

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0754.01 Jennifer Berman x3286

HOUSE BILL 12-1277

HOUSE SPONSORSHIP

Jones, Fischer, Ryden, Singer, Solano

SENATE SPONSORSHIP

Bacon,

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING STRENGTHENING LOCAL GOVERNMENTS' REGULATION OF
102 OIL AND GAS OPERATIONS, AND, IN CONNECTION THEREWITH,
103 STRENGTHENING LOCAL GOVERNMENTS' ZONING AND LAND USE
104 AUTHORITY OVER OIL AND GAS OPERATIONS.

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://www.leg.state.co.us/billsummaries>.)

The bill clarifies that oil and gas operations are subject to local governments' authority, as well as the authority of the oil and gas

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

conservation commission. The bill establishes that oil and gas operations are subject to the same local government control as is established for other mineral extractions.

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

2 **SECTION 1.** In Colorado Revised Statutes, 29-20-104, **amend** (1)
3 (g) as follows:

4 **29-20-104. Powers of local governments.** (1) Except as expressly
5 provided in section 29-20-104.5, the power and authority granted by this
6 section shall not limit any power or authority presently exercised or
7 previously granted. Each local government within its respective
8 jurisdiction has the authority to plan for and regulate the use of land by:

9 (g) Regulating the use of land on the basis of the impact ~~thereof~~
10 THAT THE USE WOULD HAVE on the community, ~~or~~ surrounding areas, ~~and~~
11 OR ENVIRONMENT. LOCAL GOVERNMENT REGULATION OF THE IMPACTS OF
12 LAND USE AND DEVELOPMENT FURTHERS THE STATE'S INTEREST IN
13 ORDERLY LAND USE AND ENVIRONMENTAL PROTECTION.

14 **SECTION 2.** In Colorado Revised Statutes, 34-60-105, **add** (4)
15 as follows:

16 **34-60-105. Powers of commission.** (4) AN OPERATOR SUBJECT TO
17 THIS ARTICLE IS ALSO SUBJECT TO ZONING AND LAND USE AUTHORITY AND
18 REGULATION BY LOCAL GOVERNMENTS, AS PROVIDED BY LAW.

19 **SECTION 3. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, and safety.