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Amending 31-35-401 (7), Colorado Revised Statutes 1973, as Amended, Concerning the Definition of Water Facilities

Colorado General Assembly

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Recommended Citation

Colorado General Assembly, "Amending 31-35-401 (7), Colorado Revised Statutes 1973, as Amended, Concerning the Definition of Water Facilities" (1981). *Session Laws 1951-2000*. 8769.
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CHAPTER 380

GOVERNMENT — MUNICIPAL
WATER AND SEWAGE — SEWER AND WATER SYSTEMS

SENATE BILL NO. 263. BY SENATORS Anderson, Beatty, and Yost;
also REPRESENTATIVES Sirahle, Paulson, and Younglund.

AN ACT

AMENDING 31-35-401 (7), COLORADO REVISED STATUTES 1973, AS AMENDED, CONCERNING THE DEFINITION OF WATER FACILITIES.

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

Section 1. 31-35-401 (7), Colorado Revised Statutes 1973, 1977 Repl. Vol., is amended to read:

31-35-401. Definitions. (7) "Water facilities" means any one or more ~~devices~~ **WORKS AND IMPROVEMENTS** used in **AND AS A PART OF** the collection, treatment, or distribution of water for ~~municipal beneficial uses~~ **THE BENEFICIAL USES AND PURPOSES FOR WHICH THE WATER HAS BEEN OR MAY BE APPROPRIATED**, including, but not limited to, uses for domestic, municipal, irrigation, **POWER**, and industrial purposes and including **CONSTRUCTION, OPERATION, AND MAINTENANCE** OF a system of raw and clear water and distribution storage reservoirs, deep and shallow wells, pumping, ventilating, and gauging stations, inlets, tunnels, flumes, conduits, canals, collection, transmission, and distribution lines, infiltration galleries, hydrants, meters, filtration and treatment plants and works, **POWER PLANTS**, all pumping, power, and other equipment and appurtenances, all extensions, improvements, remodeling, additions, and alterations thereof, and any and all rights or interests in such ~~water facilities~~ **WORKS AND IMPROVEMENTS**; **BUT, NO MUNICIPALITY SHALL CONSTRUCT OR ACQUIRE FACILITIES FOR THE SALE OF ELECTRIC ENERGY OR POWER, EXCEPT HYDROELECTRIC ENERGY OR POWER FOR SALE AT WHOLESALE ONLY, WITHOUT COMPLYING WITH THE PROVISIONS OF SECTION 31-15-707.**

Section 2. **Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 18, 1981