

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB23-016 be amended as follows:

1 Amend reengrossed bill, page 31, after line 7 insert:

2 "SECTION 24. In Colorado Revised Statutes, 29-20-104, **amend**  
3 (1)(h) introductory portion, (1)(h)(II), (2)(b), and (2)(c); and **add** (2)(d)  
4 as follows:

5 **29-20-104. Powers of local governments - definition.**

6 (1) Except as expressly provided in section 29-20-104.5, the power and  
7 authority granted by this section does not limit any power or authority  
8 presently exercised or previously granted. Each local government within  
9 its respective jurisdiction has the authority to plan for and regulate the use  
10 of land by:

11 (h) Regulating the surface impacts of oil and gas operations AND  
12 CLASS VI INJECTION WELLS in a reasonable manner to address matters  
13 specified in this subsection (1)(h) and to protect and minimize adverse  
14 impacts to public health, safety, and welfare and the environment.  
15 Nothing in this subsection (1)(h) is intended to alter, expand, or diminish  
16 the authority of local governments to regulate air quality under section  
17 25-7-128. For purposes of this subsection (1)(h), "minimize adverse  
18 impacts" means, to the extent necessary and reasonable, to protect public  
19 health, safety, and welfare and the environment by avoiding adverse  
20 impacts from oil and gas operations AND CLASS VI INJECTION WELLS and  
21 minimizing and mitigating the extent and severity of those impacts that  
22 cannot be avoided. The following matters are covered by this subsection  
23 (1)(h):

24 (II) The location and siting of oil and gas facilities and oil and gas  
25 locations, as those terms are defined in section 34-60-103 (6.2) and (6.4)  
26 AND THE LOCATION AND SITING OF CLASS VI INJECTION WELLS;

27 (2) To implement the powers and authority granted in subsection  
28 (1)(h) of this section, a local government within its respective jurisdiction  
29 has the authority to:

30 (b) Impose fines for leaks, spills, and emissions; ~~and~~

31 (c) Impose fees on operators or owners to cover the reasonably  
32 foreseeable direct and indirect costs of permitting and regulation and the  
33 costs of any monitoring and inspection program necessary to address the  
34 impacts of development and to enforce local governmental requirements;  
35 AND

36 (d) IMPOSE FEES TO ENHANCE EMERGENCY PREPAREDNESS AND  
37 EMERGENCY RESPONSE CAPABILITIES IF A CARBON DIOXIDE RELEASE  
38 OCCURS. ALLOWABLE EXPENDITURES OF THE FEES COLLECTED INCLUDE:

39 (I) PREPARING EMERGENCY RESPONSE PLANS FOR A CARBON  
40 DIOXIDE RELEASE;

- 1            (II) PURCHASING ELECTRIC EMERGENCY RESPONSE VEHICLES;  
2            (III) DEVELOPING OR MAINTAINING A TEXT MESSAGE OR OTHER  
3 EMERGENCY COMMUNICATION ALERT SYSTEM;  
4            (IV) PURCHASING DEVICES THAT ASSIST IN THE DETECTION OF A  
5 CARBON DIOXIDE RELEASE;  
6            (V) EQUIPMENT FOR FIRST RESPONDERS, LOCAL RESIDENTS, AND  
7 MEDICAL FACILITIES THAT ASSIST IN THE PREPARATION FOR, DETECTION  
8 OF, OR RESPONSE TO THE RELEASE OF CARBON DIOXIDE OR OTHER TOXIC  
9 OR HAZARDOUS MATERIALS; AND  
10           (VI) TRAINING AND TRAINING MATERIALS FOR FIRST RESPONDERS,  
11 LOCAL RESIDENTS, BUSINESSES, AND OTHER LOCAL ENTITIES TO PREPARE  
12 FOR AND RESPOND TO THE RELEASE OF CARBON DIOXIDE OR OTHER TOXIC  
13 OR HAZARDOUS MATERIALS."  
14    Renumber succeeding sections accordingly.

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