

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

ENGROSSED

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

LLS NO. 10-0983.01 Gregg Fraser

SENATE BILL 10-181

SENATE SPONSORSHIP

Kester,

HOUSE SPONSORSHIP

McKinley,

Senate Committees
Local Government and Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF A MUNICIPALITY IN THE STATE TO**
102 **LEASE LANDS OWNED BY THE MUNICIPALITY.**

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>.)

Currently, a municipality is allowed to purchase water rights and to purchase and hold the lands with which the water rights are connected. The law allows the municipality to sell such lands when deemed advisable by the governing body of the municipality. The bill allows the city to also lease such lands.

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.*

SENATE
2nd Reading Unamended
April 12, 2010

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

2 **SECTION 1.** 31-35-101 (1) (e), Colorado Revised Statutes, is
3 amended to read:

4 **31-35-101. Powers - canals - water rights - diversion -**
5 **ratification of prior rights.** (1) Any municipality in this state, for the
6 purpose of supplying said municipality and the inhabitants thereof with
7 water, has the power under this part 1:

8 (e) To purchase and hold the lands with which said water right is
9 connected when deemed necessary and proper by the governing body,
10 whether the same are within or beyond the municipal limits, or to LEASE
11 OR sell such lands when deemed advisable by said governing body.

12 **SECTION 2. Act subject to petition - effective date.** This act
13 shall take effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part shall not take effect
19 unless approved by the people at the general election to be held in
20 November 2010 and shall take effect on the date of the official
21 declaration of the vote thereon by the governor.