

**UPDATED SUMMARY
HOUSE BILL 16-1005**

Second Regular Session - Seventieth Colorado General Assembly

This summary applies to the reengrossed version of this bill as introduced in the second house. It does not reflect any amendments that may be subsequently adopted. This summary reflects only the main points of the legislation.

Section 1 of the bill allows the collection of precipitation from a residential rooftop if:

- ! A maximum of 2 rain barrels with a combined storage capacity of 110 gallons or less are used;
- ! Precipitation is collected from the rooftop of a building that is used primarily as a single-family residence or a multi-family residence with 4 or fewer units;
- ! The collected precipitation is used on the residential property on which the precipitation is collected; and
- ! The collected precipitation is applied to outdoor purposes such as lawn irrigation and gardening.

Section 1 also requires the state engineer, to the extent practicable within existing resources, to provide information on the permitted use of rain barrels on the state engineer's website. *Section 1 further sets forth the procedure by which the state engineer could curtail the use of rain barrels based on a determination of material injury. Finally, section 1 requires the state engineer to report to the agriculture committees in the general assembly in 2019 and 2022 on whether residential precipitation collection has caused any discernible injury to downstream water rights.*

Section 2 requires the department of public health and environment, to the extent practicable within existing resources, to develop best practices for nonpotable usage of collected precipitation and vector control and to post any best practices developed on the department's website.

Section 3 prevents a homeowners' association from prohibiting a unit owner from using rain barrels for precipitation collection, *with certain exceptions for leased or attached units or common elements. Section 3 allows a homeowners' association to impose reasonable aesthetic requirements on the placement or appearance of a rain barrel.*