

Colorado Legislative Strategies

**Southwestern Water Conservation District**

**[HB22-1007](#)**

**Assistance Landowner Wildfire Mitigation**

**Sponsors:** D. Valdez (D) | M. Lynch (R) / C. Simpson (R) | P. Lee (D)

**Summary:** The bill creates the Wildfire Mitigation Resources and Best Practices Grant Program in the Colorado State Forest Service. Grant recipients must be an agency of local government, a county, a municipality, a special district, a tribal agency or program, or a nonprofit organization. Grant funds may be used to conduct outreach among landowners regarding available resources and best practices for wildfire mitigation. Grants are awarded each January beginning in 2024. The CSFS must submit a report to the Wildfire Matters Review Committee each September beginning in 2025.

Under current law, the state income tax deduction for wildfire mitigation expenses is scheduled to become unavailable after tax year 2024. The bill extends the deduction for one year, through tax year 2025. Beginning in tax year 2023, the bill creates an income tax credit for wildfire mitigation expenses. The credit is available to landowners with federal taxable income of no more than \$120,000, adjusted for inflation, and is equal to 25 percent of the taxpayer’s cost for wildfire mitigation expenses, up to \$625 per year.

**Status:** 3/7/2022 House Committee on Finance Refer Amended to Appropriations

**Update:** The bill is on the list for the House Appropriations Committee to discuss after the state budget is passed.

**[HB22-1011](#)**

**Wildfire Mitigation Incentives For Local Governments**

**Sponsors:** L. Cutter (D) | M. Snyder (D) / T. Story (D) | P. Lee (D)

**Summary:** The bill creates the Wildfire Mitigation Incentives for Local Government Grant Program in the Colorado State Forest Service. The program will provide grants to municipal and county governments to match dedicated revenue raised for wildfire mitigation. An eligible local government must have a dedicated source of funding for forest management and wildfire mitigation. Grants must be used to match the dedicated revenues raised by the local governments for activities such as forest thinning, wildfire fuel reduction and outreach to property owners and the public.

**Status:** 2/17/2022 House Committee on Energy & Environment Refer Amended to Appropriations

**Update:** The bill is on the list for the House Appropriations Committee to discuss after the state budget is passed.

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**HB22-1012**      **Wildfire Mitigation And Recovery**

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**Sponsors:** L. Cutter (D) | D. Valdez (D) / J. Ginal (D) | P. Lee (D)

**Summary:** The bill creates the Wildfire Mitigation and Recovery Grant Program within the Colorado State Forest Service to help counties with forested areas prevent and recover from wildfires by removing wildfire fuel and debris in a manner that reduces the amount of carbon that enters the atmosphere. Grant money may be spent on wood-removal equipment and labor, as well as reforestation efforts such as tree seedling planting.

**Status:** 2/17/2022 House Committee on Energy & Environment Refer Amended to Appropriations

**Update:** The bill is on the list for the House Appropriations Committee to discuss after the state budget is passed.

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**HB22-1092**      **Loans From Irrigation Districts To Landowners**

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**Sponsors:** M. Soper (R) | D. Roberts (D) / J. Bridges (D) | D. Coram (R)

**Summary:** As introduced, the bill permits a board of directors of an irrigation district to enter into any obligation or contract to borrow money, which the irrigation district may use to issue loans to landowners to make improvements to private water delivery systems, or for other types of projects that improve water delivery, drainage, conservation, or efficiencies on landowner property.

**Status:** 3/7/2022 Introduced In Senate - Assigned to Agriculture & Natural Resources. Hearing scheduled for March 17 at 1:30 p.m.

**Update:** The bill has been amended to remove the role of the County Assessor and instead gives the County Treasurer the authority to apply a tax lien in the case a loan is in default. The bill also allows the County Treasurer to recoup costs of collecting the assessments by assessing five dollars against each participating tract of land.

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**HB22-1097**      **Dissolution Of Special Districts**

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**Sponsors:** D. Valdez (D) / C. Simpson (R)

**Summary:** Under current law, municipalities and regional service authorities are authorized file an application for dissolution with a special district's

board of directors. This bill expands that authorization to boards of county commissioners. The bill also expands current law to allow a board of county commissioners and a special district that is wholly within a county's boundaries and has no outstanding debt or financial obligations to mutually consent to dissolution via a court order without an election.

**Status:** Passed out of the House on February 14. Passed out of the Senate on March 7.

**Update:** The bill has been sent to the Governor for his signature.

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**[HB22-1151](#)      **Turf Replacement Program****

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**Sponsors:** M. Catlin (R) | D. Roberts (D) / J. Bridges (D) | C. Simpson (R)

**Summary:** Before July 1, 2023, the bill requires the CWCB to develop a turf replacement program to incentivize the voluntary replacement of nonessential irrigated turf on residential, commercial, institutional or industrial properties. The bill specifies that an entity that already administers or plans to administer a turf replacement program may apply for matching funds from the state program. An eligible applicant must provide up to 50 percent of the costs to develop and implement a local program, and must begin implementation within 12 months of receiving a grant. The program is to be funded by the General Fund.

**Status:** 2/28/2022 House Committee on Agriculture, Livestock, & Water Refer Amended to Appropriations

**Update:** The bill is on the list for the House Appropriations Committee to discuss after the state budget is passed.

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**[SB22-007](#)      **Increase Wildfire Risk Mitigation Outreach Efforts****

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**Sponsors:** P. Lee (D) | T. Story (D) / L. Cutter (D) | M. Snyder (D)

**Summary:** The bill requires the Colorado State Forest Service to convene a working group to consider how best to conduct an enhanced wildfire awareness month outreach campaign in 2023 and 2024. The campaign is intended to educate and incentivize residents living in the wildland-urban interface (WUI) to engage in wildfire risk mitigation efforts.

**Status:** 2/1/2022 Senate Committee on Local Government Refer Amended to Appropriations

**Update:** The bill is on the list for the House Appropriations Committee to discuss after the state budget is passed.

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**SB22-013**

**Boards And Commissions**

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**Sponsors:** S. Fenberg (D) | C. Holbert (R) / A. Garnett (D) | H. McKean (R)

**Summary:** The bill makes changes to requirements for boards and commissions where membership is based on representation from congressional districts, as well as various other changes to procedures for membership and appointments, including when the boundaries of a district change and when boards gain or lose members due to congressional redistricting.

The bill requires all boards and commissions, except where statute or constitutional provision provide otherwise, to:

- fill vacancies for the remainder of unexpired board member terms using the appointing authority that made the initial board member appointment;
- allow directors or executive directors who are ex officio members of a board to designate another person within their agency to fulfill their duties on the board;
- define “minimum majority” as the lowest number of members that is more than half of all board members;
- allow board members to participate remotely in board meetings; and,
- only count a partial term toward a member's term limit if it is greater than half the length of a standard term for the board.

**Status:** The bill passed out of the Senate on February 3 and out of the House on February 18.

**Update:** *Governor signed the bill into law on February 25.*

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**SB22-028**

**Groundwater Compact Compliance Fund**

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**Sponsors:** C. Simpson (R) | J. Sonnenberg (R) / D. Roberts (D) | M. Catlin (R)

**Summary:** This bill creates the Groundwater Compact Compliance and Sustainability Fund for groundwater compact compliance and groundwater resource sustainability and conservation purposes. The fund will be administered by the CWCB. Funds may include appropriations or transfers by the General Assembly; funds from federal sources; and gifts, grants, and donations. The CWCB will disburse funds based on recommendations from the board of directors of either the Rio Grande Water Conservancy District or the Republican River Water Conservation District, after approval by the State Engineer. If all groundwater reduction requirements and all statutorily mandated standards are achieved, the fund will be repealed and any remaining money transferred to the General Fund.

March 14, 2022

**Status:** Passed out of the Senate on February 17.  
**Update:** Bill assigned to House Agriculture, Livestock and Water Committee.  
The bill has not been scheduled for a committee hearing yet.  
**Position:** **Support**

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**SB22-029**

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**Investment Water Speculation**

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**Sponsors:** D. Coram (R) | K. Donovan (D) / K. McCormick (D)

**Summary:** The bill prohibits a person who purchases agricultural water rights in Colorado from engaging in investment water speculation. The State Engineer is authorized to investigate the sale or transfer of agricultural water rights that are represented by shares in a mutual ditch company if the purchase is suspected of investment water speculation. Investigations may be initiated either by a third-party complaint or upon the State Engineer’s own motion. The bill creates a rebuttable presumption that a purchaser is engaging in water speculation if the purchaser holds or will hold a minimum percent of the agricultural water rights held by all of the shareholders of the mutual ditch company.

The bill requires each mutual ditch company to determine the minimum percent threshold for a presumption of water speculation and inform the State Engineer no later than December 31, 2022. If the State Engineer determines that a sale or transfer is investment water speculation, they may impose a fine not to exceed \$10,000. If the State Engineer determines a third-party complaint is frivolous or filed to harass a seller or purchaser, the matter may be referred to the Attorney General’s Office.

The bill excludes state and local government water providers, water conservancy districts, the Colorado Water Conservation Board (CWCB) or any governmental, quasi-governmental, or nonprofit agency that purchases agricultural water primarily for a public purpose such as conservation or compact compliance.

**Status:** 1/12/2022 Introduced In Senate - Assigned to Agriculture & Natural Resources

**Update:** The bill has not been scheduled for committee. Senator Coram held a stakeholder meeting in February but no potential amendments were discussed. Senator Donovan has indicated she wants to amend the bill to simply define what “investment water speculation” is and future legislatures can decide to regulate the practice.

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**[SB22-030](#)**      **Expand Water Resources Review Committe To Include Agriculture**

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**Sponsors:** K. Donovan (D) | J. Sonnenberg (R) / B. McLachlan (D) | M. Catlin (R)

**Summary:** The bill expands the scope of the Water Resources Review Committee to include identifying, monitoring, and addressing agriculture issues, and renames it the Water Resources and Agriculture Review Committee.

**Status:** The bill passed out of the Senate on February 17 and on 3<sup>rd</sup> Reading in the House on March 11.

**Update:** There were discussions to specify that the WRRC would only address agricultural issues that directly involve water matters but no amendments were offered to do so. The bill has gained a lot of co-sponsors and will be sent to the Governor this week.

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**[SB22-114](#)**      **Fire Suppression Ponds Water Rights**

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**Sponsors:** D. Hisey (R) | T. Story (D) / D. Roberts (D) | M. Catlin (R)

**Summary:** The bill allows a board of county commissioners to apply to the State Engineer to have certain ponds designated as fire suppression ponds.

**Status:** Bill passed out of Senate Agriculture & Natural Resources Refer Amended to Appropriations on March 3.

**Update:** The proponents continue to work with a variety of stakeholders to address concerns but there is still concern that this is an exception to the prior appropriations system. Many stakeholders are starting to argue that there needs to be further conversation to address the problem presented by the proponents that does not weaken the prior appropriations system, perhaps through the WRRC process next summer.

**Position:** **Support**

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**[SB22-115](#)**      **Clarifying Terms Related To Landowner Liability**

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**Sponsors:** S. Jaquez Lewis (D) | B. Gardner (R) / M. Soper (R) | K. Tipper (D)

**Summary:** The bill clarifies terms related to landowner liability and declares that the Colorado Court of Appeals and Supreme Court decisions in Rocky Mountain Planned Parenthood, Inc. v. Wagner should not be relied upon concerning whether third-party criminal activity can be anticipated based on how controversial the landowner's goods or services are and that a landowner could be liable for harm predominantly caused by third-party criminal activity.

**Status:** Passed out of the Senate on February 22. The House Judiciary Committee discussed the bill and passed it on March 9.

**Update:** The bill continues to be non-controversial and has had no amendments added.

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**SB22-126**

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**Prioritize Water Storage Projects South Platte Basin**

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**Sponsors:** J. Sonnenberg (R) | K. Donovan (D) / R. Holtorf (R)

**Summary:** Under current law, CWCB is authorized to finance water projects from the CWCB Construction Fund and gives first priority to projects that will increase the beneficial consumptive use of the state's undeveloped interstate compact-entitled waters. As introduced, the bill amends this first priority to include projects that increase or improve undeveloped compact-entitled water storage in the South Platte River Basin to increase beneficial consumptive use in a manner that reduces reliance on transmountain diversions.

**Status:** On Senate 2<sup>nd</sup> Reading Calendar

**Update:** The bill was amended in the Senate Agriculture and Natural Resources Committee on March 24 to remove language giving priority to the South Platte River Basin in the CWCB loan process. The bill now states that first priority for the CWCB loans should be devoted to projects that will increase the beneficial consumptive use of Colorado's undeveloped compact-entitled waters, including in the South Platte River Basin.

**Position:** **Oppose**

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**SB22-131**

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**Protect Health Of Pollinators And People**

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**Sponsors:** S. Jaquez Lewis (D) | K. Priola (R) / C. Kipp (D) | M. Froelich (D)

**Summary:** The bill updated pesticide regulation in a number of ways:

- Restricted the use of pesticides on the grounds of schools, preschool programs, child care centers, and children's resident camps.
- Directed DNR to study and develop recommendations on how to address pollinator decline and increase pollinator health in the state.
- Created the Noncoated Seed-Applied Systemic Insecticide Pilot Grant Program in the Department of Agriculture to provide financial incentives to farmers to use non-coated seeds.
- Increased the number of pesticides on the restricted-use list at the Department of Agriculture
- Repealed state authority over pesticide regulation which would allow local governments to regulate pesticide use, except for agricultural purposes.

**Update:** Bill died in the Senate Agriculture & Natural Resources on March 3.

March 14, 2022

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**[SJR22-002](#)**      **Water Projects Eligibility Lists**

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**Position:**                    **Support**

**Calendar**                    NOT ON CALENDAR

**Notification:**

**Short Title:**                Water Projects Eligibility Lists

**Sponsors:**                K. Donovan (D) / K. McCormick (D) | M. Catlin (R)

**Summary:**                    \*\*\* No bill summary available \*\*\*

**Status:**                      3/9/2022 Sent to the Governor

**Fiscal Notes:**



SWCD							
Bill Matrix							
March 14, 2022							
Bill #	Position	Notes	Calendar Notification	Short Title	Sponsors	Most Recent Status	Fiscal Note
<a href="#">HB22-1007</a>			NOT ON CALENDAR	Assistance Landowner Wildfire Mitigation	D. Valdez (D)   M. Lynch (R) / C. Simpson (R)   P. Lee (D)	3/7/2022 House Committee on Finance Refer Amended to Appropriations	<a href="#">Fiscal Note</a>
<a href="#">HB22-1011</a>			NOT ON CALENDAR	Wildfire Mitigation Incentives For Local Governments	L. Cutter (D)   M. Snyder (D) / T. Story (D)   P. Lee (D)	2/17/2022 House Committee on Energy & Environment Refer Amended to Appropriations	<a href="#">Fiscal Note</a>
<a href="#">HB22-1012</a>			NOT ON CALENDAR	Wildfire Mitigation And Recovery	L. Cutter (D)   D. Valdez (D) / J. Ginal (D)   P. Lee (D)	2/17/2022 House Committee on Energy & Environment Refer Amended to Appropriations	<a href="#">Fiscal Note</a>
<a href="#">HB22-1092</a>		CRD - Support	Thursday, March 17 2022 SENATE AGRICULTURE & NATURAL RESOURCES COMMITTEE 1:30 PM Old Supreme Court (3) in senate calendar.	Loans From Irrigation Districts To Landowners	M. Soper (R)   D. Roberts (D) / J. Bridges (D)   D. Coram (R)	3/7/2022 Introduced In Senate - Assigned to Agriculture & Natural Resources	<a href="#">Fiscal Note</a>
<a href="#">HB22-1097</a>			NOT ON CALENDAR	Dissolution Of Special Districts	D. Valdez (D) / C. Simpson (R)	3/11/2022 Signed by the President of the Senate	<a href="#">Fiscal Note</a>
<a href="#">HB22-1151</a>		CRD - Support; CWC - Support	NOT ON CALENDAR	Turf Replacement Program	M. Catlin (R)   D. Roberts (D) / J. Bridges (D)   C. Simpson (R)	2/28/2022 House Committee on Agriculture, Livestock, & Water Refer Amended to Appropriations	<a href="#">Fiscal Note</a>
<a href="#">SB22-007</a>			NOT ON CALENDAR	Increase Wildfire Risk Mitigation Outreach Efforts	P. Lee (D)   T. Story (D) / L. Cutter (D)   M. Snyder (D)	2/1/2022 Senate Committee on Local Government Refer Amended to Appropriations	<a href="#">Fiscal Note</a>
<a href="#">SB22-013</a>			NOT ON CALENDAR	Boards And Commissions	S. Fenberg (D)   C. Holbert (R) / A. Garnett (D)   H. McKean (R)	2/25/2022 Governor Signed	<a href="#">Fiscal Note</a>
<a href="#">SB22-028</a>	Support	CRD - Support; CWC - Support	NOT ON CALENDAR	Groundwater Compact Compliance Fund	C. Simpson (R)   J. Sonnenberg (R) / D. Roberts (D)   M. Catlin (R)	2/17/2022 Introduced In House - Assigned to Agriculture, Livestock, & Water	<a href="#">Fiscal Note</a>
<a href="#">SB22-029</a>			NOT ON CALENDAR	Investment Water Speculation	D. Coram (R)   K. Donovan (D) / K. McCormick (D)	1/12/2022 Introduced In Senate - Assigned to Agriculture & Natural Resources	<a href="#">Fiscal Note</a>
<a href="#">SB22-030</a>			NOT ON CALENDAR	Expand Water Resources Review Committee To Include Agriculture	K. Donovan (D)   J. Sonnenberg (R) / B. McLachlan (D)   M. Catlin (R)	3/11/2022 House Third Reading Passed - No Amendments	<a href="#">Fiscal Note</a>
<a href="#">SB22-114</a>	Support		NOT ON CALENDAR	Fire Suppression Ponds Water Rights	D. Hisey (R)   T. Story (D) / D. Roberts (D)   M. Catlin (R)	3/3/2022 Senate Committee on Agriculture & Natural Resources Refer Amended to Appropriations	<a href="#">Fiscal Note</a>
<a href="#">SB22-115</a>			Monday, March 14 2022 GENERAL ORDERS - SECOND READING OF BILLS (6) in house calendar.	Clarifying Terms Related To Landowner Liability	S. Jaquez Lewis (D)   B. Gardner (R) / M. Soper (R)   K. Tipper (D)	3/9/2022 House Committee on Judiciary Refer Amended to House Committee of the Whole	<a href="#">Fiscal Note</a>
<a href="#">SB22-126</a>	Oppose	CRD - Oppose	Monday, March 14 2022 GENERAL ORDERS - SECOND READING OF BILLS - CONSENT CALENDAR (1) in senate calendar.	Prioritize Water Storage Projects South Platte Basin	J. Sonnenberg (R)   K. Donovan (D) / R. Holtorf (R)	3/7/2022 Senate Second Reading Laid Over to 03/14/2022 - No Amendments	<a href="#">Fiscal Note</a>
<a href="#">SB22-131</a>			NOT ON CALENDAR	Protect Health Of Pollinators And People	S. Jaquez Lewis (D)   K. Priola (R) / C. Kipp (D)   M. Froelich (D)	3/3/2022 Senate Committee on Agriculture & Natural Resources Postpone Indefinitely	<a href="#">Fiscal Note</a>
<a href="#">SJR22-002</a>	Support	CRD - Support; CWC - Support	NOT ON CALENDAR	Water Projects Eligibility Lists	K. Donovan (D) / K. McCormick (D)   M. Catlin (R)	3/9/2022 Sent to the Governor	

# Colorado Water Congress 2022 Bill Status Sheet

Bill No.	Short Title	CWC Position	Introduced	1st Committee	2nd Committee	2nd Reading	3rd Reading	Introduced	1st Committee	2nd Reading	3rd Reading	First House Repass	Conference Committee	Governor
HB22-1007	Assistance Landowner Wildfire Mitigation	31-Jan	12-Jan	2/17 EE	3/7 F									
HB22-1011	Wildfire Mitigation Incentives for Local Governments	31-Jan	12-Jan	2/17 EE	Ap									
HB22-1012	Wildfire Mitigation and Recovery	31-Jan	12-Jan	2/17 EE	Ap									
HB22-1092	Loans from Irrigation Districts to Landowners		20-Jan	2/24 Ag		2-Mar	3-Mar	7-Mar	3/17 Ag					
HB22-1097	Dissolution of Special Districts	7-Feb	20-Jan	2/8 T & LG		11-Feb	14-Feb	17-Feb	3/1 LG	4-Mar	7-Mar	10-Mar	11-Mar	
HB22-1138	Reduce Employee Single-Occupancy Vehicle Trips		4-Feb	2/28 F										
HB22-1148	Wildfire Camera Pilot Program	22-Feb	4-Feb	2/28 Ag	Ap									
HB22-1151	Turf Replacement Program	28-Feb	4-Feb	2/28 Ag	Ap									
HB22-1152	Prohibig Employer Adverse Action Marijuana Use	22-Feb	4-Feb	3/17 BAL										

Bill No.	Short Title	CWC Position	Introduced	1st Committee	2nd Committee	2nd Reading	3rd Reading	Introduced	1st Committee	2nd Reading	3rd Reading	First House Repass	Conference Committee	Governor
SB22-007	Increase Wildfire Risk Mitigation Outreach Efforts	31-Jan	12-Jan	2/1 LG	Ap									
SB22-013	Boards and Commissions		12-Jan	1/27 SVMA	2/1 Ap	1-Feb	3-Feb	4-Feb	2/9 TLG	17-Feb	18-Feb	24-Feb	24-Feb	25-Feb
SB22-028	Groundwater Compact Compliance Fund	24-Jan	12-Jan	2/10 Ag		15-Feb	17-Feb	17-Feb	Ag					
SB22-029	Investment Water Speculation	22-Feb	12-Jan	Ag										
SB22-030	Expand Water Resources Review Committee to Include Agriculture		12-Jan	2/10 Ag		15-Feb	17-Feb	17-Feb	3/7 Ag	10-Mar	11-Mar			
SB22-114	Fire Suppression Ponds Water Rights		3-Feb	3/3 Ag	Ap									
SB22-115	Clarifying terms Related to Landowner Liability		3-Feb	2/16 J		22-Feb	23-Feb	23-Feb	3/9 J					
SB22-126	Prioritize Water Storage Projects South Platte Basin		4-Feb	2/24 Ag										
SB22-131	Protect Health of Pollinators and People		10-Feb	3/3 Ag										
SB22-136	Special District Governance		16-Feb	3/1 LG										
SJR22-002	Water Projects Eligibility Lists	24-Jan	14-Jan	2/10 Ag		15-Feb	17-Feb	17-Feb	2/28 Ag		4-Mar	7-Mar	7-Mar	

BILL STATUS	ABBREVIATIONS
Bill scheduled for action at next SA meeting (yellow)	Ag = Agriculture, Livestock & Water
Bill not calendared (no fill)	Ap = Appropriations
Bill Passed, date of action (green)	BLEW = Business, Labor, Economic and Workforce Development Committee
Bill no longer active (gray)	CC = Conference Committee
Bill did not go to second committee or no action required (black)	F = Finance Committee
<b>CWC POSITION</b>	HIE= Health, Insurance, and Environment
Bill scheduled for activity in CWC State Affairs (yellow)	J = Judiciary
Support (green)	TLG = Transportation & Local Government

Oppose (orange)	SVMA = State, Veterans, and Military Affairs Committee
Amend (blue)	EE = Energy & Environment
Monitor, Neutral, No Position	UA = Upon Adjournment
No Motions Made	UR = Upon Recess
	Ag = Agriculture and Natural Resources Committee
	CD = Capital Development
	TE = Transportation & Energy
	E = Education
	BAL = Business Affairs & Labor