

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 27, 2024
Date

Committee on Energy & Environment.

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

HB24-1359 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** part 37 to
4 article 32 of title 24 as follows:

5 PART 37
6 NOTIFICATION OF OIL AND GAS INCIDENTS
7 INVOLVING HAZARDOUS CHEMICALS

8 **24-32-3701. Short title.** THE SHORT TITLE OF THIS PART 37 IS THE
9 "COMMUNITY RIGHT TO KNOW ACT".

10 **24-32-3702. Legislative declaration.** (1) THE GENERAL
11 ASSEMBLY FINDS THAT:

12 (a) THERE WERE THREE THOUSAND SIX HUNDRED TWENTY-EIGHT
13 INCIDENTS REPORTED BY OPERATORS TO THE COMMISSION BETWEEN 2019
14 AND 2023;

15 (b) THE NUMBER OF REPORTED INCIDENTS HAS INCREASED EACH
16 YEAR, WITH FOUR HUNDRED SEVENTY-SIX INCIDENTS IN 2020, EIGHT
17 HUNDRED FIFTY-FOUR INCIDENTS IN 2021, ONE THOUSAND ONE HUNDRED
18 SIX INCIDENTS IN 2022, AND ONE THOUSAND ONE HUNDRED NINETY-TWO
19 INCIDENTS IN 2023;

20 (c) CERTAIN CHEMICALS THAT ARE ACCIDENTALLY DISCHARGED,
21 EMITTED, RELEASED, OR SPILLED AS A RESULT OF OIL AND GAS
22 OPERATIONS CAN HAVE AN ADVERSE IMPACT ON PUBLIC HEALTH, SAFETY,
23 AND WELFARE; THE ENVIRONMENT; AND WILDLIFE RESOURCES;

24 (d) EXPOSURE TO A HAZARDOUS CHEMICAL MAY RESULT IN
25 ADVERSE SHORT-TERM AND LONG-TERM HEALTH IMPACTS, PARTICULARLY
26 FOR THOSE INDIVIDUALS IN CLOSE PROXIMITY TO AN INCIDENT; AND

27 (e) MEDICAL PROFESSIONALS WHO TREAT INDIVIDUALS SUFFERING

1 FROM SHORT-TERM AND LONG-TERM ADVERSE HEALTH IMPACTS FROM
2 HAZARDOUS CHEMICALS OFTEN DO NOT HAVE ENOUGH INFORMATION
3 ABOUT AN INCIDENT TO BE ABLE TO EFFECTIVELY TREAT A PATIENT.

4 (2) THE GENERAL ASSEMBLY THEREFORE DETERMINES AND
5 DECLARES THAT:

6 (a) THE PUBLIC HAS A RIGHT TO BE INFORMED ABOUT HAZARDOUS
7 CHEMICALS THAT ARE INVOLVED IN AN INCIDENT; AND

8 (b) THE CREATION OF A WEBSITE FOR MEDICAL PROFESSIONALS
9 AND THE PUBLIC WITH INFORMATION ABOUT HAZARDOUS CHEMICALS THAT
10 ARE INVOLVED IN AN INCIDENT IS A MATTER OF STATEWIDE AND LOCAL
11 CONCERN AND IN THE PUBLIC INTEREST.

12 **24-32-3703. Definitions - rules.** AS USED IN THIS PART 37, UNLESS
13 THE CONTEXT OTHERWISE REQUIRES:

14 (1) "COMMISSION" MEANS THE ENERGY AND CARBON
15 MANAGEMENT COMMISSION CREATED IN SECTION 34-60-104.3.

16 (2) "COVERED REPORT" MEANS A SPILL/RELEASE REPORT, AS
17 DESCRIBED IN COMMISSION RULES, OR A SITE INVESTIGATION AND
18 REMEDIATION WORK PLAN, AS DESCRIBED IN COMMISSION RULES, OR ANY
19 OTHER REPORTS OR PLANS, INCLUDING SUCCESSOR REPORTS OR PLANS,
20 REQUIRED TO BE SUBMITTED TO THE COMMISSION PURSUANT TO
21 COMMISSION RULES IN THE EVENT OF A SPILL OR RELEASE OF A
22 HAZARDOUS CHEMICAL.

23 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF LOCAL AFFAIRS.

24 (4) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE
25 MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

26 (5) "HAZARDOUS CHEMICAL" MEANS ANY OF THE FOLLOWING
27 CHEMICALS:

- 28 (a) 5-FLUOROOROTIC ACID;
- 29 (b) ACETALDEHYDE;
- 30 (c) ACETYLENE;
- 31 (d) ACROLEIN;
- 32 (e) BENZENE;
- 33 (f) BUTENE;
- 34 (g) BUTYRALDEHYDE;
- 35 (h) CARBON MONOXIDE;
- 36 (i) CHLOROMETHANE;
- 37 (j) COVERED AIR TOXICS, AS DEFINED IN SECTION 25-7-141 (2)(b);
- 38 (k) CYCLOHEXANE;
- 39 (l) CYCLOPENTANE;
- 40 (m) DIMETHYLBUTANE;
- 41 (n) DIMETHYLPENTANE;
- 42 (o) ETHANE;
- 43 (p) ETHYLBENZENE;

- 1 (q) ETHYLCYCLOHEXANE;
- 2 (r) ETHYLENE;
- 3 (s) ETHYLENE GLYCOL;
- 4 (t) ETHYLTOLUENE;
- 5 (u) FORMALDEHYDE;
- 6 (v) FRUCTOOLIGOSACCHARIDE;
- 7 (w) GLYCOL DIBROMIDE;
- 8 (x) GLYCOL DICHLORIDE;
- 9 (y) GLYCOL MONOETHYL ETHER;
- 10 (z) GLYCOL NITRATE;
- 11 (aa) HAZARDOUS AIR POLLUTANTS, AS DEFINED IN SECTION
- 12 25-7-103 (13);
- 13 (bb) HEAVY METALS, INCLUDING ANTIMONY, CADMIUM,
- 14 CHROMIUM, COBALT, COPPER, LEAD, MANGANESE, MERCURY, NICKEL,
- 15 SILVER, THALLIUM, AND ZINC;
- 16 (cc) HEXENE;
- 17 (dd) HYDROGEN SULFIDE;
- 18 (ee) ISOBUTANE;
- 19 (ff) ISOPENTANE;
- 20 (gg) ISOPRENE;
- 21 (hh) ISOPROPYLBENZENE;
- 22 (ii) M-DIETHYLBENZENE;
- 23 (jj) METHYL BUTENE;
- 24 (kk) METHYLCYCLOHEXANE;
- 25 (ll) METHYLHEPTANE;
- 26 (mm) METHYLHEXANE;
- 27 (nn) METHYLNAPHTHALENE;
- 28 (oo) METHYLPENTANE;
- 29 (pp) METHYLPENTENE;
- 30 (qq) N-BUTANE;
- 31 (rr) N-DECANE;
- 32 (ss) N-DODECANE;
- 33 (tt) N-HEPTANE;
- 34 (uu) N-HEXANE;
- 35 (vv) N-NONANE;
- 36 (ww) N-OCTANE;
- 37 (xx) N-PENTANE;
- 38 (yy) N-PROPYLBENZENE;
- 39 (zz) N-UNDECANE;
- 40 (aaa) NAPHTHALENE;
- 41 (bbb) O-ETHYLTOLUENE;
- 42 (ccc) O-XYLENE;
- 43 (ddd) P-DIETHYLBENZENE;

1 (eee) P-ETHYLTOLUENE;
2 (fff) PENTENE;
3 (ggg) PFAS CHEMICALS, AS DEFINED IN SECTION 25-5-1302 (7);
4 (hhh) PROPANE;
5 (iii) PROPYLENE OXIDE;
6 (jjj) SULFUR DIOXIDE;
7 (kkk) STYRENE;
8 (lll) TOLUENE;
9 (mmm) TOXIC AIR CONTAMINANTS, AS DEFINED IN SECTION
10 25-7-109.5 (1)(i);
11 (nnn) TRIMETHYLBENZENE;
12 (ooo) TRIMETHYLPENTANE; AND
13 (ppp) XYLENE.
14 (6) "HAZARDOUS CHEMICAL NOTIFICATION COMMITTEE" OR
15 "COMMITTEE" MEANS THE HAZARDOUS CHEMICAL NOTIFICATION
16 COMMITTEE CREATED IN SECTION 24-32-3705 (1).
17 (7) "HAZARDOUS CHEMICAL NOTIFICATION REPORT" MEANS THE
18 WRITTEN REPORT PREPARED BY THE DEPARTMENT PURSUANT TO SECTION
19 24-32-3705 (6)(a).
20 (8) "HAZARDOUS CHEMICAL NOTIFICATION WEBSITE" OR
21 "WEBSITE" MEANS THE WEBSITE CONTENT DEVELOPED BY THE HAZARDOUS
22 CHEMICAL NOTIFICATION COMMITTEE PURSUANT TO SECTION 24-32-3705
23 (3).
24 (9) "INCIDENT" MEANS A SPILL OR RELEASE OF A HAZARDOUS
25 CHEMICAL THAT REQUIRES THE SUBMISSION OF A COVERED REPORT TO THE
26 COMMISSION PURSUANT TO COMMISSION RULES.
27 (10) "MEDICAL PROFESSIONAL" MEANS A PHYSICIAN, PHYSICIAN
28 ASSISTANT, ADVANCED PRACTICE REGISTERED NURSE, REGISTERED NURSE,
29 OR EMERGENCY MEDICAL SERVICE PROVIDER LICENSED OR CERTIFIED BY
30 THE STATE.
31 (11) "OIL AND GAS OPERATIONS" HAS THE MEANING SET FORTH IN
32 SECTION 34-60-103.
33 (12) "OPERATOR" HAS THE MEANING SET FORTH IN SECTION
34 34-60-103.
35 **24-32-3704. Submission of covered reports to the department**
36 **- designation of individual responsible for receiving covered reports**
37 **- record retention requirements.** (1) ON AND AFTER JULY 1, 2024, IN
38 THE EVENT OF AN INCIDENT, IN ADDITION TO SUBMITTING A COVERED
39 REPORT TO THE DIRECTOR OF THE COMMISSION PURSUANT TO COMMISSION
40 RULES, AN OPERATOR SHALL, WITHIN TWENTY-FOUR HOURS AFTER THE
41 DISCOVERY OF AN INCIDENT, ALSO SUBMIT THE COVERED REPORT TO THE
42 PERSON DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
43 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

1 (2) (a) BEFORE JULY 1, 2024, THE EXECUTIVE DIRECTOR OF THE
2 DEPARTMENT SHALL DESIGNATE AN INDIVIDUAL WITH EXPERTISE IN
3 INFORMATION TECHNOLOGY AND WEBSITE DEVELOPMENT TO DEVELOP
4 CODING FOR THE HAZARDOUS CHEMICAL NOTIFICATION WEBSITE AND
5 RECEIVE COVERED REPORTS FROM OPERATORS PURSUANT TO SUBSECTION
6 (1) OF THIS SECTION.

7 (b) ON AND AFTER JULY 1, 2025, THE INDIVIDUAL DESIGNATED BY
8 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT PURSUANT TO
9 SUBSECTION (2)(a) OF THIS SECTION SHALL POST THE COVERED REPORTS
10 RECEIVED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION ON THE
11 HAZARDOUS CHEMICAL NOTIFICATION WEBSITE.

12 (3) THE INDIVIDUAL DESCRIBED IN SUBSECTION (2)(a) OF THIS
13 SECTION SHALL:

14 (a) RETAIN ANY RECORD RELATED TO THE OPERATOR'S
15 COMPLIANCE WITH SUBSECTION (1) OF THIS SECTION FOR AT LEAST TEN
16 YEARS AFTER THE RECORD IS MADE; AND

17 (b) UPON REQUEST BY THE DEPARTMENT, PROVIDE THE RECORDS
18 DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION TO THE DEPARTMENT
19 FOR THE PURPOSES OF A HAZARDOUS CHEMICAL NOTIFICATION REPORT.

20 **24-32-3705. Hazardous chemical notification committee -**
21 **website - reports - repeal.** (1) THE HAZARDOUS CHEMICAL NOTIFICATION
22 COMMITTEE IS CREATED IN THE DEPARTMENT.

23 (2) (a) THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:

24 (I) FOUR PHYSICIANS, APPOINTED BY THE GOVERNOR, WHO HAVE
25 EXPERIENCE:

26 (A) IN EPIDEMIOLOGY, ONCOLOGY, ENDOCRINOLOGY,
27 PULMONOLOGY, TOXICOLOGY, OR TREATING PATIENTS WITH MEDICAL
28 TRAUMA; AND

29 (B) TREATING PATIENTS WHO ARE LOCATED IN, OR ARE PART OF,
30 A DISPROPORTIONATELY IMPACTED COMMUNITY;

31 (II) THE INDIVIDUAL DESIGNATED BY THE EXECUTIVE DIRECTOR OF
32 THE DEPARTMENT PURSUANT TO SECTION 24-32-3704 (2)(a);

33 (III) ONE MEMBER REPRESENTING THE COMMISSION, APPOINTED BY
34 THE CHAIR OF THE COMMISSION;

35 (IV) ONE MEMBER REPRESENTING THE DEPARTMENT OF PUBLIC
36 HEALTH AND ENVIRONMENT, APPOINTED BY THE EXECUTIVE DIRECTOR OF
37 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT; AND

38 (V) FOUR MEMBERS OF THE PUBLIC, APPOINTED BY THE
39 ENVIRONMENTAL JUSTICE ADVISORY BOARD CREATED IN SECTION
40 25-1-134 (2):

41 (A) WHO HAVE EACH FILED A COMPLAINT WITH THE COMMISSION
42 OR THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, WHICH
43 COMPLAINT ALLEGES ADVERSE HEALTH IMPACTS AS A RESULT OF OIL AND

1 GAS OPERATIONS; AND

2 (B) WHO ARE EACH A RESIDENT OF ONE OF FOUR COUNTIES IN THE
3 STATE THAT HAVE BEEN HEAVILY IMPACTED BY OIL AND GAS OPERATIONS,
4 AS DETERMINED BY THE ENVIRONMENTAL JUSTICE ADVISORY BOARD, WITH
5 TWO MEMBERS BEING RESIDENTS OF A COUNTY OF THE STATE WEST OF THE
6 CONTINENTAL DIVIDE AND TWO MEMBERS BEING RESIDENTS OF A COUNTY
7 OF THE STATE EAST OF THE CONTINENTAL DIVIDE.

8 (b) THE APPOINTING AUTHORITIES SHALL MAKE ALL
9 APPOINTMENTS TO THE COMMITTEE NO LATER THAN JULY 1, 2024. THE
10 MEMBERS SHALL SERVE AN INITIAL TERM OF THREE YEARS AND MAY BE
11 REAPPOINTED FOR ONE ADDITIONAL TERM OF THREE YEARS.

12 (c) EACH MEMBER OF THE COMMITTEE WHO IS NOT A STATE,
13 COUNTY, OR LOCAL GOVERNMENT EMPLOYEE OR CONTRACTOR SERVING
14 AS A MEMBER OF THE COMMITTEE AS PART OF THE MEMBER'S JOB DUTIES
15 RECEIVES A PER DIEM OF FIFTY DOLLARS FOR ATTENDANCE AT REGULARLY
16 SCHEDULED MEETINGS OF THE COMMITTEE DURING THE 2024-25 STATE
17 FISCAL YEAR. FOR EACH STATE FISCAL YEAR THEREAFTER, THE PER DIEM
18 AMOUNT MUST BE ANNUALLY ADJUSTED FOR INFLATION BASED ON THE
19 PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S
20 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX, OR A SUCCESSOR
21 INDEX, FOR DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY URBAN
22 CONSUMERS. MEMBERS OF THE COMMITTEE ALSO RECEIVE
23 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED
24 WHILE PERFORMING OFFICIAL DUTIES.

25 (3) ON OR BEFORE JULY 1, 2025, THE COMMITTEE SHALL DEVELOP
26 CONTENT FOR A HAZARDOUS CHEMICAL NOTIFICATION WEBSITE. THE
27 WEBSITE MUST INCLUDE, AT A MINIMUM:

28 (a) A SECTION OF INFORMATIONAL AND EDUCATIONAL CONTENT
29 RELATED TO HAZARDOUS CHEMICALS, TARGETED TOWARD THE GENERAL
30 PUBLIC;

31 (b) A SECTION OF INFORMATIONAL AND EDUCATIONAL CONTENT
32 RELATED TO HAZARDOUS CHEMICALS, TARGETED TOWARD MEDICAL
33 PROFESSIONALS;

34 (c) A SECTION CONTAINING A LIST OF HAZARDOUS CHEMICALS,
35 WHICH LIST MUST INCLUDE THE FOLLOWING INFORMATION ABOUT EACH
36 HAZARDOUS CHEMICAL LISTED:

37 (I) POTENCY;

38 (II) MODE OF ACTION;

39 (III) EXPOSURE PATTERNS;

40 (IV) THE AMOUNT OF EACH HAZARDOUS CHEMICAL THAT IS
41 CONSIDERED HAZARDOUS FOR ACUTE AND CHRONIC EXPOSURE;

42 (V) THE SHORT-TERM ADVERSE HEALTH IMPACTS ASSOCIATED
43 WITH EACH HAZARDOUS CHEMICAL, AS DESCRIBED BY THE NATIONAL

1 LIBRARY OF MEDICINE OR THE NATIONAL INSTITUTE FOR OCCUPATIONAL
2 SAFETY AND HEALTH, AS APPLICABLE, INCLUDING:
3 (A) POTENTIAL RESPIRATORY IMPACTS;
4 (B) POTENTIAL MENTAL HEALTH IMPACTS;
5 (C) POTENTIAL NEUROLOGICAL IMPACTS;
6 (D) POTENTIAL CIRCULATORY IMPACTS;
7 (E) POTENTIAL DEVELOPMENTAL EFFECTS ON CHILDREN; AND
8 (F) ANY OTHER POTENTIAL SHORT-TERM ADVERSE HEALTH
9 IMPACTS; AND
10 (VI) THE LONG-TERM ADVERSE HEALTH IMPACTS ASSOCIATED
11 WITH EACH HAZARDOUS CHEMICAL, AS DESCRIBED BY THE NATIONAL
12 LIBRARY OF MEDICINE OR THE NATIONAL INSTITUTE FOR OCCUPATIONAL
13 SAFETY AND HEALTH, AS APPLICABLE, INCLUDING:
14 (A) POTENTIAL RISKS OF ANEMIA, CANCER, LEUKEMIA, IRREGULAR
15 MENSTRUAL PERIODS, INCREASED CHANCES OF INFECTION, FERTILITY
16 ISSUES, HEARING LOSS, VISION LOSS, PREGNANCY COMPLICATIONS,
17 ECZEMA, RESPIRATORY DISEASE, AND HEART DISEASE;
18 (B) POTENTIAL GENETIC IMPACTS;
19 (C) POTENTIAL GERIATRIC IMPACTS;
20 (D) POTENTIAL PEDIATRIC IMPACTS; AND
21 (E) ANY OTHER POTENTIAL LONG-TERM ADVERSE HEALTH
22 IMPACTS;
23 (d) AN ENTRY FOR EACH COVERED REPORT RECEIVED ON AND
24 AFTER JULY 1, 2025, BY THE INDIVIDUAL DESIGNATED BY THE EXECUTIVE
25 DIRECTOR OF THE DEPARTMENT PURSUANT TO SECTION 24-32-3704 (2)(a),
26 WHICH ENTRY MUST INCLUDE:
27 (I) A POSTING OF THE COVERED REPORT; AND
28 (II) THE INFORMATION DESCRIBED IN SUBSECTION (3)(c) OF THIS
29 SECTION FOR EACH HAZARDOUS CHEMICAL INVOLVED IN THE INCIDENT
30 THAT IS THE SUBJECT OF THE COVERED REPORT;
31 (e) INTERNET WEBSITE ADDRESSES FOR OTHER RESOURCES DEEMED
32 BY THE COMMITTEE TO BE RELEVANT TO THE CONTENT OF THE WEBSITE;
33 AND
34 (f) ANY ADDITIONAL CONTENT THAT THE COMMITTEE DEEMS
35 NECESSARY PURSUANT TO SUBSECTION (4)(c) OF THIS SECTION.
36 (4) (a) THE MEMBERS OF THE COMMITTEE SHALL MEET ON A
37 MONTHLY BASIS DURING THE FIRST YEAR AFTER THE FIRST APPOINTMENTS
38 TO THE COMMITTEE ARE MADE TO:
39 (I) DEVELOP CONTENT FOR THE WEBSITE IN ACCORDANCE WITH
40 THE REQUIREMENTS DESCRIBED IN SUBSECTION (3) OF THIS SECTION; AND
41 (II) ENSURE THAT THE INDIVIDUAL DESIGNATED BY THE
42 EXECUTIVE DIRECTOR OF THE DEPARTMENT PURSUANT TO SECTION
43 24-32-3704 (2)(a) IS ABLE TO POST COVERED REPORTS ON THE WEBSITE.

1 (b) THE WEBSITE MUST INCORPORATE A TRANSLATION SERVICE
2 COMPATIBLE WITH THE WEBSITE'S DEVELOPMENT SOFTWARE THAT
3 ALLOWS USERS TO SELECT A LANGUAGE OF CHOICE FOR READING THE
4 WEBSITE CONTENT.

5 (c) BEGINNING IN THE 2026 CALENDAR YEAR, AND IN EACH
6 CALENDAR YEAR THEREAFTER, THE MEMBERS OF THE COMMITTEE SHALL
7 MEET ON A QUARTERLY BASIS TO MAKE UPDATES TO THE CONTENT OF THE
8 WEBSITE THAT THE COMMITTEE DETERMINES TO BE USEFUL TO MEDICAL
9 PROFESSIONALS AND THE PUBLIC.

10 (d) ON OR BEFORE JULY 1, 2025, AND ON OR BEFORE EACH JULY 1
11 THEREAFTER, THE COMMITTEE SHALL SUBMIT A REPORT OF THE
12 COMMITTEE'S WORK PURSUANT TO THIS SECTION TO THE DEPARTMENT.

13 (e) ON OR BEFORE JULY 1, 2025, AND ON OR BEFORE EACH JULY 1
14 THEREAFTER, THE COMMISSION AND THE DEPARTMENT OF PUBLIC HEALTH
15 AND ENVIRONMENT SHALL NOTIFY THE PUBLIC ABOUT THE WEBSITE,
16 WHICH NOTIFICATION MUST INCLUDE AN INTERNET WEBSITE ADDRESS FOR
17 THE WEBSITE.

18 (5) (a) THE DEPARTMENT SHALL PROVIDE ADMINISTRATIVE
19 SUPPORT TO THE COMMITTEE AS MAY BE NECESSARY TO IMPLEMENT THIS
20 SECTION. THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
21 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
22 PURPOSES OF THIS SECTION.

23 (b) THE HAZARDOUS CHEMICAL NOTIFICATION WEBSITE MUST BE
24 ACCESSIBLE FROM THE HOME PAGE OF THE DEPARTMENT'S WEBSITE.

25 (6) (a) (I) ON OR BEFORE JULY 1, 2026, AND ON OR BEFORE EACH
26 JULY 1 THEREAFTER, THE DEPARTMENT SHALL SUBMIT THE HAZARDOUS
27 CHEMICAL NOTIFICATION REPORT AS A WRITTEN REPORT TO THE HEALTH
28 AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES
29 AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR
30 ANY SUCCESSOR COMMITTEES, WHICH REPORT MUST INCLUDE, FOR THE
31 PREVIOUS YEAR, A SUMMARY OF THE NOTIFICATIONS MADE BY OPERATORS
32 PURSUANT TO SECTION 24-32-3704 (1).

33 (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
34 REPORTING REQUIREMENT IN THIS SUBSECTION (6) CONTINUES UNTIL THE
35 REPEAL OF THIS SECTION PURSUANT TO SUBSECTION (7) OF THIS SECTION.

36 (b) THE DEPARTMENT SHALL DIRECT THE HAZARDOUS CHEMICAL
37 NOTIFICATION COMMITTEE TO POST EACH HAZARDOUS CHEMICAL
38 NOTIFICATION REPORT ON THE HAZARDOUS CHEMICAL NOTIFICATION
39 WEBSITE.

40 (7) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2034.
41 BEFORE THE REPEAL, THE COMMITTEE IS SCHEDULED FOR REVIEW IN
42 ACCORDANCE WITH SECTION 2-3-1203.

43 **24-32-3706. Enforcement - penalties - waiver of liability.**

1 (1) AN OPERATOR THAT VIOLATES SECTION 24-32-3704 (1) IS SUBJECT TO
2 A PENALTY OF NO MORE THAN ONE THOUSAND DOLLARS FOR EACH DAY
3 THAT A VIOLATION CONTINUES. THE COMMISSION MAY ADMINISTER THE
4 PENALTY AFTER NOTICE AND A HEARING IN ACCORDANCE WITH SECTION
5 24-4-105.

6 (2) THE COMMISSION SHALL TRANSMIT ALL PENALTIES COLLECTED
7 PURSUANT TO SUBSECTION (1) OF THIS SECTION TO THE STATE TREASURER,
8 WHO SHALL CREDIT THE PENALTIES TO THE ENERGY AND CARBON
9 MANAGEMENT CASH FUND CREATED IN SECTION 34-60-124.

10 (3) IF AN OPERATOR VIOLATES SECTION 24-32-3704 (1) THREE OR
11 MORE TIMES, THE OPERATOR MAY NOT CLAIM A WAIVER OF LIABILITY FOR
12 DAMAGES RELATED TO THE THIRD OR SUBSEQUENT VIOLATION.

13 **SECTION 2.** In Colorado Revised Statutes, 2-3-1203, **add**
14 (25)(a)(III) as follows:

15 **2-3-1203. Sunset review of advisory committees - legislative**
16 **declaration - definition - repeal.** (25) (a) The following statutory
17 authorizations for the designated advisory committees will repeal on
18 September 1, 2034:

19 (III) THE HAZARDOUS CHEMICAL NOTIFICATION COMMITTEE
20 CREATED IN SECTION 24-32-3705 (1).

21 **SECTION 3.** In Colorado Revised Statutes, 34-60-124, **amend**
22 (1)(f) and (1)(g); and **add** (1)(h) as follows:

23 **34-60-124. Energy and carbon management cash fund -**
24 **definitions - repeal.** (1) The state treasurer shall credit the following
25 money to the fund:

26 (f) Money recovered from the sale of salvaged equipment, as
27 provided for in subsection (6)(c) of this section; **and**

28 (g) Money credited to the fund pursuant to sections 34-64-108 (4)
29 and 37-90.5-106 (4); **AND**

30 (h) MONEY CREDITED TO THE FUND PURSUANT TO SECTION
31 24-32-3706 (2).

32 **SECTION 4. Safety clause.** The general assembly finds,
33 determines, and declares that this act is necessary for the immediate
34 preservation of the public peace, health, or safety or for appropriations for
35 the support and maintenance of the departments of the state and state
36 institutions."

** *** ** *** **