

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 01-0734.01 Thomas Morris

HOUSE BILL 01-1208

HOUSE SPONSORSHIP

Plant

SENATE SPONSORSHIP

Hanna

House Committees

Local Government
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE USE OF SEVERANCE TAXES TO PAY FOR LAND USE**
102 **REVIEWS PERFORMED BY THE COLORADO GEOLOGICAL SURVEY.**

Bill Summary

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

Allows the department of natural resources' severance tax operating account to be used to offset the costs incurred by local governments and political subdivisions for land use reviews performed by the Colorado geological survey.

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

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.*

1 **SECTION 1.** 39-29-109 (1) (a), Colorado Revised Statutes, is
2 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

3 **39-29-109. Severance tax trust fund - created - administration**
4 **- use of moneys - repeal.** (1) (a) There is hereby created in the office of
5 the state treasurer the severance tax trust fund. The fund is to be perpetual
6 and held in trust as a replacement for depleted natural resources and for
7 the development and conservation of the state’s water resources pursuant
8 to sections 37-60-106 (1) (j) and (1) (l), 37-60-119, and 37-60-122,
9 C.R.S., and for the use in funding programs that promote and encourage
10 sound natural resource planning, management, and development related
11 to minerals, energy, geology, and water. State severance tax receipts shall
12 be credited to the severance tax trust fund as provided in section
13 39-29-108. All income derived from the deposit and investment of the
14 moneys in the severance tax trust fund shall be credited to the severance
15 tax trust fund. At the end of any fiscal year, all unexpended and
16 unencumbered moneys in the fund shall remain therein and shall not be
17 credited or transferred to the general fund or any other fund. All moneys
18 in the fund shall be subject to appropriation by the general assembly for
19 the following purposes:

20 (III) ASSISTANCE TO GOVERNMENTAL ENTITIES FOR LAND USE
21 REVIEWS. MONEYS APPROPRIATED FOR PROGRAMS OR PROJECTS WITHIN
22 THE COLORADO GEOLOGICAL SURVEY PURSUANT TO SUB-SUBPARAGRAPH
23 (B) OF SUBPARAGRAPH (I) OF PARAGRAPH (c) OF THIS SUBSECTION (1)
24 SHALL BE USED TO PAY FOR THE FOLLOWING:

25 (A) PROGRAMS OR PROJECTS PURSUANT TO SECTION 34-1-103,
26 C.R.S., THAT SERVE TO IDENTIFY, AND PROVIDE INFORMATION
27 CONCERNING, GEOLOGICAL HAZARDS AND RESOURCES; AND

1 (B) LAND USE AND GEOLOGICAL SUITABILITY REVIEW PERFORMED
2 BY THE COLORADO GEOLOGICAL SURVEY OF GEOLOGIC LAND USE REPORTS
3 PURSUANT TO SECTIONS 22-32-124, 25-15-202, 30-28-133, OR 30-28-136,
4 C.R.S., ARTICLE 65.1 OF TITLE 24, C.R.S., OR ANY OTHER APPLICABLE
5 STATUTE FOR THE BENEFIT OF LOCAL GOVERNMENTS, COUNTIES, SCHOOL
6 DISTRICTS, SPECIAL DISTRICTS, AND POLITICAL SUBDIVISIONS OF THE STATE.
7 APPROPRIATIONS FOR PROVIDING SUCH REVIEW SHALL BE IN ADDITION TO
8 APPROPRIATIONS UNDER THIS SUBSECTION (1) FOR OTHER PROGRAMS OR
9 PROJECTS DEALING WITH GEOLOGIC STUDIES.

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