

Original #110

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MAY 05 2006

ELECTIONS / LICENSING
SECRETARY OF STATE

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1:44pm
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BALLOT PROPOSAL

Be it enacted by the People of the State of Colorado:

Article 35.7 of title 38 , Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

38-35.7-103. Water Supply for New Residential Growth.

(1) **Legislative Declaration.** The people of the state of Colorado hereby find and declare that it is in the public interest that the builders and sellers of residential real property, including, but not limited to, houses, town homes, apartments, or condominiums inform the purchaser thereof as to the source of the water supplied to such residence for domestic purposes and to guarantee that such water source constitutes an adequate supply of water fit for human consumption.

(2)(a) The original seller of residential real property, the construction of which commenced on or after January 1, 2007, shall append to the contract for the purchase and sale of the residential real property a warranty of water supply, in a form substantially as provided herein:

“THE WATER SUPPLY FOR THIS RESIDENCE IS:

A DOMESTIC WATER WELL (PERMIT # _____) COMPLETED ON (DATE) IN THE (AQUIFER NAME) FORMATION AT A DEPTH INTERVAL OF _____ FEET TO _____ FEET, WITH AN INITIAL YIELD OF _____ GALLONS PER MINUTE; OR,

A WATER UTILITY, COOPERATIVE ASSOCIATION, SPECIAL DISTRICT, OR OTHER WATER PROVIDER, WHOSE NAME, ADDRESS AND PHONE NUMBER ARE:

THE UNDERSIGNED SELLER HEREBY REPRESENTS AND WARRANTS THAT THE INDICATED WATER SUPPLY IS OF A QUALITY THAT MEETS THE STANDARDS OF THE STATE OF COLORADO FOR HUMAN CONSUMPTION, AND THAT THE SOURCE OF THE WATER IS ADEQUATE TO SUPPLY A MINIMUM OF _____ GALLONS PER DAY TO THE RESIDENCE FOR _____ YEARS.

_____ (NAME)	_____ (ADDRESS)
_____ (TITLE)	_____ (ADDRESS)
_____ (COMPANY)	_____ (PHONE)

_____/s/

(3) Effective date. This act shall take effect at 12:01 a.m. on January 1, 2007.