

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**REENGROSSED**

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

LLS NO. 22-0573.02 Jennifer Berman x3286

**HOUSE BILL 22-1151**

**HOUSE SPONSORSHIP**

**Catlin and Roberts**, Amabile, Bacon, Benavidez, Bernett, Bird, Boesenecker, Caraveo, Cutter, Esgar, Froelich, Garnett, Holtorf, Hooton, Jodeh, Kipp, Lindsay, Lontine, McCluskie, McCormick, McKean, Michaelson Jenet, Pico, Sirota, Snyder, Soper, Tipper, Titone, Valdez A., Valdez D., Weissman, Will, Woodrow, Young

**SENATE SPONSORSHIP**

**Bridges and Simpson**,

**House Committees**

Agriculture, Livestock, & Water  
Appropriations

**Senate Committees**

**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO INCENTIVIZE WATER-WISE LANDSCAPES,**  
102 **AND, IN CONNECTION THEREWITH, CREATING A STATE PROGRAM**  
103 **TO FINANCE THE VOLUNTARY REPLACEMENT OF IRRIGATED**  
104 **TURF, AND, IN CONNECTION THEREWITH, MAKING AN**  
105 **APPROPRIATION.**

**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://leg.colorado.gov>.)*

The bill requires the Colorado water conservation board (board)

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

HOUSE  
3rd Reading Unamended  
May 4, 2022

HOUSE  
Amended 2nd Reading  
May 3, 2022

to develop a statewide program to provide financial incentives for the voluntary replacement of irrigated turf with water-wise landscaping (turf replacement program). The bill defines water-wise landscaping as a water- and plant-management practice that emphasizes using plants with lower water needs. Local governments, certain districts, Native American tribes, and nonprofit organizations with their own turf replacement programs may apply to the board for money to help finance their turf replacement programs. The board will contract with one or more third parties to administer one or more turf replacement programs in areas where local turf replacement programs do not exist.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 37-60-134 as  
3 follows:

4           **37-60-134. State turf replacement program - creation -**  
5 **administration - turf replacement fund - creation - legislative**  
6 **declaration - definitions - repeal.** (1) THE GENERAL ASSEMBLY FINDS  
7 AND DECLARES THAT:

8           (a) PROMOTING THE EFFICIENT AND MAXIMUM UTILIZATION OF  
9 COLORADO'S WATER RESOURCES BY DECREASING THE AMOUNT OF  
10 IRRIGATED TURF CAN:

11           (I) INCREASE COMMUNITIES' RESILIENCE REGARDING DROUGHT  
12 AND CLIMATE CHANGE;

13           (II) REDUCE THE SALE OF AGRICULTURAL WATER RIGHTS IN  
14 RESPONSE TO INCREASED DEMAND FOR MUNICIPAL WATER USE; AND

15           (III) PROTECT RIVER FLOWS;

16           (b) IRRIGATION OF OUTDOOR LANDSCAPING ACCOUNTS FOR  
17 NEARLY HALF OF WATER USE WITHIN THE MUNICIPAL AND INDUSTRIAL  
18 SECTORS OF THE STATE AND IS MOSTLY USED FOR IRRIGATION OF  
19 NONNATIVE TURF GRASS;

20           (c) WHILE THERE ARE APPROPRIATE AND IMPORTANT USES FOR

1 IRRIGATED TURF, INCLUDING FOR PARKS, SPORTS FIELDS, PLAYGROUNDS,  
2 AND PORTIONS OF RESIDENTIAL YARDS, MUCH OF THE TURF IN THE STATE  
3 IS NONESSENTIAL AND IS LOCATED IN AREAS THAT RECEIVE LITTLE, IF ANY,  
4 USE. SUCH IRRIGATED TURF COULD BE REPLACED WITH WATER-WISE  
5 LANDSCAPING WITHOUT IMPACTING QUALITY OF LIFE OR LANDSCAPE  
6 FUNCTIONALITY.

7 (d) EXAMPLES OF NONESSENTIAL TURF INCLUDE TURF USED FOR:

8 (I) MEDIANS;

9 (II) AREAS ADJACENT TO OPEN SPACES OR TRANSPORTATION  
10 CORRIDORS;

11 (III) AREAS SLOPED WITH MORE THAN A TWENTY-FIVE PERCENT  
12 GRADE;

13 (IV) STORM WATER DRAINAGE AND DETENTION BASINS;

14 (V) COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL PROPERTIES;

15 (VI) COMMON ELEMENTS IN A COMMON INTEREST COMMUNITY, AS  
16 THOSE TERMS ARE DEFINED IN SECTION 38-33.3-103; AND

17 (VII) PORTIONS OF RESIDENTIAL YARDS;

18 (e) WATER-WISE LANDSCAPING MUST PLAY A CRITICAL ROLE IN  
19 PROVIDING SUBSTANTIAL AND PERMANENT WATER SAVINGS AND IN  
20 MINIMIZING WATER WASTE IN COLORADO COMMUNITIES;

21 (f) LOCAL JURISDICTIONS SHOULD ESTABLISH POLICIES THAT  
22 REDUCE NONESSENTIAL TURF USED FOR NEW DEVELOPMENTS OR  
23 REDEVELOPED AREAS AND INCREASE THE USE OF WATER-WISE  
24 LANDSCAPING;

25 (g) THE STATE MUST PRIORITIZE THE USE OF WATER-WISE  
26 LANDSCAPING FOR EXISTING AND NEW STATE GOVERNMENT PROPERTIES;

27 (h) TURF REPLACEMENT PROGRAMS PROVIDE A PROVEN AND

1 EFFECTIVE STRATEGY FOR REDUCING OUTDOOR WATER DEMAND  
2 SIGNIFICANTLY, AND EVIDENCE FROM EXISTING PROGRAMS  
3 DEMONSTRATES THAT, FOR EACH ACRE OF TURF REMOVED, ONE TO TWO  
4 ACRE-FEET PER YEAR OF WATER SAVINGS CAN BE REALIZED, MEANING  
5 THAT FOR EVERY ONE HUNDRED ACRES OF TURF CONVERTED TO  
6 WATER-WISE LANDSCAPES, UP TO TWO HUNDRED ACRE-FEET PER YEAR OF  
7 WATER MAY BE CONSERVED; AND

8 (i) THE BOARD SHOULD DEVELOP A STATE TURF REPLACEMENT  
9 PROGRAM TO INCENTIVIZE THE VOLUNTARY REPLACEMENT OF IRRIGATED  
10 TURF ON RESIDENTIAL PROPERTIES AND COMMERCIAL, INSTITUTIONAL, OR  
11 INDUSTRIAL PROPERTIES AS A MEANS OF RESPONDING TO INCREASED  
12 WATER DEMAND THROUGHOUT THE STATE.

13 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
14 REQUIRES:

15 (a) "CAMPUS" MEANS A COLLECTION OF TWO OR MORE BUILDINGS  
16 THAT ARE OWNED AND OPERATED BY THE SAME PERSON AND HAVE A  
17 SHARED PURPOSE AND FUNCTION AS A SINGLE PROPERTY.

18 (b) "COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL" OR "CII":

19 (I) MEANS THE COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL  
20 SECTOR IN THE STATE; AND

21 (II) INCLUDES LOCAL GOVERNMENTS, SCHOOLS, AND BUSINESSES.

22 (c) "DISTRICT" MEANS:

23 (I) A DISTRICT OR SPECIAL DISTRICT FORMED PURSUANT TO TITLE  
24 32, INCLUDING A METROPOLITAN DISTRICT, AS DEFINED IN SECTION  
25 32-1-103 (10); A WATER AND SANITATION DISTRICT, AS DEFINED IN  
26 SECTION 32-1-103 (24); AND A WATER DISTRICT, AS DEFINED IN SECTION  
27 32-1-103 (25);

1 (II) A WATER CONSERVANCY DISTRICT ESTABLISHED UNDER  
2 ARTICLE 45 OF THIS TITLE 37; OR

3 (III) A WATER CONSERVATION DISTRICT ESTABLISHED UNDER  
4 ARTICLE 46, 47, 48, OR 50 OF THIS TITLE 37.

5 (d) "ELIGIBLE ENTITY" MEANS ANY OF THE FOLLOWING ENTITIES  
6 THAT ALREADY ADMINISTER OR PLAN TO ADMINISTER A TURF  
7 REPLACEMENT PROGRAM IN THE STATE:

8 (I) A LOCAL GOVERNMENT;

9 (II) A DISTRICT;

10 (III) A NATIVE AMERICAN TRIBE; OR

11 (IV) A NONPROFIT ORGANIZATION.

12 (e) "INVASIVE PLANT SPECIES" MEANS PLANTS THAT ARE NOT  
13 NATIVE TO THE STATE AND THAT:

14 (I) ARE INTRODUCED INTO THE STATE ACCIDENTALLY OR  
15 INTENTIONALLY;

16 (II) HAVE NO NATURAL COMPETITORS OR PREDATORS IN THE STATE  
17 BECAUSE THE STATE IS OUTSIDE OF THEIR COMPETITORS' OR PREDATORS'  
18 RANGE; AND

19 (III) HAVE HARMFUL EFFECTS ON THE STATE'S ENVIRONMENT OR  
20 ECONOMY OR BOTH.

21 (f) "LOCAL GOVERNMENT" MEANS A STATUTORY OR HOME RULE  
22 MUNICIPALITY, COUNTY, OR CITY AND COUNTY.

23 (g) (I) "RESIDENTIAL PROPERTY" MEANS ANY REAL PROPERTY  
24 UPON WHICH A DWELLING IS CONSTRUCTED.

25 (II) "RESIDENTIAL PROPERTY" INCLUDES:

26 (A) BOTH UNITS AND COMMON ELEMENTS IN A COMMON INTEREST  
27 COMMUNITY, AS THOSE TERMS ARE DEFINED IN SECTION 38-33.3-103; AND

1 (B) SINGLE-FAMILY DETACHED PROPERTIES AND SINGLE-FAMILY  
2 ATTACHED PROPERTIES THAT ARE NOT IN A COMMON INTEREST  
3 COMMUNITY.

4 (h) "SCHOOL" MEANS:

5 (I) A PUBLIC SCHOOL MAINTAINED AND OPERATED BY A SCHOOL  
6 DISTRICT CREATED PURSUANT TO ARTICLE 30 OF TITLE 22;

7 (II) A DISTRICT CHARTER SCHOOL AS DEFINED IN SECTION  
8 22-11-103 (12);

9 (III) AN INSTITUTE CHARTER SCHOOL AS DEFINED IN SECTION  
10 22-11-103 (17);

11 (IV) A PRIVATE SCHOOL AS DEFINED IN SECTION 22-30.5-103 (6.5);

12 (V) A STATE INSTITUTION OF HIGHER EDUCATION AS DEFINED IN  
13 SECTION 23-1-108 (7)(g)(II); OR

14 (VI) A PRIVATE INSTITUTION OF HIGHER EDUCATION AS DEFINED  
15 IN SECTION 23-18-102 (9).

16 (i) "TURF" MEANS CONTINUOUS PLANT COVERAGE CONSISTING OF  
17 NONNATIVE GRASSES OR GRASSES THAT HAVE NOT BEEN HYBRIDIZED FOR  
18 ARID CONDITIONS AND WHICH, WHEN REGULARLY MOWED, FORM A DENSE  
19 GROWTH OF LEAF BLADES AND ROOTS.

20 (j) "TURF REPLACEMENT FUND" OR "FUND" MEANS THE TURF  
21 REPLACEMENT FUND CREATED IN SUBSECTION (6) OF THIS SECTION.

22 (k) "TURF REPLACEMENT PROGRAM" OR "PROGRAM" MEANS A  
23 PROGRAM THROUGH WHICH FINANCIAL COMPENSATION OR IN-KIND OR  
24 SUBSIDIZED GOODS OR SERVICES ARE PROVIDED TO ASSIST WITH THE  
25 VOLUNTARY REPLACEMENT OF IRRIGATED TURF FOR:

26 (I) RESIDENTIAL PROPERTIES; AND

27 (II) CII PROPERTIES, INCLUDING INDUSTRIAL AND BUSINESS

1       CAMPUSES.

2               (I) "WATER-WISE LANDSCAPE" OR "WATER-WISE LANDSCAPING":

3               (I) MEANS A WATER- AND PLANT- MANAGEMENT PRACTICE THAT:

4               (A) IS INTENDED TO BE FUNCTIONAL AND ATTRACTIVE;

5               (B) EMPHASIZES THE USE OF PLANTS THAT REQUIRE LOWER

6 SUPPLEMENTAL WATER, SUCH AS NATIVE AND DROUGHT-TOLERANT

7 PLANTS; AND

8               (II) PRIORITIZES THE FOLLOWING SEVEN KEY PRINCIPLES:

9               (A) PLANNING AND DESIGN FOR WATER CONSERVATION, BEAUTY,

10 AND UTILITY;

11              (B) IMPROVING SOIL;

12              (C) APPLYING EFFICIENT IRRIGATION;

13              (D) LIMITING TURF TO HIGH TRAFFIC, ESSENTIAL AREAS;

14              (E) SELECTING PLANTS THAT HAVE LOW WATER DEMAND;

15              (F) APPLYING MULCH; AND

16              (G) MAINTAINING THE LANDSCAPE.

17              (3) ON OR BEFORE JULY 1, 2023, THE BOARD SHALL DEVELOP A

18 STATE TURF REPLACEMENT PROGRAM:

19              (a) TO PROVIDE MONEY TO AN ELIGIBLE ENTITY THAT ITSELF

20 PROVIDES MATCHING MONEY IN AN AMOUNT UP TO FIFTY PERCENT OF THE

21 DIRECT AND INDIRECT COSTS THAT THE ELIGIBLE ENTITY AND ANY THIRD

22 PARTY IT CONTRACTS WITH IN DEVELOPING OR IMPLEMENTING A TURF

23 REPLACEMENT PROGRAM WILL INCUR;           

24              (b) THROUGH ONE OR MORE THIRD-PARTY CONTRACTORS CHOSEN

25 IN ACCORDANCE WITH SUBSECTION (5) OF THIS SECTION, TO ADMINISTER

26 ONE OR MORE TURF REPLACEMENT PROGRAMS IN AREAS THROUGHOUT THE

27 STATE IN WHICH NO ELIGIBLE ENTITY HAS DEVELOPED OR IS PLANNING TO

1 IMPLEMENT A TURF REPLACEMENT PROGRAM DURING A SPECIFIED  
2 IRRIGATION SEASON. TURF REPLACEMENT PROGRAMS DEVELOPED  
3 PURSUANT TO THIS SUBSECTION (3)(b) MAY SERVE RESIDENTIAL  
4 PROPERTIES; COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL PROPERTIES;  
5 OR BOTH.

6 (c) THROUGH WHICH MONEY APPROPRIATED OR TRANSFERRED TO  
7 THE TURF REPLACEMENT FUND MAY BE PROVIDED TO AN ELIGIBLE ENTITY  
8 THAT UTILIZES FEDERAL FUNDS TO SERVE AS A PORTION OF THE  
9 NONFEDERAL MATCH MONEY THAT A FEDERAL GRANT OR LOAN PROGRAM  
10 REQUIRES OF THE ELIGIBLE ENTITY.

11 (4) (a) WITH REGARD TO AN ELIGIBLE ENTITY APPLICANT SEEKING  
12 MONEY FOR A TURF REPLACEMENT PROGRAM THAT IT ADMINISTERS OR  
13 PLANS TO ADMINISTER, THE ELIGIBLE ENTITY MAY APPLY TO THE BOARD  
14 IN THE FORM AND MANNER DETERMINED BY THE BOARD FOR MONEY TO  
15 ASSIST THE ELIGIBLE ENTITY IN PROVIDING TURF REPLACEMENT FOR:

- 16 (I) ITS OWN PROPERTY;
- 17 (II) RESIDENTIAL PROPERTY WITHIN THE ELIGIBLE ENTITY'S  
18 BOUNDARIES OR SERVICE AREA; OR
- 19 (III) COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL PROPERTY  
20 LOCATED WITHIN THE ELIGIBLE ENTITY'S BOUNDARIES OR SERVICE AREA.

21 (b) AN ELIGIBLE ENTITY AWARDED MONEY:  
22 (I) MAY USE A PORTION OF THE MONEY TO COVER ITS DIRECT AND  
23 INDIRECT COSTS, INCLUDING THE DIRECT AND INDIRECT COSTS INCURRED  
24 BY ANY THIRD-PARTY CONTRACTOR, IN DEVELOPING AND ADMINISTERING  
25 A TURF REPLACEMENT PROGRAM;

26 (II) IS ENCOURAGED TO REQUIRE THAT ITS PROGRAM PARTICIPANTS  
27 UPDATE IRRIGATION SYSTEMS TO EFFICIENTLY IRRIGATE WATER-WISE



1 LANDSCAPING AS A CONDITION OF PARTICIPATING IN THE ELIGIBLE  
2 ENTITY'S TURF REPLACEMENT PROGRAM; AND

3 (III) IS ENCOURAGED TO REQUIRE THAT ITS PROGRAM  
4 PARTICIPANTS MAINTAIN OR CREATE DEFENSIBLE SPACE TO REDUCE  
5 WILDFIRE RISK.

6 (c) THE BOARD'S APPLICATION REQUIREMENTS FOR APPLICATIONS  
7 RECEIVED PURSUANT TO THIS SUBSECTION (4) MUST INCLUDE A  
8 REQUIREMENT THAT THE ELIGIBLE ENTITY DEMONSTRATE TO THE  
9 SATISFACTION OF THE BOARD THAT:

10 (I) THE ELIGIBLE ENTITY HAS MATCHING MONEY AS REQUIRED  
11 UNDER SUBSECTION (3)(a) OF THIS SECTION;

12 (II) THE ELIGIBLE ENTITY WILL START USING ANY MONEY  
13 AWARDED FOR IMPLEMENTATION OF A TURF REPLACEMENT PROGRAM  
14 WITHIN TWELVE MONTHS AFTER BEING AWARDED THE MONEY;

15 (III) IF THE ELIGIBLE ENTITY HAS AN EXISTING TURF REPLACEMENT  
16 PROGRAM, THE ELIGIBLE ENTITY WILL USE THE MONEY AWARDED IN A  
17 MANNER THAT EXPANDS ITS TURF REPLACEMENT PROGRAM, EITHER BY  
18 INCREASING THE FINANCIAL INCENTIVES OFFERED PER PROPERTY OR BY  
19 EXPANDING THE ANNUAL TOTAL ACREAGE OF TURF REPLACED UNDER THE  
20 PROGRAM; AND

21 (IV) THE ELIGIBLE ENTITY WILL NOT ALLOW THE USE OF MONEY  
22 FOR THE REPLACEMENT OF TURF WITH ANY OF THE FOLLOWING:

23 (A) IMPERMEABLE CONCRETE;

24 (B) ARTIFICIAL TURF;

25 (C) WATER FEATURES SUCH AS FOUNTAINS;

26 (D) INVASIVE PLANT SPECIES; OR

27 (E) TURF.

1           (5) (a) THE BOARD SHALL CONTRACT WITH ONE OR MORE THIRD  
2 PARTIES, SELECTED IN COMPLIANCE WITH THE "PROCUREMENT CODE",  
3 ARTICLES 101 TO 112 OF TITLE 24, TO ADMINISTER ONE OR MORE TURF  
4 REPLACEMENT PROGRAMS IN ACCORDANCE WITH SUBSECTION (3)(b) OF  
5 THIS SECTION. THE BOARD AND THIRD-PARTY CONTRACTOR OR  
6 CONTRACTORS MAY USE MONEY FROM THE TURF REPLACEMENT FUND TO  
7 COVER THEIR DIRECT AND INDIRECT COSTS IN DEVELOPING AND  
8 ADMINISTERING ONE OR MORE TURF REPLACEMENT PROGRAMS UNDER THIS  
9 SUBSECTION (5). THE BOARD AND THIRD-PARTY CONTRACTOR OR  
10 CONTRACTORS SHALL COLLABORATE TO DEVELOP ONE OR MORE TURF  
11 REPLACEMENT PROGRAMS THAT:

12           (I) ARE BASED ON INDUSTRY BEST PRACTICES AND THAT MAY THEN  
13 SERVE AS A MODEL FOR TURF REPLACEMENT PROGRAMS THAT ELIGIBLE  
14 ENTITIES ADMINISTER;

15           (II) ARE DESIGNED TO REQUIRE THAT:

16           (A) REMOVED TURF BE REPLACED WITH A MINIMUM PERCENTAGE  
17 OF LIVING PLANT SPECIES;

18           (B) LOW OR MEDIUM WATER-USE PLANT SPECIES OR BOTH ARE  
19 USED INSTEAD OF HIGH WATER-USE PLANT SPECIES IN REPLACING THE  
20 TURF; ■

21           (C) THERE IS AN EMPHASIS ON USING NATIVE AND  
22 POLLINATOR-FRIENDLY PLANT SPECIES; AND

23           (D) THERE IS AN EMPHASIS ON CREATING AND MAINTAINING  
24 DEFENSIBLE SPACE TO REDUCE WILDFIRE RISK.

25           (III) OFFER REBATES OR IN-KIND OR SUBSIDIZED GOODS OR  
26 SERVICES TO PROPERTY OWNERS IN AN AMOUNT THAT BALANCES  
27 INCENTIVIZING PROPERTY OWNERS TO VOLUNTARILY PARTICIPATE IN THE

1 PROGRAM WHILE NOT DISCOURAGING ELIGIBLE ENTITIES IN THE AREA  
2 FROM DEVELOPING AND ADMINISTERING A LOCAL PROGRAM TO SERVE THE  
3 AREA.

4 (b) THE BOARD SHALL ESTABLISH THE RESPONSIBILITIES AND THE  
5 ACCOUNTABILITY OF THE THIRD-PARTY CONTRACTOR OR CONTRACTORS  
6 IN MANAGING THE PROGRAM PURSUANT TO THIS SUBSECTION (5), WHICH  
7 RESPONSIBILITIES AND ACCOUNTABILITY MUST INCLUDE:

8 (I) ENSURING ALL PROJECT WORK IS BEING COMPLETED IN AN  
9 EFFICIENT MANNER AND WITHIN THE PROJECT BUDGET;

10 (II) DEVELOPING AND SUBMITTING PROGRAM INVOICES TO THE  
11 BOARD; AND

12 (III) PROVIDING THE BOARD WITH PROGRESS REPORTS ABOUT THE  
13 PROGRAM AND A FINAL REPORT REGARDING USE OF THE MONEY AWARDED  
14 FOR THE PROGRAM, INCLUDING ADMINISTRATIVE COSTS.

15 (c) A RESIDENTIAL PROPERTY OWNER OR CII PROPERTY OWNER OR  
16 MANAGER MAY APPLY TO A THIRD-PARTY CONTRACTOR, IN A FORM AND  
17 MANNER DETERMINED BY THE BOARD AND THE THIRD-PARTY  
18 CONTRACTOR, FOR MONEY FOR TURF REPLACEMENT ON THE APPLICANT'S  
19 PROPERTY AS PART OF A TURF REPLACEMENT PROGRAM ESTABLISHED  
20 PURSUANT TO THIS SUBSECTION (5). THE APPLICATION DEVELOPED BY THE  
21 BOARD AND THIRD-PARTY CONTRACTOR MUST INFORM AN APPLICANT  
22 THAT APPLICANTS RECEIVING MONEY UNDER THIS SUBSECTION (5):

23 (I) MAY USE THE MONEY TO COVER THE COST OF ALL DESIGN,  
24 MATERIALS, PLANTINGS, AND LABOR REQUIRED TO COMPLETE  
25 LANDSCAPING AND IRRIGATION SYSTEM MODIFICATIONS TO REMOVE TURF  
26 AND REPLACE IT WITH WATER-WISE LANDSCAPING;

27 (II) ARE ENCOURAGED TO UPDATE IRRIGATION SYSTEMS TO

1 EFFICIENTLY IRRIGATE WATER-WISE LANDSCAPING AS PART OF THE  
2 APPLICANTS' PARTICIPATION IN THE PROGRAM; AND

3 (III) SHALL NOT USE THE MONEY TO REPLACE TURF WITH ANY OF  
4 THE FOLLOWING:

5 (A) IMPERMEABLE CONCRETE;

6 (B) ARTIFICIAL TURF;

7 (C) WATER FEATURES SUCH AS FOUNTAINS;

8 (D) INVASIVE PLANT SPECIES; OR

9 (E) TURF.

10 (6) (a) (I) THE TURF REPLACEMENT FUND IS HEREBY CREATED IN  
11 THE STATE TREASURY TO BE ADMINISTERED BY THE BOARD FOR  
12 IMPLEMENTATION OF THIS SECTION. THE FUND CONSISTS OF MONEY THAT  
13 THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND,  
14 ANY FEDERAL MONEY THAT THE BOARD RECEIVES FOR THE PROGRAM, AND  
15 ANY GIFTS, GRANTS, OR DONATIONS THAT THE BOARD RECEIVES FROM  
16 PRIVATE OR PUBLIC SOURCES PURSUANT TO SUBSECTION (6)(a)(II) OF THIS  
17 SECTION. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
18 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
19 FUND TO THE FUND.

20 (II) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,  
21 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF  
22 THIS SECTION.

23 (b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
24 ASSEMBLY, THE BOARD MAY USE THE MONEY IN THE FUND FOR THE  
25 PURPOSES SET FORTH IN THIS SECTION UNTIL THE MONEY IS EXPENDED.

26 (c) (I) ON THE EFFECTIVE DATE OF THIS SUBSECTION (6)(c), THE  
27 STATE TREASURER SHALL TRANSFER TWO MILLION DOLLARS FROM THE

1 GENERAL FUND TO THE TURF REPLACEMENT FUND.

2 (II) THIS SUBSECTION (6)(c) IS REPEALED, EFFECTIVE JULY 1, 2023.

3 (7) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ADD A  
4 REQUIREMENT FOR A WATER CONSERVATION PLAN THAT A COVERED  
5 ENTITY FILES PURSUANT TO SECTION 37-60-126 (2).

6 **SECTION 2. Appropriation.** (1) For the 2022-23 state fiscal  
7 year, \$2,000,000 is appropriated to the department of natural resources  
8 for use by the Colorado water conservation board. This appropriation is  
9 from the turf replacement fund created in section 37-60-134 (6)(a)(I),  
10 C.R.S. To implement this act, the board may use this appropriation as  
11 follows:

12 (a) \$1,988,600 for the state turf replacement program, which  
13 amount is based on an assumption that the board will require an  
14 additional 0.8 FTE; and

15 (b) \$11,400 for the purchase of information technology services.

16 (2) For the 2022-23 state fiscal year, \$11,400 is appropriated to  
17 the office of the governor for use by the office of information technology.  
18 This appropriation is from reappropriated funds received from the  
19 department of natural resources under subsection (1)(b) of this section. To  
20 implement this act, the office may use this appropriation to provide  
21 information technology services for the department of natural resources.

22 **SECTION 3. Act subject to petition - effective date.** This act  
23 takes effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly; except  
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
26 of the state constitution against this act or an item, section, or part of this  
27 act within such period, then the act, item, section, or part will not take

1 effect unless approved by the people at the general election to be held in  
2 November 2022 and, in such case, will take effect on the date of the  
3 official declaration of the vote thereon by the governor.