

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

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 24-0251.03 Jason Gelender x4330

HOUSE BILL 24-1235

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A BILL FOR AN ACT

101 **CONCERNING MEASURES TO REDUCE THE IMPACT OF AVIATION ON**
102 **SURROUNDING COMMUNITIES, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

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>.)

Section 3 of the bill creates a state income tax credit for owners of aircraft that incur qualified expenses to enable an aircraft that is powered by leaded aviation gasoline to be certified to instead be powered by unleaded aviation gasoline. **Sections 4 and 8** provide explicit authority in the existing state aviation grant program (grant program) for aviation

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.

HOUSE
3rd Reading Unamended
April 17, 2024

HOUSE
Amended 2nd Reading
April 15, 2024

fund (fund) grants to general aviation airports and commercial airports at which there is significant general aviation activity to fund the design, engineering, construction, installation, acquisition, and inspection of infrastructure, including equipment, that allows the sale of unleaded aviation gasoline at such airports and to subsidize purchases of unleaded aviation gasoline at such airports.

Section 6 increases the Colorado aeronautical board (board) from 7 to 9 voting members by requiring the appointment of 2 members who are residents of communities that are affected by general aviation airport traffic or traffic at a commercial airport at which there is significant general aviation activity and makes the executive director of the department of public health and environment (CDPHE), or the executive director's designee, an ex officio nonvoting member of the board. In appointing the 2 new voting members, the governor is required to give priority to individuals who are not trained pilots and who reside directly in the predominant flight path of a high-traffic general aviation airport or a commercial airport at which there is significant general aviation activity and in an area that has a population density of more than 3,000 individuals per square mile.

Section 8 requires prioritization of grant program grants to general aviation airports or commercial airports at which there is significant general aviation activity, as determined by the division of aeronautics (division), in urban or suburban areas that use a predominant flight pattern that includes a county or municipality that has a population density of more than 3,000 individuals per square mile.

Section 8 also prohibits money from being expended from the fund for an airport that the division has identified as being located in a densely populated residential area or as having a significant number of flights over a densely populated residential area unless the airport or entity operating the airport demonstrates to the satisfaction of the division that:

- By January 1, 2026, it has adopted a plan for phasing out sales of leaded aviation gasoline at the airport;
- It has voluntarily established and enforces an effective noise mitigation plan in accordance with specified criteria, requirements, or guidelines that the division is required to develop; and
- It complies with the requirements of any aviation easements or contracts that it has entered into.

However, the limitation on the expenditure of money from the fund does not apply to money expended for an aviation project that is determined by the division to be designed and intended to mitigate significant adverse impacts on the health, safety, and welfare of individuals who reside near the airport at which the aviation project will be completed. **Section 7** imposes similar limitations on certain federal money that the state may

apply to receive for aviation purposes.

Section 9 requires the division and CDPHE to work together to evaluate, prevent, and mitigate the adverse impacts of aircraft noise and the use of leaded aviation gasoline on public health, safety, and welfare and specifies prioritization and other minimum requirements for the mitigation activities.

Section 9 also creates the unleaded aviation gasoline enterprise in the aeronautics division of the department of transportation for the purpose of remediating impacts caused by the use of leaded aviation gasoline by imposing a leaded aviation gasoline impact remediation fee on purchases of leaded aviation gasoline and using fee revenue to provide grants, loans, and rebates to fund infrastructure and programs at general aviation airports that are designed to increase the use of unleaded aviation gasoline in lieu of leaded aviation gasoline.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) According to the United States environmental protection
5 agency:

6 (I) Aircraft that use leaded aviation gasoline are a leading source
7 of lead emissions in our air;

8 (II) Excessive exposure to lead has many harmful health effects,
9 which can include adverse effects on the nervous system, kidney function,
10 the immune system, reproductive and developmental systems, the
11 cardiovascular system, and the oxygen carrying capacity of blood;

12 (III) Exposure to lead can cause irreversible and life-long harmful
13 health effects in children and pregnant individuals; and

14 (IV) Elevated lead in the environment can result in decreased
15 growth and reproduction in plants and animals and negative neurological
16 effects in vertebrates;

17 (b) According to the United States centers for disease control and

1 prevention, no level of lead exposure is safe for children, and even low
2 levels of lead in their blood are associated with developmental delays,
3 learning difficulties, and behavioral issues;

4 (c) Peer-reviewed research indicates that children who live near
5 airports with significant general aviation activity have elevated levels of
6 lead in their blood and that blood lead levels in children under five
7 increase as levels of atmospheric lead increase;

8 (d) Persistent and loud noise also has harmful health effects,
9 especially for children; and

10 (e) It is therefore necessary, appropriate, and in the best interest
11 of all Coloradans for the state to:

12 (I) Provide financial incentives in the form of an income tax credit
13 and a grant program to reduce the use of leaded aviation gasoline; and

14 (II) Create standards for an airport with significant general
15 aviation activity in an urban or suburban area to follow to notify the
16 surrounding community of its voluntary plans and procedures to reduce
17 the impacts of noise and lead on the community.

18 **SECTION 2.** In Colorado Revised Statutes, **add** 39-22-560 as
19 follows:

20 **39-22-560. Tax credit for certification of aircraft to use**
21 **unleaded aviation gasoline - tax preference performance statement**
22 **- review - legislative declaration - definitions - repeal.** (1) (a) IN
23 ACCORDANCE WITH SECTION 39-21-304 (1), WHICH REQUIRES EACH BILL
24 THAT CREATES A NEW TAX EXPENDITURE TO INCLUDE A TAX PREFERENCE
25 PERFORMANCE STATEMENT AS PART OF A STATUTORY LEGISLATIVE
26 DECLARATION, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE
27 PURPOSE OF THE TAX CREDIT PROVIDED IN THIS SECTION IS TO INDUCE

1 CERTAIN DESIGNATED BEHAVIOR BY TAXPAYERS, SPECIFICALLY THE
2 MODIFICATION OF AIRCRAFT THAT ARE POWERED BY LEADED AVIATION
3 GASOLINE SO THAT SUCH AIRCRAFT CAN BE CERTIFIED TO BE POWERED BY
4 UNLEADED AVIATION GASOLINE AND NO LONGER USE LEADED AVIATION
5 GASOLINE.

6 (b) THE GENERAL ASSEMBLY AND THE STATE AUDITOR SHALL
7 MEASURE THE EFFECTIVENESS OF THE CREDIT IN ACHIEVING THE PURPOSE
8 SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION BASED ON THE NUMBER
9 OF CREDITS CLAIMED.

10 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
11 REQUIRES:

12 (a) "AIRCRAFT" HAS THE SAME MEANING AS SET FORTH IN SECTION
13 43-10-102 (1).

14 (b) "AVIATION GASOLINE" MEANS GASOLINE-BASED FUEL THAT IS
15 USED TO POWER AN AIRCRAFT.

16 (c) "LEADED AVIATION GASOLINE" MEANS ANY AVIATION FUEL
17 CONTAINING TETRAETHYL LEAD ADDITIVES.

18 (d) "QUALIFYING AIRCRAFT" MEANS AN AIRCRAFT THAT HAS BEEN
19 POWERED BY LEADED AVIATION GASOLINE AND FOR WHICH A
20 SUPPLEMENTAL TYPE CERTIFICATE OR ANY OTHER AUTHORIZATION THAT
21 APPROVES THE COMPLETED MODIFICATION OF THE AIRCRAFT TO BE
22 POWERED BY UNLEADED AVIATION GASOLINE HAS BEEN ISSUED.

23 (e) "QUALIFYING EXPENSES" MEANS ANY ACTUAL OUT-OF-POCKET
24 EXPENSES INCURRED AND PAID BY A QUALIFYING TAXPAYER FOR THE
25 PURPOSE OF MODIFYING AN AIRCRAFT REGISTERED WITH THE FEDERAL
26 AVIATION ADMINISTRATION IN THIS STATE SO THAT IT IS A QUALIFYING
27 AIRCRAFT.

1 (f) "QUALIFYING TAXPAYER" MEANS A PERSON SUBJECT TO TAX
2 UNDER THIS ARTICLE 22 WHO IS THE OWNER OF AN AIRCRAFT AS
3 INDICATED ON THE AIRCRAFT REGISTRY MAINTAINED BY THE FEDERAL
4 AVIATION ADMINISTRATION.

5 (g) "SUPPLEMENTAL TYPE CERTIFICATE" MEANS A TYPE
6 CERTIFICATE ISSUED BY THE FEDERAL AVIATION ADMINISTRATION TO AN
7 APPLICANT THAT HAS MODIFIED AN AERONAUTICAL PRODUCT FROM ITS
8 ORIGINAL DESIGN WITH FEDERAL AVIATION ADMINISTRATION APPROVAL.

9 (h) "UNLEADED AVIATION GASOLINE" MEANS AVIATION GASOLINE
10 THAT DOES NOT INCLUDE LEAD.

11 (3) FOR ANY INCOME TAX YEAR COMMENCING ON OR AFTER
12 JANUARY 1, 2025, BUT BEFORE JANUARY 1, 2030, A QUALIFYING
13 TAXPAYER WHO INCURS QUALIFYING EXPENSES IS ALLOWED A CREDIT
14 AGAINST THE INCOME TAXES IMPOSED BY THIS ARTICLE 22 IN THE TAX
15 YEAR IN WHICH THE QUALIFYING AIRCRAFT IS REGISTERED BY THE
16 FEDERAL AVIATION ADMINISTRATION IN THIS STATE IN AN AMOUNT EQUAL
17 TO FIFTY PERCENT OF ALL QUALIFYING EXPENSES INCURRED; EXCEPT THAT
18 THE MAXIMUM AMOUNT OF THE CREDIT THAT MAY BE CLAIMED FOR
19 QUALIFYING EXPENSES INCURRED IN MODIFYING ANY ONE AIRCRAFT IS
20 FIVE HUNDRED DOLLARS.

21 (4) IF THE AMOUNT OF A CREDIT AUTHORIZED BY THIS SECTION
22 EXCEEDS THE AMOUNT OF INCOME TAXES OTHERWISE DUE ON THE INCOME
23 OF THE QUALIFYING TAXPAYER CLAIMING THE CREDIT IN THE INCOME TAX
24 YEAR FOR WHICH THE CREDIT IS BEING CLAIMED, THE AMOUNT OF THE
25 CREDIT NOT USED AS AN OFFSET AGAINST INCOME TAXES IN THAT INCOME
26 TAX YEAR MAY NOT BE CARRIED FORWARD AND MUST BE REFUNDED TO
27 THE QUALIFYING TAXPAYER.

1 (5) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2039.

2 SECTION 3. In Colorado Revised Statutes, 43-10-102, amend
3 the introductory portion and (3)(a)(VII); and add (3)(a)(IX), (3)(a)(X),
4 (3)(a)(XI), (3)(a)(XII), and (3)(a)(XIII) as follows:

5 43-10-102. Definitions. As used in this ~~article~~ ARTICLE 10, unless
6 the context otherwise requires:

7 (3) (a) "Aviation purposes" means any objective that provides
8 direct and indirect benefits to the state aviation system and includes, but
9 is not limited to:

10 (VII) Any acquisition of land, of any interest therein, or of any
11 easement through or other interest in airspace, including land for future
12 airport development, which is necessary to permit any such work or to
13 remove, mitigate, prevent, or limit the establishment of any hazard to the
14 safe operation of aircraft; and

15 (IX) DESIGN, ENGINEERING, CONSTRUCTION, INSTALLATION,
16 ACQUISITION, AND INSPECTION OF INFRASTRUCTURE, INCLUDING
17 EQUIPMENT, THAT WILL ALLOW THE SALE OF UNLEADED AVIATION
18 GASOLINE AT A GENERAL AVIATION AIRPORT OR AT A COMMERCIAL
19 AIRPORT AT WHICH THERE IS, AS DETERMINED BY THE DIVISION,
20 SIGNIFICANT GENERAL AVIATION ACTIVITY;

21 (X) SUBSIDIZATION OF UNLEADED AVIATION GASOLINE AT A
22 GENERAL AVIATION AIRPORT OR A COMMERCIAL AIRPORT AT WHICH THERE
23 IS SIGNIFICANT GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE
24 DIVISION;

25 (XI) NOISE MONITORING DEVICES, TECHNOLOGIES, OR SYSTEMS
26 THAT ARE USED TO EVALUATE NOISE LEVELS FROM THE OPERATION OF
27 AIRCRAFT AND OTHER AVIATION ACTIVITIES AT OR NEAR AIRPORTS;

1 (XII) THE EVALUATION, PROVISION OF EDUCATION AND
2 TECHNICAL ASSISTANCE TO AIRPORTS ABOUT, PREVENTION, OR
3 MITIGATION OF ADVERSE IMPACTS TO THE HEALTH, SAFETY, AND WELFARE
4 OF INDIVIDUALS WHO RESIDE OR WORK NEAR AN AIRPORT INCLUDING BUT
5 NOT LIMITED TO THE EVALUATION, PROVISION OF EDUCATION AND
6 TECHNICAL ASSISTANCE TO AIRPORTS ABOUT, PREVENTION, OR
7 MITIGATION OF SUCH ADVERSE IMPACTS CONDUCTED BY THE DIVISION;
8 AND

9 (XIII) AT A TIME THAT ELECTRIC AIRCRAFT TECHNOLOGY HAS
10 BEEN APPROPRIATELY CERTIFIED BY THE FAA, PROVIDING FOR
11 ON-AIRPORT ELECTRIC AIRCRAFT CHARGING INFRASTRUCTURE.

12 **SECTION 4.** In Colorado Revised Statutes, 43-10-103, **amend**
13 (2) introductory portion and (2)(k); and **add** (2)(n) and (2)(o) as follows:

14 **43-10-103. Division of aeronautics created - duties.** (2) The
15 division shall provide support for the Colorado aeronautical board in
16 fulfilling its duties. The duties of the division ~~shall~~ also include, but ARE
17 not ~~be~~ limited to, the following:

18 (k) Publishing information relating to aeronautics in the state; ~~and~~

19 (n) WORKING WITH THE DEPARTMENT OF PUBLIC HEALTH AND
20 ENVIRONMENT AS IT CONTINUES TO PROVIDE DATA AND INFORMATION
21 ABOUT THE EFFECTS OF LEADED AVIATION FUEL ON HUMAN HEALTH TO
22 THE DEPARTMENT OF TRANSPORTATION AND AIRPORTS; AND

23 (o) EDUCATING AIRPORTS WITH SIGNIFICANT GENERAL AVIATION
24 ACTIVITY, AS DETERMINED BY THE DIVISION, REGARDING:

25 (I) THE NEED TO EXPEDITE THE TRANSITION FROM LEADED
26 AVIATION GASOLINE TO UNLEADED AVIATION GASOLINE; AND

27 (II) THE PROVISIONS OF THIS ARTICLE 10, AS AMENDED BY HOUSE

1 BILL 24-1235, ENACTED IN 2024, THAT OFFER FUNDING FOR PROJECTS AND
2 UNLEADED AVIATION GASOLINE SUBSIDIES, IF OFFERED BY THE DIVISION,
3 THAT SUPPORT THE TRANSITION FROM LEADED AVIATION GASOLINE TO
4 UNLEADED AVIATION GASOLINE AND IMPOSE REQUIREMENTS FOR
5 ACCESSING THAT FUNDING AND, IF OFFERED, THOSE SUBSIDIES.

6 SECTION 5. In Colorado Revised Statutes, 43-10-104, amend
7 (1)(b), (1)(f), and (2) as follows:

8 43-10-104. Colorado aeronautical board - created. (1)(b) The
9 board consists of ~~seven~~ NINE VOTING members appointed by the governor,
10 with the consent of the senate, for terms of three years; except that the
11 terms ~~shall~~ MUST be staggered so that no more than three members' terms
12 expire in the same year.

13 (f) The board shall not conduct any business unless there are at
14 least ~~four~~ FIVE VOTING members of the board present.

15 (2) (a) The ~~members of the board shall be chosen as follows~~
16 CONSISTS OF THE FOLLOWING MEMBERS:

17 (I) Four members, two from the eastern slope and two from the
18 western slope of the state, representing local governments ~~which~~ THAT
19 operate airports, which members ~~shall be selected by~~ the governor SHALL
20 SELECT from a list of nominees supplied by THOSE local governments;

21 (II) TWO MEMBERS WHO ARE RESIDENTS OF COMMUNITIES THAT
22 ARE AFFECTED BY GENERAL AVIATION AIRPORT TRAFFIC OR TRAFFIC AT A
23 COMMERCIAL AIRPORT AT WHICH THERE IS SIGNIFICANT GENERAL
24 AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION. THE INITIAL TERMS
25 OF THE TWO NEW MEMBERS COMMENCE WHEN THE NEXT TERM OF AN
26 EXISTING MEMBER COMMENCES, AND THE NEW MEMBERS' INITIAL TERMS
27 MUST COMPLY WITH THE EXISTING STAGGERING REQUIREMENT. IN

1 APPOINTING THESE MEMBERS, THE GOVERNOR SHALL GIVE PRIORITY TO
2 INDIVIDUALS WHO:

3 (A) ARE NOT TRAINED PILOTS;

4 (B) ARE FAMILIAR WITH AIRPORT INFRASTRUCTURE, AVIATION,
5 AND THE MISSION OF THE BOARD, INCLUDING BUT NOT LIMITED TO THOSE
6 WHO SERVE ON AN AIRPORT COMMUNITY NOISE ROUNDTABLE; AND

7 (C) RESIDE IN A COMMUNITY THAT IS SIGNIFICANTLY IMPACTED BY
8 NOISE OR LEAD EMISSIONS BY A HIGH-TRAFFIC AIRPORT WITH SIGNIFICANT
9 GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION;

10 (III) One member representing a statewide association of airport
11 managers;

12 (IV) One member representing a statewide association of pilots;
13 and

14 (V) One member familiar with and supportive of the state's
15 aviation issues, interests, and concerns; AND

16 (VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
17 HEALTH AND ENVIRONMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE,
18 WHO IS AN EX OFFICIO NONVOTING MEMBER OF THE BOARD.

19 (b) ~~Appointments shall be made~~ IN ADDITION TO SATISFYING THE
20 REQUIREMENTS SET FORTH IN SECTION 24-20-115, THE GOVERNOR SHALL
21 MAKE APPOINTMENTS TO THE BOARD so as to ~~insure~~ ENSURE a balance
22 broadly representative of the activity level of airports throughout the state
23 AND FURTHER ENSURE THAT THE RACIAL, ETHNIC, AND GENDER MAKEUP
24 OF THE BOARD IS REPRESENTATIVE OF COMMUNITIES THAT ARE
25 DISPROPORTIONATELY IMPACTED BY GENERAL AVIATION AIRPORT TRAFFIC
26 OR TRAFFIC AT A COMMERCIAL AIRPORT AT WHICH THERE IS SIGNIFICANT
27 GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION.

1 **SECTION 6.** In Colorado Revised Statutes, 43-10-108.5, **amend**
2 (2) as follows:

3 **43-10-108.5. State aviation system grant program.**

4 (2) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(c) OF THIS
5 SECTION, any entity operating an FAA-designated public-use airport may
6 apply to the division for a state aviation system grant to be used solely for
7 aviation purposes. Applications ~~shall~~ MUST contain such information as
8 may be required by the division and shall be filed in accordance with
9 procedures established by the division. In order to be eligible for a grant,
10 the applicant must demonstrate, to the satisfaction of the division, that the
11 grant shall be used solely for aviation purposes as defined in section
12 43-10-102 (3). The division shall evaluate grant applications based upon
13 criteria established by the division, AND CRITERIA SET FORTH IN
14 SUBSECTION (2)(b) OF THIS SECTION, and make recommendations to the
15 board on the awarding of grants. Any grant proposed by the board ~~shall~~
16 MUST be submitted to the governor's office for review and
17 recommendation prior to a final decision. The governor shall accomplish
18 ~~his~~ THE GOVERNOR'S review and recommendation within thirty days of
19 submittal of the grant proposal by the board. The board shall make final
20 decisions on the awarding of grants subject to the availability of ~~moneys~~
21 MONEY in the aviation fund created in section 43-10-109. The board shall
22 establish procedures to ensure that grants awarded pursuant to the
23 provisions of this section are used solely for aviation purposes as required
24 by this subsection (2).

25 (b) THE DIVISION, WHEN EVALUATING GRANT APPLICATIONS AND
26 MAKING RECOMMENDATIONS TO THE BOARD AS TO THE AWARDING OF
27 GRANTS; THE GOVERNOR'S OFFICE, WHEN REVIEWING REQUESTED GRANTS

1 RECOMMENDED BY THE DIVISION MAKING RECOMMENDATIONS REGARDING
2 SUCH REQUESTED GRANTS TO THE BOARD; AND THE BOARD, WHEN
3 AWARDING GRANTS, SHALL DESIGNATE THE LESSER OF TEN PERCENT OF
4 THE AMOUNT AWARDED IN GRANTS PER YEAR OR ONE MILLION FIVE
5 HUNDRED THOUSAND DOLLARS PER YEAR IN GRANTS FOR THE AVIATION
6 PURPOSES OF AIDING AND ACCELERATING THE TRANSITION FROM LEADED
7 AVIATION GASOLINE TO UNLEADED AVIATION GASOLINE. THE BOARD
8 SHALL PRIORITIZE AWARDING GRANTS DESIGNATED TO ADDRESS THE
9 TRANSITION FROM LEADED AVIATION GASOLINE TO UNLEADED AVIATION
10 GASOLINE TO AIRPORTS WITH SIGNIFICANT GENERAL AVIATION TRAFFIC IN
11 URBAN AND SUBURBAN AREAS WHERE SURROUNDING COMMUNITIES MAY
12 BE DISPROPORTIONATELY IMPACTED BY SUCH TRAFFIC. IF THE BOARD DOES
13 NOT RECEIVE GRANT APPLICATIONS EQUALING AT LEAST THE AMOUNT
14 DESIGNATED BY THE BOARD PURSUANT TO THIS SUBSECTION (2)(b) IN ANY
15 GIVEN YEAR, THE BOARD MAY USE THE REMAINDER OF THIS FUNDING FOR
16 OTHER AVIATION PURPOSES.

17 (c) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(h) OF
18 THIS SECTION, MONEY SHALL NOT BE EXPENDED FROM THE FUND FOR A
19 GRANT AWARDED PURSUANT TO THIS SECTION OR OTHERWISE TO AN
20 AIRPORT THAT THE DIVISION HAS IDENTIFIED AS BEING LOCATED IN A
21 DENSELY POPULATED RESIDENTIAL AREA OR AS HAVING A SIGNIFICANT
22 NUMBER OF FLIGHTS OVER A DENSELY POPULATED RESIDENTIAL AREA
23 UNLESS THE AIRPORT OR ENTITY OPERATING THE AIRPORT DEMONSTRATES
24 TO THE SATISFACTION OF THE DIVISION THAT:

25 (I) BY JANUARY 1, 2026, IT HAS ADOPTED A PLAN FOR PHASING
26 OUT SALES OF LEADED AVIATION GASOLINE AT THE AIRPORT BY JANUARY
27 1, 2030, WITH EXECUTION OF THE PLAN IN ACCORDANCE WITH FAA AND

1 FEDERAL ENVIRONMENTAL PROTECTION AGENCY REQUIREMENTS OR
2 OTHER RELEVANT FEDERAL GUIDANCE; AND

3 (II) IT HAS ESTABLISHED, IN CONSULTATION WITH FLIGHT SCHOOLS
4 AND PILOTS THAT REGULARLY USE THE AIRPORT, A VOLUNTARY NOISE
5 ABATEMENT PLAN, WITH EXECUTION OF THE NOISE ABATEMENT PLAN IN
6 ACCORDANCE WITH FAA AND FEDERAL ENVIRONMENTAL PROTECTION
7 AGENCY REQUIREMENTS OR OTHER RELEVANT FEDERAL GUIDANCE, SO
8 THAT AIRCRAFT NOISE IS NOT A SIGNIFICANT PUBLIC NUISANCE AND DOES
9 NOT CAUSE SIGNIFICANT ADVERSE IMPACTS TO THE HEALTH, SAFETY, AND
10 WELFARE OF INDIVIDUALS RESIDING NEAR THE AIRPORT. THE DIVISION
11 SHALL DEVELOP GUIDELINES FOR THE ESTABLISHMENT OF EFFECTIVE
12 VOLUNTARY NOISE ABATEMENT PLANS THAT MUST INCLUDE, AT A
13 MINIMUM:

14 (A) PUBLICATION OF NOISE ABATEMENT PLANS AMONG ALL
15 AIRPORT OPERATORS; AND

16 (B) NOISE ABATEMENT PLAN ELEMENTS, INCLUDING, BUT NOT
17 LIMITED TO, A VOLUNTARY CURFEW ON WHEN FLIGHTS MAY DEPART FROM
18 THE AIRPORT; VOLUNTARY GUIDELINES ON THE NUMBER OF FLIGHTS THAT
19 MAY DEPART FROM THE AIRPORT WITHIN SPECIFIED PERIODS; AND
20 VOLUNTARY GUIDELINES ON THE FREQUENCY OF TOUCH AND GO FLIGHTS
21 DURING WHICH AN AIRCRAFT TOUCHES DOWN ON A RUNWAY AND THEN
22 IMMEDIATELY ACCELERATES AND TAKES OFF AGAIN WITHOUT STOPPING.

23 (d) (I) NOISE ABATEMENT PLANS DEVELOPED IN ACCORDANCE
24 WITH SUBSECTION (2)(c)(II) OF THIS SECTION MUST BE PROPERLY POSTED
25 AT EACH AIRPORT.

26 (II) EACH AIRPORT SHALL CONDUCT MEETINGS WITH THE
27 AIRPORT'S FLIGHT SCHOOLS, FUEL OPERATORS, AND PILOTS WHO

1 COMMONLY FLY OUT OF THE AIRPORT ON A REGULAR BASIS TO INFORM THE
2 PARTIES OF THE NOISE ABATEMENT PROCEDURES AND HOW THEY MIGHT
3 COMPLY WITH SUCH PROCEDURES.

4 (III) EACH AIRPORT SHALL CREATE AND POST ON ITS WEBSITE AN
5 INTERNAL COMMUNICATIONS PLAN DETAILING HOW THEY INTEND TO
6 ENSURE THAT THEIR NOISE ABATEMENT PLAN IS WELL UNDERSTOOD AND
7 AVAILABLE TO ALL AIRCRAFT OPERATORS.

8 (e) NOISE ABATEMENT PLANS DEVELOPED IN ACCORDANCE WITH
9 SUBSECTION (2)(c)(II) OF THIS SECTION MUST BE SUBMITTED TO THE FAA
10 AND ARE NOT CONTINGENT ON FAA APPROVAL.

11 (f) IF AN AIRPORT OR AN ENTITY OPERATING AN AIRPORT HAS ONE
12 OR MORE AVIGATION EASEMENTS IN PLACE, THE AIRPORT OR ENTITY MUST
13 CERTIFY IN WRITING FOR EACH GRANT APPLICATION THAT THE AIRPORT OR
14 ENTITY IS IN COMPLIANCE WITH THE ALL THE EASEMENTS.

15 (g) AN AIRPORT OR AN ENTITY OPERATING AN AIRPORT MUST
16 CERTIFY IN WRITING FOR EACH GRANT APPLICATION THAT THE AIRPORT OR
17 ENTITY IS IN COMPLIANCE WITH ALL APPLICABLE FEDERAL LAWS AND
18 REGULATIONS.

19 (h) THE LIMITATION ON THE EXPENDITURE OF MONEY FROM THE
20 FUND SET FORTH IN SUBSECTION (2)(c) OF THIS SECTION DOES NOT APPLY
21 TO MONEY EXPENDED FOR AN AVIATION PROJECT THAT IS FOR AN
22 INTERNATIONAL AIRPORT OR THAT IS DETERMINED BY THE DIVISION TO BE
23 DIRECTLY UTILIZED TOWARDS THE TRANSITION FROM LEADED AVIATION
24 GASOLINE TO UNLEADED AVIATION GASOLINE, INCLUDING BUT NOT
25 LIMITED TO IMPROVEMENTS, ADDITIONS, AND MODIFICATIONS DESCRIBED
26 IN SECTION 43-10-102 (3)(a)(IX) TO (3)(a)(XII), FOR THE HEALTH,
27 SAFETY, AND WELFARE OF INDIVIDUALS WHO RESIDE NEAR THE AIRPORT

1 AT WHICH THE AVIATION PROJECT WILL BE COMPLETED.

2 **SECTION 7.** In Colorado Revised Statutes, add 43-10-118 as
3 follows:

4 **43-10-118. Adverse impacts - evaluation and provision of**
5 **education, and technical assistance.** (1) (a) THE DIVISION SHALL
6 EVALUATE, AND EDUCATE AND PROVIDE TECHNICAL ASSISTANCE TO
7 AIRPORTS ABOUT, THE ADVERSE IMPACTS OF AIRCRAFT NOISE ON HEALTH,
8 SAFETY, AND WELFARE. THE DIVISION SHALL PRIORITIZE THIS
9 EVALUATION, EDUCATION, AND TECHNICAL ASSISTANCE AT AIRPORTS
10 WITH SIGNIFICANT GENERAL AVIATION ACTIVITY THAT THE DIVISION HAS
11 IDENTIFIED AS BEING LOCATED IN DENSELY POPULATED RESIDENTIAL
12 AREAS OR AS HAVING A SIGNIFICANT NUMBER OF FLIGHTS OVER DENSELY
13 POPULATED RESIDENTIAL AREAS.

14 (b) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
15 SHALL CONTINUE TO ENCOURAGE TESTING IN HIGH-RISK AREAS FOR THE
16 PRESENCE OF LEAD IN THE BLOOD OF INDIVIDUALS WHO RESIDE OR WORK
17 NEAR SUCH AIRPORTS OR CHILDREN WHO ATTEND SCHOOLS OR CHILD CARE
18 FACILITIES NEAR SUCH AIRPORTS.

19 **SECTION 8. Appropriation.** (1) For the 2024-25 state fiscal
20 year, \$44,609 is appropriated to the department of revenue. This
21 appropriation is from the general fund. To implement this act, the
22 department may use this appropriation as follows:

- 23 (a) \$26,651 for tax administration IT system (GenTax) support;
- 24 (b) \$4,832 for personal services related to taxation services;
- 25 (c) \$10,535 for personal services related to administration and
26 support; and,
- 27 (d) \$2,591 for IDS print production.

1 (2) For the 2024-25 state fiscal year, \$2,591 is appropriated to the
2 department of personnel. This appropriation is from reappropriated funds
3 received from the department of revenue under subsection (1)(d) of this
4 section. To implement this act, the department of personnel may use this
5 appropriation to provide document management services for the
6 department of revenue.

7 **SECTION 9. Safety clause.** The general assembly finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety or for appropriations for
10 the support and maintenance of the departments of the state and state
11 institutions.