

**Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0786.01 Sarah Lozano x3858

**SENATE BILL 24-081**

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**SENATE SPONSORSHIP**

**Cutter,**

**HOUSE SPONSORSHIP**

**Kipp and Rutinel,**

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**Senate Committees**

Business, Labor, & Technology

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO INCREASE PROTECTIONS FROM**  
102 **PERFLUOROALKYL AND POLYFLUOROALKYL CHEMICALS.**

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**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>.)*

Current law prohibits the sale or distribution of class B firefighting foam that contains perfluoroalkyl and polyfluoroalkyl chemicals (PFAS chemicals). **Section 1** of the bill, on and after January 1, 2025, repeals the exemption from the prohibition for gasoline distribution facilities, refineries, and chemical plants.

Current law also prohibits the sale or distribution of products in

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

certain product categories on and after certain dates if the products contain intentionally added PFAS chemicals (product phaseout timeline). Current law exempts from the definition of "product" drugs, medical devices, biologics, or diagnostics (medical products) approved or authorized by the federal food and drug administration or the federal department of agriculture (applicable federal agencies), but not medical products cleared by the applicable federal agencies. The bill changes current law by:

- Clarifying that medical products cleared by the applicable federal agencies are also exempted from the definition of "product" (**section 4**);
- On and after January 1, 2025, prohibiting the sale or distribution of certain outdoor apparel intended for extreme or extended use in severe wet conditions (outdoor apparel for severe wet conditions) that contains intentionally added PFAS chemicals unless the product is accompanied by a disclosure that states that the product contains PFAS chemicals (disclosure requirement) (**section 5**);
- On and after January 1, 2025, as part of the product phaseout timeline, banning the sale or distribution of cleaning products, cookware, dental floss, menstruation products, ski wax, and textile articles that contain intentionally added PFAS chemicals (**section 5**);
- On and after January 1, 2028, repealing the disclosure requirement and banning the sale or distribution of outdoor apparel for severe wet conditions that contains intentionally added PFAS chemicals (**section 5**);
- On and after January 1, 2032, repealing the product phaseout timeline (**section 5**) and prohibiting the sale or distribution of any nonexempted product that contains intentionally added PFAS chemicals (**section 6**); and
- On and after July 1, 2024, prohibiting a person from installing artificial turf that contains intentionally added PFAS chemicals on any portion of property in the state (**section 6**).

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

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3                    **SECTION 1.** In Colorado Revised Statutes, **amend** 25-15-601 as  
4 follows:

5                    **25-15-601. Short title.** The short title of this part 6 is the

1 "Perfluoroalkyl and Polyfluoroalkyl Chemicals ~~Consumer~~ Protection  
2 Act".

3 **SECTION 2.** In Colorado Revised Statutes, 25-15-602, **amend**  
4 (1) introductory portion, (1)(f) introductory portion, and (2) as follows:

5 **25-15-602. Legislative declaration.** (1) The general assembly  
6 ~~hereby~~ finds and declares that:

7 (f) If the widespread sale and distribution of products that contain  
8 intentionally added PFAS chemicals ~~continues~~ AND THE INSTALLATION OF  
9 ARTIFICIAL TURF THAT CONTAINS INTENTIONALLY ADDED PFAS  
10 CHEMICALS CONTINUE in the state:

11 (2) The general assembly therefore determines and declares that  
12 it is imperative for the health and safety of the state's residents to create  
13 a regulatory scheme that:

14 (a) Phases out the sale or distribution of certain products and  
15 product categories in the state that contain intentionally added PFAS  
16 chemicals; AND

17 (b) PROHIBITS THE INSTALLATION OF ARTIFICIAL TURF THAT  
18 CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS.

19 **SECTION 3.** In Colorado Revised Statutes, 25-15-603, **amend**  
20 (20)(c)(I); **repeal** (6) and (8); and **add** (1.5),     (16.5), (16.7), (23.5), and  
21 (24.5) as follows:

22 **25-15-603. Definitions - repeal.** As used in this part 6, unless the  
23 context otherwise requires:

24 (1.5) "APPAREL" MEANS:

25 (a) CLOTHING ITEMS INTENDED FOR REGULAR WEAR OR FORMAL  
26 OCCASIONS, INCLUDING ATHLETIC WEAR, BIBS, BODYSUITS, COSTUMES,  
27 DANCEWEAR, DIAPERS, DRESSES, EVERYDAY SWIMWEAR, EVERYDAY WORK

1 UNIFORMS, FOOTWEAR, FORMAL WEAR, LEGGINGS, LEISUREWEAR, ONESIES,  
2 OVERALLS, PANTS, SARIS, SCARVES, SCHOOL UNIFORMS, SHIRTS, SKIRTS,  
3 SPORTS UNIFORMS, SUITS, TOPS, UNDERGARMENTS, AND VESTS; AND

4 (b) OUTDOOR APPAREL.

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6 (6) ~~"Department" means the Colorado department of public health  
7 and environment.~~

8 (8) ~~"Executive director" means the executive director of the  
9 department or the executive director's designee.~~

10 (16.5) (a) "OUTDOOR APPAREL" MEANS APPAREL INTENDED  
11 PRIMARILY FOR USE IN OUTDOOR ACTIVITIES, INCLUDING BICYCLING,  
12 CAMPING, CLIMBING, FISHING, HIKING, AND SKIING.

13 (b) "OUTDOOR APPAREL" DOES NOT INCLUDE OUTDOOR APPAREL  
14 FOR SEVERE WET CONDITIONS.

15 (16.7) (a) "OUTDOOR APPAREL FOR SEVERE WET CONDITIONS"  
16 MEANS OUTDOOR APPAREL THAT IS:

17 (I) AN EXTREME AND EXTENDED USE PRODUCT THAT PROVIDES  
18 PROTECTION AGAINST EXTENDED EXPOSURE TO EXTREME RAIN  
19 CONDITIONS OR AGAINST EXTENDED IMMERSION IN WATER OR WET  
20 CONDITIONS, SUCH AS SNOW CONDITIONS, IN ORDER TO PROTECT THE  
21 HEALTH AND SAFETY OF THE USER;

22 (II) DESIGNED FOR USE BY OUTDOOR SPORTS EXPERTS; AND

23 (III) NOT MARKETED FOR GENERAL CONSUMER USE.

24 (b) "OUTDOOR APPAREL FOR SEVERE WET CONDITIONS" INCLUDES  
25 OUTERWEAR INTENDED FOR USE IN OFFSHORE FISHING, OFFSHORE SAILING,  
26 WHITEWATER KAYAKING, AND MOUNTAINEERING.

27 (20) (c) "Product" does not include:

1 (I) Drugs, medical devices, biologics, or diagnostics approved,  
2 CLEARED, or authorized by the federal food and drug administration or the  
3 federal department of agriculture; or

4 (23.5) "SKI WAX" MEANS A LUBRICANT APPLIED TO THE BOTTOM  
5 OF SNOW RUNNERS, INCLUDING SKIS AND SNOWBOARDS, TO IMPROVE THE  
6 GRIP OR GLIDE PROPERTIES OF THE SNOW RUNNERS.

7 (24.5) (a) "TEXTILE ARTICLE" MEANS A TEXTILE THAT IS  
8 PRIMARILY USED IN HOUSEHOLDS AND BUSINESSES.

9 (b) "TEXTILE ARTICLE" INCLUDES ACCESSORIES, APPAREL,  
10 BACKPACKS, AND HANDBAGS.

11 (c) "TEXTILE ARTICLE" DOES NOT INCLUDE:

12 (I) OUTDOOR APPAREL FOR SEVERE WET CONDITIONS;

13 (II) OUTDOOR TEXTILE FURNISHINGS;

14 (III) OUTDOOR UPHOLSTERED FURNITURE; AND

15 (IV) TEXTILE ARTICLES USED IN MEDICAL, PROFESSIONAL, OR  
16 INDUSTRIAL SETTINGS.

17 **SECTION 4.** In Colorado Revised Statutes, 25-15-604, **amend**  
18 (3); and **add** (2)(g), (2.5), and (5) as follows:

19 **25-15-604. Prohibition on the sale or distribution of certain**  
20 **products that contain intentionally added PFAS chemicals - product**  
21 **disclosure requirements.** (2) (g) THIS SUBSECTION (2) IS REPEALED,  
22 EFFECTIVE JANUARY 1, 2025.

23 (2.5) (a) ON AND AFTER JANUARY 1, 2025, A PERSON SHALL NOT  
24 SELL, OFFER FOR SALE, DISTRIBUTE FOR SALE, OR DISTRIBUTE FOR USE IN  
25 THE STATE, INCLUDING IN AN INTERNET LISTING OR TRANSACTION, AN  
26 OUTDOOR APPAREL FOR SEVERE WET CONDITIONS PRODUCT THAT  
27 CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS UNLESS THE

1 PRODUCT IS ACCOMPANIED BY A LEGIBLE AND EASILY DISCERNIBLE  
2 DISCLOSURE THAT INCLUDES THE PHRASE "MADE WITH PFAS CHEMICALS".

3 (b) THIS SUBSECTION (2.5) IS REPEALED, EFFECTIVE JANUARY 1,  
4 2028.

5 (3) On and after January 1, 2025, a person shall not sell, offer for  
6 sale, distribute for sale, or distribute for use the following products that  
7 contain intentionally added PFAS chemicals:

- 8
- 9           (a) COOKWARE;
  - 10          ~~(a)~~ (b) Cosmetics;
  - 11          (c) DENTAL FLOSS;
  - 12          ~~(b)~~ (d) Indoor textile furnishings; ~~and~~
  - 13          ~~(c)~~ (e) Indoor upholstered furniture;
  - 14          (f) MENSTRUATION PRODUCTS;
  - 15          (g) SKI WAX; AND
  - 16          (h) TEXTILE ARTICLES.

17 (5) ON AND AFTER JANUARY 1, 2028, A PERSON SHALL NOT SELL,  
18 OFFER FOR SALE, DISTRIBUTE FOR SALE, OR DISTRIBUTE FOR USE AN  
19 OUTDOOR APPAREL FOR SEVERE WET CONDITIONS PRODUCT THAT  
20 CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS.

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22           **SECTION 5. In Colorado Revised Statutes, add 25-15-605 as**  
23 **follows:**

24           **25-15-605. Prohibition on the installation of artificial turf that**  
25 **contains intentionally added PFAS chemicals.** (1) ON AND AFTER JULY  
26 1, 2024, A PERSON SHALL NOT INSTALL ARTIFICIAL TURF THAT CONTAINS  
27 INTENTIONALLY ADDED PFAS CHEMICALS ON ANY PORTION OF PROPERTY

1 IN THE STATE.

2 (2) NOTHING IN THIS SECTION PROHIBITS A PERSON FROM  
3 MAINTAINING ARTIFICIAL TURF INSTALLED BEFORE JULY 1, 2024.

4 **SECTION 6. Safety clause.** The general assembly finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, or safety or for appropriations for  
7 the support and maintenance of the departments of the state and state  
8 institutions.