

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 25, 2026
Date

Committee on Energy & Environment.

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

HB26-1112 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 3, strike line 12.
- 2 Renumber succeeding subparagraphs accordingly.
- 3 Page 3, line 21, strike "and".
- 4 Page 3, line 23, after "priorities;" insert "and
- 5 (V) Establishes timely and efficient authorization and permitting
- 6 processes;"
- 7 Page 4, after line 5 insert:
 - 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

1 (d) ESTABLISHES TIMELY AND EFFICIENT AUTHORIZATION AND
2 PERMITTING PROCESSES."

3 Renumber succeeding sections accordingly.

4 Page 4, line 18, strike "AND ADOPT RULES RELATED TO".

5 Page 4, line 21, after "AMENDED." insert "THE COMMISSION MAY ADOPT
6 RULES FOR THE PURPOSES OF ESTABLISHING AND OPERATING THE
7 UNDERGROUND INJECTION CONTROL AUTHORIZATION AND PERMIT
8 PROGRAM. THE RULES ADOPTED BY THE COMMISSION MUST MEET THE
9 REQUIREMENTS PRESCRIBED BY 42 U.S.C. SEC. 300h (b), AS AMENDED.
10 THE COMMISSION SHALL SEEK TO ESTABLISH TIMELY AND EFFICIENT
11 AUTHORIZATION AND PERMITTING PROCESSES."

12 Page 4, after line 25 insert:

13 "(III) THE COMMISSION MAY ADOPT RULES RELATED TO CLASS I,
14 CLASS IV, AND CLASS V INJECTION WELLS THAT ARE MORE STRINGENT
15 THAN CORRESPONDING ENFORCEABLE TECHNICAL FEDERAL
16 REQUIREMENTS ONLY IF IT IS DEMONSTRATED AT A PUBLIC HEARING, AND
17 THE COMMISSION FINDS, THAT RULES MORE STRINGENT THAN THE
18 CORRESPONDING FEDERAL REQUIREMENTS ARE NECESSARY TO PROTECT
19 PUBLIC HEALTH, SAFETY, AND WELFARE; THE ENVIRONMENT; AND
20 WILDLIFE RESOURCES. A FINDING PURSUANT TO THIS SUBSECTION
21 (23)(a)(III) BY THE COMMISSION MUST BE ACCOMPANIED BY A STATEMENT
22 OF BASIS AND PURPOSE REFERRING TO AND EVALUATING INFORMATION
23 AND STUDIES RELATED TO PUBLIC HEALTH, SAFETY, AND WELFARE; THE
24 ENVIRONMENT; AND WILDLIFE RESOURCES CONTAINED IN THE RECORD
25 THAT FORMS THE BASIS FOR THE COMMISSION'S FINDING."

26 Page 6, after line 8 insert:

27 "SECTION 5. In Colorado Revised Statutes, 34-32-102, add (4)
28 as follows:

29 **34-32-102. Legislative declaration.**

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

34 (a) PROVIDES A MORE STRAIGHTFORWARD APPROACH TO
35 PERMITTING, AUTHORIZING, AND REGULATING SEVERAL INDUSTRIES
36 WHERE STATE AND FEDERAL AUTHORITIES CURRENTLY OVERLAP;

1 (b) PROVIDES RELIABILITY IN RESOURCE COMMITMENT AND
2 EXPECTATIONS AMIDST FLUCTUATING FEDERAL PRIORITIES; AND
3 (c) ESTABLISHES TIMELY AND EFFICIENT AUTHORIZATION AND
4 PERMITTING PROCESSES."

5 Renumber succeeding sections accordingly.

6 Page 8, line 11, strike "AND ADOPT RULES RELATED TO".

7 Page 8, line 14, after "AMENDED." insert "THE BOARD MAY ADOPT RULES
8 FOR THE PURPOSES OF ESTABLISHING AND OPERATING THE UNDERGROUND
9 INJECTION CONTROL AUTHORIZATION AND PERMIT PROGRAM. THE RULES
10 ADOPTED BY THE BOARD MUST MEET THE REQUIREMENTS PRESCRIBED BY
11 42 U.S.C. SEC. 300h (b), AS AMENDED. THE BOARD SHALL SEEK TO
12 ESTABLISH TIMELY AND EFFICIENT AUTHORIZATION AND PERMITTING
13 PROCESSES."

14 Page 8, after line 17 insert:

15 "(III) THE BOARD MAY ADOPT RULES RELATED TO CLASS III
16 INJECTION WELLS THAT ARE MORE STRINGENT THAN CORRESPONDING
17 ENFORCEABLE TECHNICAL FEDERAL REQUIREMENTS ONLY IF IT IS
18 DEMONSTRATED AT A PUBLIC HEARING, AND THE BOARD FINDS, THAT
19 RULES MORE STRINGENT THAN THE CORRESPONDING FEDERAL
20 REQUIREMENTS ARE NECESSARY TO PROTECT PUBLIC HEALTH, SAFETY,
21 AND WELFARE; THE ENVIRONMENT; AND WILDLIFE RESOURCES. A FINDING
22 PURSUANT TO THIS SUBSECTION (3)(a)(III) BY THE BOARD MUST BE
23 ACCOMPANIED BY A STATEMENT OF BASIS AND PURPOSE REFERRING TO
24 AND EVALUATING INFORMATION AND STUDIES RELATED TO PUBLIC
25 HEALTH, SAFETY, AND WELFARE; THE ENVIRONMENT; AND WILDLIFE
26 RESOURCES CONTAINED IN THE RECORD THAT FORMS THE BASIS FOR THE
27 BOARD'S FINDING."

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