditures

Both the DPHE and the DNR will have an increase in workload from this bill in FY 2016-17. The State Engineer's Office in the DNR will develop a fact sheet and post it on its website. The DPHE will develop best practices for using the collected precipitation and preventing the spread of disease carried by mosquitos. This workload does not require new appropriations.

Local Government Impact

The impact of this bill will depend on the utilization rate of rain barrels to collect precipitation. A high usage rate of rain barrels in concentrated areas will result in a reduction in municipal water usage, particularly for landscape application, and corresponding revenue. This may be offset by a reduction in the cost to purchase and purify drinking water by municipal water providers.

Effective Date

The bill takes effect August 10, 2016, if the General Assembly adjourns on May 11, 2016, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Judicial
Office of Information Technology

Natural Resources
Public Health & Environment