

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 13-1191

BY REPRESENTATIVE(S) Fischer, Vigil, Ginal, Hamner, Hullinghorst, Lebsock, McLachlan, Mitsch Bush, Moreno, Salazar, Schafer, Singer, Young, Duran, Fields, Labuda;  
also SENATOR(S) Schwartz, Giron, Heath, Hudak, Jones, King, Newell, Nicholson, Roberts, Steadman, Todd.

CONCERNING GRANTS FOR DOMESTIC WASTEWATER TREATMENT PLANTS TO COMPLY WITH THE WATER QUALITY CONTROL COMMISSION'S NUTRIENTS MANAGEMENT CONTROL REGULATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

**SECTION 1.** In Colorado Revised Statutes, **add** 25-8-608.5 as follows:

**25-8-608.5. Nutrients grant fund - rules - repeal.** (1) THE NUTRIENTS GRANT FUND IS HEREBY CREATED IN THE STATE TREASURY. ~~MONEYS IN THE FUND, INCLUDING INTEREST EARNED ON THE INVESTMENT OF MONEYS IN THE FUND, ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE PURPOSE SPECIFIED IN SUBSECTION (2) OF THIS SECTION.~~

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(2)(a) THE DIVISION SHALL EXPEND MONEYS IN THE FUND TO AWARD GRANTS TO LOCAL GOVERNMENTS FOR THE PLANNING, DESIGN, CONSTRUCTION, OR IMPROVEMENT OF DOMESTIC WASTEWATER TREATMENT WORKS OWNED OR OPERATED BY A LOCAL GOVERNMENT THAT ARE NEEDED TO COMPLY WITH THE COMMISSION'S NUTRIENTS MANAGEMENT CONTROL REGULATION.

(b) THE DIVISION MAY RETAIN UP TO ONE HUNDRED THOUSAND DOLLARS PER FISCAL YEAR OF THE MONEYS IN THE FUND TO COVER THE COST OF ADMINISTERING THE PROJECTS OR GRANTS UNDER THIS SECTION.

(3) THE COMMISSION SHALL PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., AS NECESSARY TO ADMINISTER THIS SECTION, INCLUDING RULES DEFINING WHO IS ELIGIBLE FOR GRANTS AND THE CRITERIA TO BE USED IN AWARDING GRANTS. THE CRITERIA MUST GIVE PRIORITY TO APPLICANTS THAT HAVE THE LOWEST FINANCIAL ABILITY TO PAY FOR THE NECESSARY CONSTRUCTION OR IMPROVEMENTS. THE RULES MAY BE INCORPORATED INTO AND PROMULGATED AS AN AMENDMENT TO THE RULES PROMULGATED UNDER SECTION 25-8-608 (1.7).

(4) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2016.

**SECTION 2. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2013, the sum of \$15,000,000, or so much thereof as may be necessary, for allocation to the nutrients grant fund created in section 25-8-608.5 (1), Colorado Revised Statutes, related to the implementation of this act.

**SECTION 3. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Mark Ferrandino  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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John P. Morse  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO