

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

May 3, 2022

Committee on Transportation & Energy.

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

HB22-1348 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend reengrossed bill, page 5, strike lines 22 through 25 and substitute:  
2 "(III) Ensuring that operators disclose chemical information to the  
3 state, local governments, and communities in close proximity to  
4 operations after the operations have commenced; and".
- 5 Page 6, line 3, after "production;" insert "and".
- 6 Page 6, strike lines 4 and 5.
- 7 Renumber succeeding subparagraph accordingly.
- 8 Page 8, line 17, after "GAS" insert "PRODUCTION".
- 9 Page 10, line 12, after "STATE" insert "OR THAT USES A CHEMICAL  
10 PRODUCT IN DOWNHOLE OPERATIONS IN THE STATE".
- 11 Page 10, line 17, strike "ESTIMATED AMOUNT" and substitute  
12 "CONCENTRATION".
- 13 Page 10, line 26, after "2023," insert "OR THAT WERE USING THE  
14 CHEMICAL PRODUCT BEFORE JULY 31, 2023,".
- 15 Page 11, line 5, strike "SELL OR DISTRIBUTE" and substitute "SELL,  
16 DISTRIBUTE, OR USE".
- 17 Page 11, line 10, strike "SELLING OR DISTRIBUTING" and substitute  
18 "SELLING, DISTRIBUTING, OR USING".

1 Page 11, line 19, strike "DISCLOSER," and substitute "DISCLOSER OR THE  
2 COMMISSION,".

3 Page 12, after line 11 insert:

4 "(f) IN THE EVENT THAT THE DISCLOSER IS UNABLE TO DISCLOSE  
5 THE INFORMATION DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS SECTION,  
6 THE COMMISSION SHALL OBTAIN THE INFORMATION DESCRIBED IN  
7 SUBSECTION (2)(a)(I) OF THIS SECTION FROM THE MANUFACTURER."

8 Page 12, line 20, before "US" insert "UNIQUE NUMERICAL IDENTIFIER  
9 ASSIGNED BY THE AMERICAN PETROLEUM INSTITUTE TO THE WELL WHERE  
10 DOWNHOLE OPERATIONS ARE BEING OR WILL BE CONDUCTED AND THE".

11 Page 13, line 19, strike "OPERATOR" and substitute "OPERATOR, OR IN THE  
12 CASE OF DISCLOSURE UNDER SUBSECTION (2)(d) OF THIS SECTION, THE  
13 MANUFACTURER,".

14 Page 14, line 3, strike "ESTIMATED AMOUNT" and substitute  
15 "CONCENTRATION".

16 Page 14, line 10, strike "SEVEN" and substitute "THIRTY".

17 Page 15, strike lines 9 through 14 and substitute:

18 "(I) ALL OWNERS OF MINERALS THAT ARE BEING DEVELOPED AT  
19 THE WELL SITE;

20 (II) ALL SURFACE OWNERS, BUILDING UNIT OWNERS, AND  
21 RESIDENTS, INCLUDING TENANTS OF BOTH RESIDENTIAL AND COMMERCIAL  
22 PROPERTIES, THAT ARE WITHIN TWO THOUSAND SIX HUNDRED FORTY FEET  
23 OF THE WELL SITE;

24 (III) THE STATE LAND BOARD IF THE STATE OWNS MINERALS THAT  
25 ARE BEING DEVELOPED AT THE WELL SITE;

26 (IV) THE FEDERAL BUREAU OF LAND MANAGEMENT IF THE UNITED  
27 STATES OWNS THE MINERALS THAT ARE BEING DEVELOPED AT THE WELL  
28 SITE;

29 (V) THE SOUTHERN UTE INDIAN TRIBE IF THE MINERALS BEING  
30 DEVELOPED AT THE WELL SITE ARE WITHIN THE EXTERIOR BOUNDARY OF  
31 THE TRIBE'S RESERVATION AND ARE SUBJECT TO THE JURISDICTION OF THE  
32 COMMISSION;

33 (VI) ALL SCHOOLS, CHILD CARE CENTERS, AND SCHOOL  
34 GOVERNING BODIES WITHIN TWO THOUSAND SIX HUNDRED FORTY FEET OF  
35 THE WELL SITE;

36 (VII) POLICE DEPARTMENTS, FIRE DEPARTMENTS, EMERGENCY

1 SERVICE AGENCIES, AND FIRST RESPONDER AGENCIES THAT HAVE A  
2 JURISDICTION THAT INCLUDES THE WELL SITE;  
3 (VIII) LOCAL GOVERNMENTS THAT HAVE A JURISDICTION WITHIN  
4 TWO THOUSAND SIX HUNDRED FORTY FEET OF THE WELL SITE;"

5 Renumber succeeding subparagraphs accordingly.

6 Page 17, line 5, before "COMMISSION" insert "DIRECTOR OF THE".

7 Page 17, line 7, strike "MANUFACTURER BY CERTIFIED MAIL." and  
8 substitute "MANUFACTURER."

9 Page 17, line 12, before "COMMISSION" insert "DIRECTOR OF THE".

10 Page 19, strike lines 19 through 26 and substitute:

11 "(II) THE COMMISSION SHALL PRESENT THE ANNUAL REPORT TO  
12 THE TRANSPORTATION AND ENERGY COMMITTEE OF THE SENATE AND THE  
13 ENERGY AND ENVIRONMENT COMMITTEE OF THE HOUSE OF  
14 REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, DURING THE  
15 COMMITTEES' HEARINGS HELD PRIOR TO THE 2026 REGULAR SESSION, AND  
16 EACH SESSION THEREAFTER, OF THE GENERAL ASSEMBLY UNDER THE  
17 "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND  
18 TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF  
19 TITLE 2. THE COMMISSION SHALL ALSO POST THE REPORT ON THE  
20 COMMISSION'S WEBSITE."

21 Page 20, strike line 11 and substitute:

22 "(12) **Collection of chemical disclosure information under**  
23 **other provisions of law.** NOTWITHSTANDING ANY LAW TO THE  
24 CONTRARY, NOTHING".

25 Page 20, line 15, strike "DISCLOSERS" and substitute "DISCLOSERS,  
26 MANUFACTURERS,".

27 Strike "DISCLOSER" and substitute "DISCLOSER, MANUFACTURER," on:  
28 **Page 13**, line 21; and **Page 14**, lines 20 and 22.

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