

**FINAL  
FISCAL NOTE**

---

<b>Drafting Number:</b> LLS 12-0131	<b>Date:</b> July 17, 2012
<b>Prime Sponsor(s):</b> Rep. Baumgardner Sen. Giron	<b>Bill Status:</b> Signed into Law
	<b>Fiscal Analyst:</b> Alex Schatz (303-866-4375)

---

**TITLE:** CONCERNING THE REISSUANCE OF A LOST SHARE CERTIFICATE OF A MUTUAL DITCH COMPANY.

<b>Fiscal Impact Summary</b>	<b>FY 2012-2013</b>	<b>FY 2013-2014</b>
<b>State Revenue</b>		
<b>State Expenditures</b>		
<b>FTE Position Change</b>		
<b>Effective Date:</b> The bill was signed by the Governor on March 15, 2012, and takes effect on August 8, 2012, assuming no referendum petition is filed.		
<b>Appropriation Summary for FY 2012-2013:</b> None required.		
<b>Local Government Impact:</b> None.		

**Summary of Legislation**

**This bill was recommended by the Water Resources Review Committee during the 2011 interim.**

Under current law, a stockholder, legal representative, or assignee of the stockholder who has lost a stock certificate in a mutual ditch corporation may file a statement of loss with the corporation. After filing the statement of loss, the corporation publishes a notice of the filing for five consecutive weeks. Three years from the time of filing must elapse before the corporation may issue a duplicate certificate.

The bill eliminates the three-year waiting period for the issuance of duplicate mutual ditch share certificates. Lienholders are added to the list of parties entitled to file for a duplicate certificate.

**State Expenditures**

The bill will have an indeterminate and likely minimal effect on the workload of Colorado trial courts. By enlarging the number of parties entitled to file a statement of loss, and by eliminating the mandatory waiting period prior to issuance of a duplicate stock certificate, the number of ditch stock disputes brought to court may increase. The Judicial Branch does not track the number of such cases, but it is believed that they are infrequent and any increase would be absorbed within existing resources.

Various state and local agencies maintain portfolios of water rights. This bill may reduce administrative burdens associated with record-keeping and facilitate water rights transactions involving those agencies.

**Departments Contacted**

Agriculture  
Local Affairs

Judicial  
Secretary of State

Law  
Natural Resources