

**Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 10-0761.01 Thomas Morris

**SENATE BILL 10-027**

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**SENATE SPONSORSHIP**

**Sandoval,**

**HOUSE SPONSORSHIP**

**Roberts,**

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**Senate Committees**

Agriculture and Natural Resources  
Appropriations

**House Committees**

Agriculture, Livestock, & Natural Resources

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**A BILL FOR AN ACT**

101 **CONCERNING A FINE FOR THE UNAUTHORIZED DIVERSION OF SURFACE**  
102 **WATER.**

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**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 subjects a person who illegally diverts surface water to the same \$500-per-day fine that currently applies to illegal diversions of groundwater.

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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.*

HOUSE  
Am ended 2nd Reading  
March 16, 2010

SENATE  
3rd Reading Unam ended  
February 15, 2010


SENATE  
Am ended 2nd Reading  
February 12, 2010

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

2 **SECTION 1.** 37-92-503 (6) (a), Colorado Revised Statutes, is  
3 amended to read:

4 **37-92-503. Enforcement - injunction.** (6) (a) (I) Any person  
5 who diverts ~~ground water~~ GROUNDWATER contrary to a valid order of  
6 the state engineer or a division engineer issued pursuant to section  
7 37-92-502, in violation of a plan approved pursuant to rules ~~and~~  
8 ~~regulations~~ adopted by the state engineer, or otherwise in violation of  
9 rules ~~and regulations~~ adopted by the state engineer to regulate or measure  
10 diversions of ~~ground water~~ GROUNDWATER shall forfeit and pay a sum  
11 not to exceed five hundred dollars for each day such violation continues.

12 (II) ANY PERSON WHO DIVERTS SURFACE WATER CONTRARY TO A  
13 VALID ORDER OF THE STATE ENGINEER OR A DIVISION ENGINEER ISSUED  
14 PURSUANT TO SECTION 37-92-502 SHALL FORFEIT AND PAY A SUM NOT TO  
15 EXCEED FIVE HUNDRED DOLLARS FOR EACH DAY SUCH VIOLATION  
16 CONTINUES.

17 

18 **SECTION 2. Applicability.** The provisions of this act shall apply  
19 to conduct occurring on or after the effective date of this act.

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