



SB20-048

SHORT TITLE: State Government Regulation of Perfluoroalkyl and Polyfluoroalkyl Substances

LONG TITLE: Concerning a study to consider the strengthening of the prohibition on speculative appropriations of water.

SPONSORS: Sens. Donovan and Coram/Reps. Roberts and Catlin

COMMITTEES: Senate Energy & Environment Committee

PURPOSE OF THE BILL: To determine if additional actions or legislation is necessary to prevent speculation in water, particularly if new pressures are placed on water supplies by a potential call on the Colorado River.

PROPOSERS OF THE BILL: Water right owners who are concerned that speculation in water is occurring or may occur as the state population grows.

Potential Stakeholders: Real estate developers, agriculture, municipal water providers, industry.

Is the bill necessary this year? There is no deadline for action.

Background: Current law specifies that an appropriation of water cannot be based on speculation, as evidenced by either of the following:

The applicant does not have either a legally vested interest or a reasonable expectation of procuring such an interest in the lands or facilities to be served by the appropriation, unless the appropriator is a governmental agency or an agent in fact for the persons proposed to be benefited by the appropriation; or

The applicant does not have a specific plan and intent to divert, store, or otherwise capture, possess, and control a specific quantity of water for specific beneficial uses.

As ranches and farms are sold and their water rights severed, some are concerned that speculation in water is occurring.

Sen. Donovan is concerned that if an eventual demand management program is implemented a water market will develop that may encourage new forms of speculation.

How does the bill change current law? It does not

How is the bill implemented? The Executive Director of the Dept. of Natural Resources will convene a work group during the 2020 interim to explore ways in which the anti-speculation laws might be strengthened

Does the bill affect prior appropriation? No.

Practical considerations

Fiscal Impact