

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 23, 2026  
Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

SB26-146 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, line 7, strike "AND".
  
- 2 Page 3, strike line 11 and substitute "COLORADO;
- 3 (e) ENCOURAGING THE USE OF DURABLE GOODS RATHER THAN
- 4 SINGLE-USE PLASTIC ITEMS WOULD DRAMATICALLY REDUCE PLASTIC
- 5 POLLUTION AND LEAD TO LONG-TERM BEHAVIOR CHANGE; AND
- 6 (f) MANY SINGLE-USE PLASTIC ITEMS CONTAIN TOXIC ADDITIVES
- 7 SUCH AS PERFLUOROALKYL AND POLYFLUOROALKYL CHEMICALS, EVEN
- 8 THOUGH HOUSE BILL 22-1345, ENACTED IN 2022, AND SENATE BILL
- 9 24-081, ENACTED IN 2024, PROHIBIT THE INTENTIONAL INCLUSION OF
- 10 PERFLUOROALKYL AND POLYFLUOROALKYL CHEMICALS, WHICH ARE
- 11 WIDELY RECOGNIZED AS ENVIRONMENTAL TOXICANTS HARMFUL TO
- 12 HUMAN HEALTH.
- 13 (3) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:
- 14 (a) THE IMPACTS OF SINGLE-USE PLASTIC ITEMS CONSTITUTE AN
- 15 ENVIRONMENTAL JUSTICE ISSUE THAT DISPROPORTIONATELY BURDENS
- 16 COMMUNITIES IDENTIFIED AS DISPROPORTIONATELY IMPACTED
- 17 COMMUNITIES, AS DEFINED IN SECTION 24-4-109 AND ENACTED THROUGH
- 18 THE "ENVIRONMENTAL JUSTICE ACT", AS ENACTED IN 2021 BY HOUSE
- 19 BILL 21-1266. THESE COMMUNITIES INCLUDE THOSE WITH HIGHER
- 20 PROPORTIONS OF LOW-INCOME HOUSEHOLDS, COMMUNITIES OF COLOR,
- 21 AND THOSE EXPERIENCING CUMULATIVE ENVIRONMENTAL AND
- 22 SOCIOECONOMIC STRESSORS, AS WELL AS COMMUNITIES WITH A HISTORY
- 23 OF ENVIRONMENTAL RACISM AND SYSTEMIC DISINVESTMENT.
- 24 (b) EMISSIONS AND POLLUTION ASSOCIATED WITH SINGLE-USE
- 25 PLASTIC ITEMS OCCUR ACROSS THE FULL LIFE CYCLE OF PLASTIC
- 26 PRODUCTION AND DISPOSAL, INCLUDING AT EXTRACTION SITES, REFINING
- 27 FACILITIES, PETROCHEMICAL MANUFACTURING PLANTS, PRODUCT

1 MANUFACTURING FACILITIES, AND LANDFILLS. THESE CUMULATIVE  
2 IMPACTS CONTRIBUTE TO PERSISTENT DISPARITIES IN AIR QUALITY, WATER  
3 CONTAMINATION, AND SOIL DEGRADATION IN DISPROPORTIONATELY  
4 IMPACTED COMMUNITIES."

5 Page 6, line 3, strike "OFFERED" and substitute "ASKED IF THEY WOULD  
6 LIKE".

7 Page 6, line 9, strike "AND".

8 Page 6, after line 9 insert:

9 "(c) A RETAIL FOOD ESTABLISHMENT OR THIRD-PARTY FOOD  
10 DELIVERY SERVICE SHALL PROVIDE ONLY THE SINGLE-USE FOOD  
11 SERVICEWARE ITEMS REQUESTED OR CONFIRMED BY A CUSTOMER; AND".

12 Reletter succeeding paragraph accordingly.

13 Page 6, line 19, strike "ONLINE ORDERING PROCESS ALLOWS FOR" and  
14 substitute "THIRD-PARTY FOOD DELIVERY SERVICE PROVIDES A RETAIL  
15 FOOD ESTABLISHMENT WITH THE OPTION TO ALLOW".

16 Page 6, line 21, strike "WANTS;" and substitute "WANTS IN THE ONLINE  
17 ORDERING PROCESS;".

18 Page 6, line 25, after "REQUESTED." add "A THIRD-PARTY FOOD DELIVERY  
19 SERVICE IS NOT LIABLE FOR A RETAIL FOOD ESTABLISHMENT'S FAILURE TO  
20 FOLLOW A CUSTOMER'S REQUEST IF THE THIRD-PARTY FOOD DELIVERY  
21 SERVICE ACCURATELY COMMUNICATED THE CUSTOMER'S REQUEST TO THE  
22 RETAIL FOOD ESTABLISHMENT."

23 Page 6, line 26, strike "THIS SECTION DOES" and substitute "SUBSECTIONS  
24 (1)(a) AND (1)(b) OF THIS SECTION DO".

25 Page 6, line 27, strike "THIS".

26 Page 7, strike line 1 and substitute "SUBSECTIONS (1)(a) AND (1)(b) OF  
27 THIS SECTION:".

28 Page 7, line 16, strike the second "OR".

29 Page 7, strike line 22 and substitute "SERVICE;  
30 (f) MEALS PROVIDED TO PATIENTS OR RESIDENTS OF A HEALTH

1 FACILITY LICENSED OR CERTIFIED BY THE DEPARTMENT PURSUANT TO  
2 SECTION 25-1.5-103 OR CERTIFIED BY THE STATE DEPARTMENT PURSUANT  
3 TO SECTION 25.5-5-412, INCLUDING HOSPITALS, LONG-TERM CARE  
4 FACILITIES, HOSPICE INPATIENT FACILITIES, AND ASSISTED LIVING  
5 RESIDENCES; OR  
6 (g) SCHOOL CAFETERIAS."

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