

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 24-0867.01 Jennifer Berman x3286

SENATE BILL 24-148

SENATE SPONSORSHIP

Van Winkle, Pelton R., Simpson, Will

HOUSE SPONSORSHIP

(None),

Senate Committees

Agriculture & Natural Resources

House Committees

A BILL FOR AN ACT

101 **CONCERNING ALLOWING CERTAIN FACILITIES TO USE WATER**
102 **DETAINED IN A STORM WATER DETENTION AND INFILTRATION**
103 **FACILITY FOR PRECIPITATION HARVESTING.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, an entity that owns, operates, or has oversight over a storm water detention and infiltration facility (facility) is not allowed to divert, store, or otherwise use water detained in the facility. For facilities that are also approved for use as a precipitation harvesting facility, either through a substitute water supply plan or an augmentation

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
March 4, 2024

SENATE
Amended 2nd Reading
March 1, 2024

plan, the bill authorizes the use of water detained in the facility for precipitation harvesting.

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

2 **SECTION 1. In Colorado Revised Statutes, 37-60-115, amend**
3 **(6)(a) introductory portion and (6)(a)(III) as follows:**

4 **37-60-115. Water studies - rules - reports - definitions - repeal.**
5 **(6) Precipitation harvesting pilot projects. (a) The board shall, in**
6 **consultation with the state engineer, select the sponsors of up to ten new**
7 **residential or mixed-use developments that will conduct individual pilot**
8 **projects to collect precipitation from rooftops and impermeable surfaces**
9 **for nonpotable uses. The ~~purpose~~ PURPOSES of the pilot projects shall be**
10 **ARE to:**

11 **(III) Evaluate a variety of precipitation harvesting system designs,**
12 **INCLUDING INTEGRATED STORM WATER AND PRECIPITATION HARVESTING**
13 **FACILITIES. NOTWITHSTANDING THE DEFINITION OF A STORM WATER**
14 **DETENTION AND INFILTRATION FACILITY IN SECTION 37-92-602 (8)(b)(I),**
15 **A PILOT PROJECT MAY INCLUDE A SINGLE INTEGRATED FACILITY SERVING**
16 **THE TEMPORARY DETENTION OR INFILTRATION PURPOSES OF A STORM**
17 **WATER DETENTION AND INFILTRATION FACILITY AND A PRECIPITATION**
18 **HARVESTING FACILITY IF PRECIPITATION CAPTURED IN THE FACILITY FOR**
19 **BENEFICIAL USE, AS DEFINED IN SECTION 37-92-103 (4), IS REPLACED IN**
20 **ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION (6)(c) OF THIS**
21 **SECTION, AND ANY WATER CAPTURED IN THE FACILITY THAT IS NOT THE**
22 **SUBJECT OF THE PRECIPITATION HARVESTING PILOT PROJECT IS MANAGED**
23 **AND RELEASED BACK TO THE STREAM SYSTEM IN ACCORDANCE WITH THE**
24 **REQUIREMENTS OF SECTION 37-92-602 (8).**

25 **SECTION 2. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly; except
3 that, if a referendum petition is filed pursuant to section 1 (3) of article V
4 of the state constitution against this act or an item, section, or part of this
5 act within such period, then the act, item, section, or part will not take
6 effect unless approved by the people at the general election to be held in
7 November 2024 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.