

**FINAL
FISCAL NOTE**

Drafting Number: LLS 13-0111

Date: July 11, 2013

Prime Sponsor(s): Rep. Sonnenberg
Sen. Baumgardner

Bill Status: Deemed Lost

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TITLE: CONCERNING LIMITATIONS ON A LANDOWNER'S ABILITY TO IMPOSE CONDITIONS ON A WATER RIGHT OWNER AS A CONDITION OF PERMISSION TO USE LAND.

Summary of Legislation

This bill prohibits the United States from demanding that the owner of a water right assign to the United States either partial or joint ownership of the water right as a condition of granting the water right owner a right-of-way or special use permit. In the same context, the United States is not permitted to restrict the water right owner's ability to sell or transfer a water right. The bill goes on to state that any such condition is void and unenforceable as against public policy.

The bill was deemed lost on May 8, 2013, as the House of Representatives adjourned *sine die* without acting on the bill.

Assessment

The bill does not affect the revenue or expenditures of any state agency and is, therefore, assessed as having no fiscal impact. While the federal government does own land through which rights-of-way and other public facilities are developed, state and local governments in Colorado are not required to dedicate water rights to federal agencies for these uses of federal land.

Departments Contacted

Natural Resources
Counties

Judicial
Municipalities

Law
Local Affairs