

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

PREAMENDED

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

LLS NO. 26-0613.01 Sarah Lozano x3858

HOUSE BILL 26-1112

HOUSE SPONSORSHIP

Paschal and Smith,

SENATE SPONSORSHIP

Hinrichsen and Simpson,

House Committees

Energy & Environment
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING STATE REGULATION OF UNDERGROUND INJECTION**
102 **CONTROL WELLS.**

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>.)

The bill grants the energy and carbon management commission (commission) authority over class I, class IV, and class V injection wells and allows the commission to seek and adopt rules related to primacy from the United States environmental protection agency (EPA) for these classes of injection wells. The commission may assess and collect fees related to the regulation of class I, class IV, and class V injection wells.

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.

A person that willfully violates a rule, permit, authorization, or order of the commission related to these classes of injection wells commits a misdemeanor and is subject to certain penalties.

The bill also grants the mined land reclamation board (board) authority over class III injection wells and allows the board to seek and adopt rules related to primacy from the EPA for class III injection wells. The board may assess and collect fees related to the regulation of class III injection wells. A person that violates a rule, permit, authorization, or order of the board related to class III injection wells or that operates a class III injection well without a permit from the board is subject to certain penalties. The bill also provides that a class III injection well is not eligible for an exemption from designated mining operation status, which status subjects the operator to certain rules adopted by the board.

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

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

4 (a) Underground injection control wells, referred to in this section
5 as "UIC wells", are used to place fluid underground into geologic
6 formations;

7 (b) The United States environmental protection agency, referred
8 to in this section as the "EPA", regulates the construction and operation
9 of 6 classes of UIC wells, which are classified based on the type of fluid
10 injected and the depth of the injection in relation to underground sources
11 of drinking water;

12 (c) The federal "Safe Drinking Water Act" requires the EPA to
13 develop UIC well program requirements that protect underground sources
14 of drinking water from endangerment;

15 (d) The EPA may grant primacy enforcement and regulatory
16 authority, referred to in this section as "primacy", to a state;

17 (e) Colorado, specifically the Colorado energy and carbon
18 management commission, has primacy over class II UIC wells and

1 anticipates gaining primacy over class VI UIC wells in 2026; all other
2 classes of UIC wells are still regulated by the EPA; and

3 (f) As of July 2025, over half of the states in the United States
4 have been granted primacy by the EPA for at least class I, II, III, IV, and
5 V UIC wells, and 5 states have been granted full primacy for all UIC well
6 classes.

7 (2) The general assembly therefore declares that:

8 (a) It is in the public interest for Colorado state agencies to
9 regulate all UIC well classes;

10 (b) Primacy over all UIC well classes will enable Colorado to
11 have a tailored approach to UIC well regulation that:

12 [REDACTED]
13 (I) Attracts and supports emerging industries with technologies to
14 help achieve climate goals, including carbon management, geothermal,
15 and hydrogen operations;

16 (II) Facilitates innovative water management strategies, including
17 aquifer recharge, storage, and recovery necessary to meet the state's water
18 challenges;

19 (III) Provides a more straightforward approach to permitting,
20 authorizing, and regulating several industries where state and federal
21 authorities currently overlap; [REDACTED]

22 (IV) Provides reliability in resource commitment and expectations
23 amidst fluctuating federal priorities; and

24 (V) Establishes timely and efficient authorization and permitting
25 processes;

26 (c) Colorado will regulate UIC wells in a manner that protects
27 public health, safety, and welfare; the environment; wildlife resources;

1 and underground sources of drinking water; and

2 (d) The Colorado energy and carbon management commission
3 should lead the state's primacy application process and collaborate with
4 the division of reclamation, mining, and safety and the division of water
5 resources in the Colorado department of natural resources, the Colorado
6 department of public health and environment, and the Colorado
7 department of labor and employment.

8 **SECTION 2.** In Colorado Revised Statutes, 34-60-102, **add** (4)
9 as follows:

10 **34-60-102. Legislative declaration.**

11 (4) IT IS FURTHER DECLARED TO BE IN THE PUBLIC INTEREST FOR
12 THE COMMISSION TO SEEK AND RECEIVE PRIMACY OVER CLASS I, CLASS IV,
13 AND CLASS V INJECTION WELLS CLASSIFIED IN 40 CFR 144.6 BECAUSE
14 PRIMACY WILL ENABLE COLORADO TO HAVE A TAILORED APPROACH TO
15 INJECTION WELL REGULATION THAT:

16 (a) FACILITATES INNOVATIVE WATER MANAGEMENT STRATEGIES,
17 INCLUDING AQUIFER RECHARGE, STORAGE, AND RECOVERY NECESSARY TO
18 MEET THE STATE'S WATER CHALLENGES;

19 (b) PROVIDES A MORE STRAIGHTFORWARD APPROACH TO
20 PERMITTING, AUTHORIZING, AND REGULATING SEVERAL INDUSTRIES
21 WHERE STATE AND FEDERAL AUTHORITIES CURRENTLY OVERLAP;

22 (c) PROVIDES RELIABILITY IN RESOURCE COMMITMENT AND
23 EXPECTATIONS AMIDST FLUCTUATING FEDERAL PRIORITIES; AND

24 (d) ESTABLISHES TIMELY AND EFFICIENT AUTHORIZATION AND
25 PERMITTING PROCESSES.

26 **SECTION 3.** In Colorado Revised Statutes, 34-60-106, **add** (23)
27 and (24) as follows:

1 **34-60-106. Additional powers of commission - fees - rules -**
2 **definitions - repeal.**

3 (23) (a) (I) NOTWITHSTANDING SECTION 34-60-120 OR ANY OTHER
4 PROVISION OF LAW OTHER THAN SECTION 34-60-105 (4), AS TO CLASS I,
5 CLASS IV, AND CLASS V INJECTION WELLS CLASSIFIED IN 40 CFR 144.6,
6 THE COMMISSION MAY PERFORM ALL ACTS FOR THE PURPOSE OF
7 PROTECTING UNDERGROUND SOURCES OF DRINKING WATER IN
8 ACCORDANCE WITH STATE PROGRAMS AUTHORIZED BY THE FEDERAL
9 "SAFE DRINKING WATER ACT", 42 U.S.C. SEC. 300f ET SEQ., AND
10 REGULATIONS UNDER THOSE SECTIONS, AS AMENDED.

11 (II) THE COMMISSION MAY SEEK CLASS I, CLASS IV, AND CLASS
12 V INJECTION WELL PRIMACY UNDER THE FEDERAL "SAFE DRINKING
13 WATER ACT", 42 U.S.C. SEC. 300f ET SEQ., AND REGULATIONS UNDER
14 THOSE SECTIONS, AS AMENDED. THE COMMISSION MAY ADOPT RULES FOR
15 THE PURPOSES OF ESTABLISHING AND OPERATING THE UNDERGROUND
16 INJECTION CONTROL AUTHORIZATION AND PERMIT PROGRAM. THE RULES
17 ADOPTED BY THE COMMISSION MUST MEET THE REQUIREMENTS
18 PRESCRIBED BY 42 U.S.C. SEC. 300h (b), AS AMENDED. THE COMMISSION
19 SHALL SEEK TO ESTABLISH TIMELY AND EFFICIENT AUTHORIZATION AND
20 PERMITTING PROCESSES. UPON RECEIVING PRIMACY, THE COMMISSION
21 MAY ENFORCE RULES FOR THE PERMITTING, AUTHORIZATION, AND
22 REGULATION OF CLASS I, CLASS IV, AND CLASS V INJECTION WELLS IN
23 ACCORDANCE WITH THIS SUBSECTION (23).

24 (III) THE COMMISSION MAY ADOPT RULES RELATED TO CLASS I,
25 CLASS IV, AND CLASS V INJECTION WELLS THAT ARE MORE STRINGENT
26 THAN CORRESPONDING ENFORCEABLE TECHNICAL FEDERAL
27 REQUIREMENTS ONLY IF IT IS DEMONSTRATED AT A PUBLIC HEARING, AND

1 THE COMMISSION FINDS, THAT RULES MORE STRINGENT THAN THE
2 CORRESPONDING FEDERAL REQUIREMENTS ARE NECESSARY TO PROTECT
3 PUBLIC HEALTH, SAFETY, AND WELFARE; THE ENVIRONMENT; AND
4 WILDLIFE RESOURCES. A FINDING PURSUANT TO THIS SUBSECTION
5 (23)(a)(III) BY THE COMMISSION MUST BE ACCOMPANIED BY A STATEMENT
6 OF BASIS AND PURPOSE REFERRING TO AND EVALUATING INFORMATION
7 AND STUDIES RELATED TO PUBLIC HEALTH, SAFETY, AND WELFARE; THE
8 ENVIRONMENT; AND WILDLIFE RESOURCES CONTAINED IN THE RECORD
9 THAT FORMS THE BASIS FOR THE COMMISSION'S FINDING.

10 (b) A PERSON THAT WILLFULLY VIOLATES A CLASS I, CLASS IV, OR
11 CLASS V INJECTION WELL RULE, PERMIT, AUTHORIZATION, OR ORDER OF
12 THE COMMISSION ISSUED PURSUANT TO THIS SUBSECTION (23) COMMITS A
13 MISDEMEANOR AND, UPON CONVICTION BY A COURT OF COMPETENT
14 JURISDICTION, IS SUBJECT TO A FINE OF AT LEAST FIVE THOUSAND DOLLARS
15 AND NO MORE THAN SEVEN THOUSAND FIVE HUNDRED DOLLARS FOR EACH
16 ACT OF VIOLATION AND FOR EACH DAY THAT THE PERSON REMAINS IN
17 VIOLATION.

18 (c) (I) FOR THE PURPOSES OF IMPLEMENTING AND ADMINISTERING
19 THIS SUBSECTION (23), THE COMMISSION MAY ASSESS AND COLLECT FEES,
20 INCLUDING, BUT NOT LIMITED TO, PERMITTING AND REGULATORY FEES FOR
21 CLASS I, CLASS IV, AND CLASS V INJECTION WELLS, IN AN AMOUNT AND
22 FREQUENCY DETERMINED BY THE COMMISSION BY RULE. THE COMMISSION
23 SHALL SET THE FEES IN AN AMOUNT TO COVER THE COMMISSION'S DIRECT
24 AND INDIRECT COSTS OF IMPLEMENTING AND ADMINISTERING THIS
25 SUBSECTION (23).

26 (II) THE STATE TREASURER SHALL CREDIT THE FEES ASSESSED AND
27 COLLECTED PURSUANT TO SUBSECTION (23)(c)(I) OF THIS SECTION TO THE

1 ENERGY AND CARBON MANAGEMENT CASH FUND CREATED IN SECTION
2 34-60-122 (5).

3 (d) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
4 CONTRARY, NOTHING IN THIS SECTION ESTABLISHES, ALTERS, IMPAIRS, OR
5 NEGATES THE ABILITY OF A LOCAL GOVERNMENT TO REGULATE LAND USE
6 RELATED TO CLASS I, CLASS IV, OR CLASS V INJECTION WELLS.

7 (24) NOTWITHSTANDING SECTION 34-60-115, ANY ACTION
8 UNDERTAKEN PURSUANT TO SUBSECTION (9)(c)(II)(B) OF THIS SECTION OR
9 SUBSECTION (23)(b) OF THIS SECTION MUST COMMENCE WITHIN FIVE
10 YEARS AFTER THE DATE THAT THE COMMISSION DISCOVERS THE ALLEGED
11 VIOLATION.

12 **SECTION 4.** In Colorado Revised Statutes, 34-60-124, **amend**
13 (1)(g) as follows:

14 **34-60-124. Energy and carbon management cash fund -**
15 **definitions.**

16 (1) The state treasurer shall credit the following money to the
17 fund:

18 (g) Money credited to the fund pursuant to sections **34-60-106**,
19 34-64-108 (4), and 37-90.5-106 (4).

20 **SECTION 5.** In Colorado Revised Statutes, 34-32-102, **add** (4)
21 as follows:

22 **34-32-102. Legislative declaration.**

23 (4) THE GENERAL ASSEMBLY FURTHER DECLARES THAT IT IS IN THE
24 PUBLIC INTEREST FOR THE BOARD TO SEEK AND RECEIVE PRIMACY OVER
25 CLASS III INJECTION WELLS BECAUSE PRIMACY WILL ENABLE COLORADO
26 TO HAVE A TAILORED APPROACH TO INJECTION WELL REGULATION THAT:

27 (a) PROVIDES A MORE STRAIGHTFORWARD APPROACH TO

1 PERMITTING, AUTHORIZING, AND REGULATING SEVERAL INDUSTRIES
2 WHERE STATE AND FEDERAL AUTHORITIES CURRENTLY OVERLAP;

3 (b) PROVIDES RELIABILITY IN RESOURCE COMMITMENT AND
4 EXPECTATIONS AMIDST FLUCTUATING FEDERAL PRIORITIES; AND

5 (c) ESTABLISHES TIMELY AND EFFICIENT AUTHORIZATION AND
6 PERMITTING PROCESSES.

7 **SECTION 6.** In Colorado Revised Statutes, 34-32-103, **amend**
8 (3.5)(a)(II), (3.5)(a)(III), (5.7), and (8); and **add** (2.7) and (3.5)(a)(IV) as
9 follows:

10 **34-32-103. Definitions - rules.**

11 As used in this article 32, unless the context otherwise requires:

12 (2.7) (a) "CLASS III INJECTION WELL" MEANS A WELL AS
13 CLASSIFIED IN 40 CFR 144.6 THAT IS USED TO INJECT FLUIDS AND EXTRACT
14 MINERALS AND IS DRILLED PURSUANT TO AUTHORIZATION FOR A CLASS III
15 INJECTION WELL ISSUED UNDER THE FEDERAL "SAFE DRINKING WATER
16 ACT", 42 U.S.C. SEC. 300f ET SEQ., AND REGULATIONS UNDER THOSE
17 SECTIONS, AS AMENDED.

18 (b) "CLASS III INJECTION WELL" DOES NOT INCLUDE A PRODUCTION
19 WELL THAT BRINGS MINING FLUIDS TO THE SURFACE.

20 (3.5) (a) "Designated mining operation" means a mining operation
21 at which:

22 (II) Acid- or toxic-forming materials will be exposed or disturbed
23 as a result of mining operations; ~~or~~

24 (III) Uranium is developed or extracted, either by in situ leach
25 mining or by conventional underground or open mining techniques. A
26 uranium mining operation OTHER THAN IN SITU LEACH MINING may seek
27 an exemption from designated mining operation status in accordance with

1 section 34-32-112.5 (2); OR

2 (IV) A CLASS III INJECTION WELL IS OPERATED, WHICH OPERATION
3 IS NOT ELIGIBLE FOR AN EXEMPTION FROM DESIGNATED MINING
4 OPERATION STATUS IN ACCORDANCE WITH SECTION 34-32-112.5 (2).

5 (5.7) "In situ leach mining" means in situ mining ~~for uranium~~
6 through the in-place dissolution of mineral components of an ore deposit
7 by causing a chemical leaching solution, usually aqueous, to penetrate or
8 to be pumped down wells through the ore body and then removing the
9 mineral-containing solution for development or extraction of the mineral
10 values.

11 (8) "Mining operation" means the development or extraction of a
12 mineral from its natural occurrences or within refuse on affected land.
13 "Mining operation" includes, but is not limited to, open mining, in situ
14 mining, in situ leach mining, surface operations, OPERATIONS RELATED TO
15 CLASS III INJECTION WELLS, and the disposal of refuse from underground
16 mining, in situ mining, and in situ leach mining. "Mining operation" also
17 includes the following operations on affected lands: Transportation,
18 concentrating, milling, evaporation, removal of waste piles and refuse,
19 and other processing. "Mining operation" does not include: The
20 exploration and extraction of natural petroleum in a liquid or gaseous
21 state by means of wells or pipe; the development or extraction of coal; the
22 extraction of geothermal resources; smelting, refining, cleaning,
23 preparation, transportation, and other off-site operations not conducted on
24 affected land; or the extraction of construction material where there is no
25 development or extraction of any mineral.

26 **SECTION 7.** In Colorado Revised Statutes, 34-32-107, **add** (3)
27 as follows:

1 **34-32-107. Powers of board - authority to regulate class III**
2 **injection wells - misdemeanor - fees - rules.**

3 (3) (a) (I) THE BOARD, AS TO CLASS III INJECTION WELLS, MAY
4 PERFORM ALL ACTS FOR THE PURPOSES OF PROTECTING UNDERGROUND
5 SOURCES OF DRINKING WATER IN ACCORDANCE WITH STATE PROGRAMS
6 AUTHORIZED BY THE FEDERAL "SAFE DRINKING WATER ACT", 42 U.S.C.
7 SEC. 300f ET SEQ., AND REGULATIONS UNDER THOSE SECTIONS, AS
8 AMENDED.

9 (II) THE BOARD MAY SEEK CLASS III INJECTION WELL PRIMACY
10 UNDER THE FEDERAL "SAFE DRINKING WATER ACT", 42 U.S.C. SEC. 300f
11 ET SEQ., AND REGULATIONS UNDER THOSE SECTIONS, AS AMENDED. THE
12 BOARD MAY ADOPT RULES FOR THE PURPOSES OF ESTABLISHING AND
13 OPERATING THE UNDERGROUND INJECTION CONTROL AUTHORIZATION AND
14 PERMIT PROGRAM. THE RULES ADOPTED BY THE BOARD MUST MEET THE
15 REQUIREMENTS PRESCRIBED BY 42 U.S.C. SEC. 300h (b), AS AMENDED.
16 THE BOARD SHALL SEEK TO ESTABLISH TIMELY AND EFFICIENT
17 AUTHORIZATION AND PERMITTING PROCESSES. UPON RECEIVING PRIMACY,
18 THE BOARD MAY ENFORCE RULES FOR THE PERMITTING, AUTHORIZATION,
19 AND REGULATION OF CLASS III INJECTION WELLS IN ACCORDANCE WITH
20 THIS SUBSECTION (3).

21 (III) THE BOARD MAY ADOPT RULES RELATED TO CLASS III
22 INJECTION WELLS THAT ARE MORE STRINGENT THAN CORRESPONDING
23 ENFORCEABLE TECHNICAL FEDERAL REQUIREMENTS ONLY IF IT IS
24 DEMONSTRATED AT A PUBLIC HEARING, AND THE BOARD FINDS, THAT
25 RULES MORE STRINGENT THAN THE CORRESPONDING FEDERAL
26 REQUIREMENTS ARE NECESSARY TO PROTECT PUBLIC HEALTH, SAFETY,
27 AND WELFARE; THE ENVIRONMENT; AND WILDLIFE RESOURCES. A FINDING

1 PURSUANT TO THIS SUBSECTION (3)(a)(III) BY THE BOARD MUST BE
2 ACCOMPANIED BY A STATEMENT OF BASIS AND PURPOSE REFERRING TO
3 AND EVALUATING INFORMATION AND STUDIES RELATED TO PUBLIC
4 HEALTH, SAFETY, AND WELFARE; THE ENVIRONMENT; AND WILDLIFE
5 RESOURCES CONTAINED IN THE RECORD THAT FORMS THE BASIS FOR THE
6 BOARD'S FINDING.

7 (b) (I) A PERSON THAT WILLFULLY VIOLATES A CLASS III INJECTION
8 WELL RULE, PERMIT, AUTHORIZATION, OR ORDER OF THE BOARD ISSUED
9 PURSUANT TO THIS SUBSECTION (3) COMMITS A MISDEMEANOR AND, UPON
10 CONVICTION BY A COURT OF COMPETENT JURISDICTION, IS SUBJECT TO A
11 FINE OF AT LEAST FIVE THOUSAND DOLLARS AND NO MORE THAN SEVEN
12 THOUSAND FIVE HUNDRED DOLLARS FOR EACH ACT OF VIOLATION AND FOR
13 EACH DAY THAT THE PERSON REMAINS IN VIOLATION.

14 (II) ANY ACTION UNDERTAKEN PURSUANT TO SUBSECTION (3)(b)(I)
15 OF THIS SECTION MUST COMMENCE WITHIN FIVE YEARS AFTER THE DATE
16 THAT THE BOARD DISCOVERS THE ALLEGED VIOLATION.

17 (c) (I) FOR THE PURPOSES OF IMPLEMENTING AND ADMINISTERING
18 THIS SUBSECTION (3), THE BOARD MAY ASSESS AND COLLECT FEES,
19 INCLUDING, BUT NOT LIMITED TO, PERMITTING AND REGULATORY FEES FOR
20 CLASS III INJECTION WELLS, IN AN AMOUNT AND FREQUENCY DETERMINED
21 BY THE BOARD BY RULE. THE BOARD SHALL SET THE FEES IN AN AMOUNT
22 TO COVER THE BOARD'S DIRECT AND INDIRECT COSTS OF IMPLEMENTING
23 AND ADMINISTERING THIS SUBSECTION (3).

24 (II) THE STATE TREASURER SHALL CREDIT THE FEES ASSESSED AND
25 COLLECTED PURSUANT TO SUBSECTION (3)(c)(I) OF THIS SECTION TO THE
26 MINED LAND RECLAMATION FUND CREATED IN SECTION 34-32-127 (1)(a).

27 **SECTION 8.** In Colorado Revised Statutes, 34-32-112.5, **amend**

1 (2) as follows:

2 **34-32-112.5. Designated mining operation - rules.**

3 (2) If an operator demonstrates to the board at the time of applying
4 for a permit or at a subsequent hearing that toxic or acidic chemicals are
5 not stored or used on-site and that acid- or toxic-producing materials will
6 not be used, stored, or disturbed in quantities sufficient to adversely affect
7 ~~any~~ A person, ~~any~~ property, or the environment, UNLESS THE PERMIT IS
8 FOR A CLASS III INJECTION WELL, the board shall exempt such operations
9 whether conducted pursuant to section 34-32-110 or otherwise. The board
10 may ~~promulgate~~ ADOPT rules governing the conduct of mining operations
11 ~~which~~ THAT are exempted pursuant to this subsection (2).

12 **SECTION 9.** In Colorado Revised Statutes, 34-32-122, **add** (6)
13 as follows:

14 **34-32-122. Fees, civil penalties, and forfeitures - deposit -
15 emergency response cash fund - created - definition.**

16 (6) AN OPERATOR THAT VIOLATES A CLASS III INJECTION WELL
17 RULE, PERMIT, AUTHORIZATION, OR ORDER ISSUED BY THE BOARD
18 PURSUANT TO SECTION 34-32-107 (3) IS SUBJECT TO A CIVIL PENALTY OF
19 AT LEAST TWO THOUSAND FIVE HUNDRED DOLLARS PER DAY BUT NO MORE
20 THAN FIVE THOUSAND DOLLARS PER DAY FOR EACH ACT OF VIOLATION PER
21 DAY THAT THE VIOLATION CONTINUES.

22 **SECTION 10.** In Colorado Revised Statutes, 34-32-123, **add** (4)
23 as follows:

24 **34-32-123. Operating without a permit - penalty.**

25 (4) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION AND
26 UPON THE BOARD OBTAINING REGULATORY PRIMACY PURSUANT TO
27 SECTION 32-34-107 (3), AN OPERATOR THAT OPERATES A CLASS III

1 INJECTION WELL WITHOUT A PERMIT ISSUED BY THE BOARD IS SUBJECT TO
2 A CIVIL PENALTY AS DESCRIBED IN SECTION 34-32-122 (6).

3 **SECTION 11.** In Colorado Revised Statutes, 34-32-124, **amend**
4 (7) as follows:

5 **34-32-124. Failure to comply with conditions of order, permit,**
6 **or regulation.**

7 (7) ~~Any~~ A person ~~who~~ THAT violates any provision of any permit
8 issued under this ~~article shall be~~ ARTICLE 32, OTHER THAN A CLASS III
9 INJECTION WELL PERMIT, IS subject to a civil penalty of not less than one
10 hundred dollars per day nor more than one thousand dollars per day for
11 each day during which such violation occurs; except that ~~any~~ AN operator
12 ~~who~~ THAT operates under a permit issued under section 34-32-110 ~~shall~~
13 ~~be~~ IS subject to a civil penalty of not less than fifty dollars nor more than
14 two hundred dollars per day for each day during which ~~such~~ THE violation
15 occurs.

16 **SECTION 12.** In Colorado Revised Statutes, 34-32-127, **amend**
17 (2)(a) introductory portion and (2)(a)(IV) introductory portion; and **add**
18 (2)(a)(I)(P) and (2)(a)(IV)(H) as follows:

19 **34-32-127. Mined land reclamation fund - created - fees - fee**
20 **adjustments - rules.**

21 (2) (a) The office shall collect fees for STATE fiscal year 2014-15
22 and for each subsequent year of operation for operations according to the
23 following schedule:

24 (I) Applications pursuant to:

25 (P) SECTION 34-32-107 (3) RELATING TO CLASS III INJECTION
26 WELLS.

27 (IV) Annual fees for STATE fiscal year 2014-15 and for each

1 subsequent year for operations pursuant to:

2 (H) SECTION 34-32-107 (3) RELATING TO CLASS III INJECTION
3 WELLS.

4 **SECTION 13.** In Colorado Revised Statutes, 16-5-401, **amend**
5 (4.5)(z) and (4.5)(aa); and **add** (4.5)(bb) as follows:

6 **16-5-401. Limitation for commencing criminal proceedings,**
7 **civil infraction proceedings, and juvenile delinquency proceedings -**
8 **definitions.**

9 (4.5) The period within which a prosecution must be commenced
10 begins to run upon discovery of the criminal act or the delinquent act for:

11 (z) Abuse of a corpse, pursuant to section 18-13-101; ~~and~~

12 (aa) Criminal offenses relating to misuse of gametes, pursuant to
13 section 18-13-131; AND

14 (bb) OFFENSES RELATED TO A WILLFUL VIOLATION OF RULES,
15 PERMITS, AUTHORIZATIONS, OR ORDERS RELATED TO UNDERGROUND
16 INJECTION WELLS ADOPTED BY THE ENERGY AND CARBON MANAGEMENT
17 COMMISSION PURSUANT TO SECTION 34-60-106 (9) AND (23) OR ADOPTED
18 BY THE MINED LAND RECLAMATION BOARD PURSUANT TO SECTION
19 34-32-107 (3).

20 **SECTION 14. Act subject to petition - effective date -**
21 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
22 the expiration of the ninety-day period after final adjournment of the
23 general assembly (August 12, 2026, if adjournment sine die is on May 13,
24 2026); except that, if a referendum petition is filed pursuant to section 1
25 (3) of article V of the state constitution against this act or an item, section,
26 or part of this act within such period, then the act, item, section, or part
27 will not take effect unless approved by the people at the general election

1 to be held in November 2026 and, in such case, will take effect on the
2 date of the official declaration of the vote thereon by the governor.

3 (2) This act applies to conduct occurring on or after the applicable
4 effective date of this act.