

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0472.02 Thomas Morris x4218

HOUSE BILL 21-1266

HOUSE SPONSORSHIP

Jackson, Bacon, Benavidez, Caraveo, Cutter, Duran, Exum, Gonzales-Gutierrez, Gray, Jodeh, Kennedy, Kipp, Ortiz, Sirota, Titone, Valdez A., Woodrow

SENATE SPONSORSHIP

Winter and Buckner,

House Committees
Energy & Environment

Senate Committees

A BILL FOR AN ACT

101 CONCERNING EFFORTS TO REDRESS THE EFFECTS OF ENVIRONMENTAL
102 INJUSTICE ON DISPROPORTIONATELY IMPACTED COMMUNITIES.

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 defines "disproportionately impacted community".

Section 4 requires the air quality control commission to promote outreach to and engage with disproportionately impacted communities by creating new ways to gather input from communities across the state, using multiple languages and multiple formats, and transparently sharing

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

information about adverse effects resulting from its proposed actions.

Section 5 creates the environmental justice action task force (task force) in the department of public health and environment (department), the goal of which is to propose recommendations to the general assembly regarding practical means of addressing environmental justice inequities.

The task force will:

- Hold meetings to solicit public comment concerning the development of a state agency-wide environmental justice strategy and a plan to implement that strategy, including ways to address data gaps and data sharing between state agencies and the engagement of disproportionately impacted communities;
- Evaluate and propose recommended revisions to the definition of "disproportionately impacted community" and the state agencies and their proposed actions that are subject to section 3; and
- File a final report by November 14, 2022, regarding its recommendations.

The department will report on the task force during the department's "SMART Act" presentations.

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

2 **SECTION 1. Short title.** The short title of this act is the
3 "Environmental Justice Act".

4 **SECTION 2. Legislative declaration.** (1) The general assembly
5 hereby:

6 (a) Finds that:

7 (I) All people have the right to breathe clean air, drink clean
8 water, participate freely in decisions that affect their environments, live
9 free of dangerous levels of toxic pollution, experience equal protection
10 provided by environmental policies, and share the benefits of a
11 prosperous and vibrant pollution-free economy;

12 (II) Certain communities, both in Colorado and internationally,
13 have historically been forced to bear a disproportionate burden of adverse
14 human health or environmental effects, while also facing systemic

1 exclusion from environmental decision-making processes and enjoying
2 fewer environmental benefits;

3 (III) Specifically, communities with residents who are Black,
4 indigenous, Latino, or people of color have faced centuries of genocide,
5 environmental racism, and predatory extraction practices; and

6 (IV) At the same time, environmental justice affects and requires
7 the participation of all Coloradans;

8 (b) Determines that:

9 (I) State action to correct environmental injustice is imperative,
10 and state policy can and should improve public health and the
11 environment and improve the overall well-being of all communities;

12 (II) Efforts to right past wrongs and move toward environmental
13 justice must focus on disproportionately impacted communities and the
14 voices of their residents;

15 (III) Less-burdened communities have benefitted from
16 relationships that impose burdens on other communities, which is a
17 tangible debt that must be repaid through financial reinvestment, and
18 these relatively privileged communities have a responsibility to
19 acknowledge the harms to which they contribute and a duty to find ways
20 to give back what has been taken; and

21 (IV) Environmental justice is not a zero-sum game: The better we
22 take care of all communities, the more we all grow, and by focusing on
23 communities that are hurting the most, all communities will find
24 opportunities to heal and thrive; and

25 (c) Declares that:

26 (I) The state government has a responsibility to achieve
27 environmental justice, health equity, and climate justice for all

1 communities by avoiding and mitigating harm;

2 (II) It is necessary for disproportionately impacted communities
3 to be meaningfully engaged as partners and stakeholders in government
4 decision-making;

5 (III) Potential environmental and climate threats to communities
6 merit a higher level of engagement, review, and consent; and

7 (IV) This act is necessary to ensure that communities are not
8 forced to bear disproportionate environmental and health impacts.

9 **SECTION 3.** In Colorado Revised Statutes, 2-4-401, **add** (2.7)
10 as follows:

11 **2-4-401. Definitions.** The following definitions apply to every
12 statute, unless the context otherwise requires:

13 (2.7) (a) "DISPROPORTIONATELY IMPACTED COMMUNITY" MEANS
14 A COMMUNITY THAT:

15 (I) IS IN A CENSUS BLOCK GROUP, AS DETERMINED IN ACCORDANCE
16 WITH THE MOST RECENT UNITED STATES CENSUS, WHERE THE PROPORTION
17 OF HOUSEHOLDS THAT ARE LOW INCOME IS GREATER THAN FORTY
18 PERCENT, THE PROPORTION OF HOUSEHOLDS THAT IDENTIFY AS MINORITY
19 IS GREATER THAN FORTY PERCENT, OR THE PROPORTION OF HOUSEHOLDS
20 THAT ARE HOUSING COST-BURDENED IS GREATER THAN FORTY PERCENT;
21 OR

22 (II) IS ANY OTHER COMMUNITY AS IDENTIFIED OR APPROVED BY A
23 STATE AGENCY, IF:

24 (A) THE COMMUNITY HAS A HISTORY OF ENVIRONMENTAL RACISM
25 PERPETUATED THROUGH REDLINING, ANTI-INDIGENOUS, ANTI-IMMIGRANT,
26 ANTI-HISPANIC, OR ANTI-BLACK LAWS; OR

27 (B) THE COMMUNITY IS ONE WHERE MULTIPLE FACTORS,

1 INCLUDING SOCIOECONOMIC STRESSORS, DISPROPORTIONATE
2 ENVIRONMENTAL BURDENS, VULNERABILITY TO ENVIRONMENTAL
3 DEGRADATION, AND LACK OF PUBLIC PARTICIPATION, MAY ACT
4 CUMULATIVELY TO AFFECT HEALTH AND THE ENVIRONMENT AND
5 CONTRIBUTE TO PERSISTENT DISPARITIES.

6 (b) AS USED IN THIS SUBSECTION (2.7):

7 (I) "COST-BURDENED" MEANS A HOUSEHOLD THAT SPENDS MORE
8 THAN THIRTY PERCENT OF ITS INCOME ON HOUSING.

9 (II) "LOW INCOME" MEANS THE MEDIAN HOUSEHOLD INCOME IS
10 LESS THAN OR EQUAL TO TWO HUNDRED PERCENT OF THE FEDERAL
11 POVERTY GUIDELINE.

12 **SECTION 4.** In Colorado Revised Statutes, **add** 24-4-109 as
13 follows:

14 **24-4-109. State engagement of disproportionately impacted**
15 **communities - definitions - repeal.** (1) **Goal.** THE GOAL OF OUTREACH
16 TO AND ENGAGEMENT OF DISPROPORTIONATELY IMPACTED COMMUNITIES
17 IS TO BUILD TRUST AND TRANSPARENCY, PROVIDE MEANINGFUL
18 OPPORTUNITIES TO INFLUENCE PUBLIC POLICY, AND MODIFY PROPOSED
19 STATE ACTION IN RESPONSE TO RECEIVED PUBLIC INPUT TO DECREASE
20 ENVIRONMENTAL BURDENS OR INCREASE ENVIRONMENTAL BENEFITS FOR
21 EACH DISPROPORTIONATELY IMPACTED COMMUNITY.

22 (2) **Definitions.** (a) (I) THE ENVIRONMENTAL JUSTICE ACTION
23 TASK FORCE CREATED IN SECTION 25-1-131 WILL RECOMMEND TO THE
24 GENERAL ASSEMBLY POTENTIAL MODIFICATIONS TO THE DEFINITIONS
25 ESTABLISHED IN THIS SUBSECTION (2). THE DEFINITIONS ESTABLISHED IN
26 THIS SUBSECTION (2) APPLY UNLESS AND UNTIL THE GENERAL ASSEMBLY
27 ACTS BY BILL TO MODIFY ONE OR MORE OF THE DEFINITIONS.

1 (II) THIS SUBSECTION (2)(a) IS REPEALED, EFFECTIVE SEPTEMBER
2 1, 2024.

3 (b) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
4 REQUIRES:

5 (I) "AGENCY" MEANS THE AIR QUALITY CONTROL COMMISSION
6 CREATED IN SECTION 25-7-104.

7 (II) "PROPOSED STATE ACTION" MEANS:

8 (A) RULE-MAKING PROCEEDINGS HELD PURSUANT TO SECTION
9 24-4-103;

10 (B) LICENSING PROCEEDINGS, INCLUDING THE ISSUANCE AND
11 RENEWAL OF PERMITS, HELD PURSUANT TO SECTION 24-4-104; AND

12 (C) ADJUDICATORY HEARINGS HELD PURSUANT TO SECTION
13 24-4-105.

14 (3) **Engagement.** (a) TO PROMOTE THE GOAL OF STATE
15 ENGAGEMENT OF DISPROPORTIONATELY IMPACTED COMMUNITIES, AN
16 AGENCY SHALL STRIVE TO CREATE NEW WAYS TO GATHER INPUT FROM
17 COMMUNITIES ACROSS THE STATE, USING MULTIPLE LANGUAGES AND
18 MULTIPLE FORMATS AND TRANSPARENTLY SHARING INFORMATION ABOUT
19 ADVERSE ENVIRONMENTAL EFFECTS FROM ITS PROPOSED STATE ACTION.

20 (b) WHEN CONDUCTING OUTREACH TO AND ENGAGEMENT OF
21 DISPROPORTIONATELY IMPACTED COMMUNITIES REGARDING A PROPOSED
22 STATE ACTION, THE AGENCY SHALL:

23 (I) SCHEDULE VARIABLE TIMES OF DAY AND DAYS OF THE WEEK
24 FOR OPPORTUNITIES FOR PUBLIC INPUT ON THE PROPOSED STATE ACTION,
25 INCLUDING AT LEAST ONE WEEKEND TIME, ONE EVENING TIME, AND ONE
26 MORNING TIME FOR PUBLIC INPUT;

27 (II) PROVIDE NOTICE AT LEAST THIRTY DAYS BEFORE ANY PUBLIC

1 INPUT OPPORTUNITY OR BEFORE THE START OF ANY PUBLIC COMMENT
2 PERIOD;

3 (III) UTILIZE SEVERAL DIFFERENT METHODS OF OUTREACH AND
4 WAYS TO PUBLICIZE THE PROPOSED STATE ACTION, INCLUDING
5 DISSEMINATING INFORMATION THROUGH SCHOOLS, CLINICS, SOCIAL
6 MEDIA, SOCIAL AND ACTIVITY CLUBS, LOCAL GOVERNMENTS, TRIBAL
7 GOVERNMENTS, LIBRARIES, RELIGIOUS ORGANIZATIONS, CIVIC
8 ASSOCIATIONS, COMMUNITY-BASED ENVIRONMENTAL JUSTICE
9 ORGANIZATIONS, OR OTHER LOCAL SERVICES;

10 (IV) PROVIDE SEVERAL METHODS FOR THE PUBLIC TO GIVE INPUT,
11 SUCH AS IN-PERSON MEETINGS, VIRTUAL AND ONLINE MEETINGS, ONLINE
12 COMMENT PORTALS OR E-MAIL, AND CALL-IN MEETINGS;

13 (V) CONSIDER USING A VARIETY OF LOCATIONS FOR PUBLIC INPUT
14 ON THE PROPOSED STATE ACTION, INCLUDING MEETING LOCATIONS IN
15 URBAN CENTERS, IN NEIGHBORHOODS WHOSE POPULATIONS ARE
16 PREDOMINANTLY BLACK, INDIGENOUS, OR PEOPLE OF COLOR AND HAVE AN
17 AVERAGE INCOME BELOW THE STATE'S AVERAGE, AND IN RURAL
18 LOCATIONS IN VARIOUS REGIONS OF THE STATE; AND

19 (VI) CREATE OUTREACH MATERIALS CONCERNING THE PROPOSED
20 STATE ACTION IN LAYPERSON'S TERMS, TRANSLATED INTO THE TOP TWO
21 LANGUAGES SPOKEN IN A COMMUNITY, THAT INFORM PEOPLE OF
22 OPPORTUNITIES TO PROVIDE INPUT ON THE PROPOSED STATE ACTION, THEIR
23 RIGHTS, THE POSSIBLE OUTCOMES, AND THE UPCOMING PUBLIC INPUT
24 PROCESS.

25 **SECTION 5.** In Colorado Revised Statutes, **add** 25-1-131 as
26 follows:

27 **25-1-131. Environmental justice action task force - report -**

1 **repeal. (1) Creation. (a)** THERE IS HEREBY CREATED IN THE
2 DEPARTMENT THE ENVIRONMENTAL JUSTICE ACTION TASK FORCE TO
3 RECOMMEND AND PROMOTE STRATEGIES FOR INCORPORATING
4 ENVIRONMENTAL JUSTICE AND EQUITY INTO HOW STATE AGENCIES
5 DISCHARGE THEIR RESPONSIBILITIES.

6 (b) THE TASK FORCE CONSISTS OF NINETEEN MEMBERS APPOINTED
7 PURSUANT TO SUBSECTION (1)(c) OF THIS SECTION.

8 (c) THE MEMBERSHIP OF THE TASK FORCE AND APPOINTING
9 AUTHORITIES ARE AS FOLLOWS:

10 (I) THE GOVERNOR SHALL APPOINT THE FOLLOWING NINE
11 MEMBERS:

12 (A) THREE REPRESENTATIVES FROM THE DEPARTMENT OF PUBLIC
13 HEALTH AND ENVIRONMENT, ONE WITH EXPERTISE IN AIR QUALITY, ONE
14 WITH EXPERTISE IN WATER QUALITY, AND ONE WITH EXPERTISE IN HEALTH
15 EQUITY;

16 (B) ONE REPRESENTATIVE OF THE DEPARTMENT OF NATURAL
17 RESOURCES;

18 (C) ONE REPRESENTATIVE OF THE DEPARTMENT OF
19 TRANSPORTATION;

20 (D) ONE REPRESENTATIVE OF THE COLORADO ENERGY OFFICE;

21 (E) ONE REPRESENTATIVE OF THE PUBLIC UTILITIES COMMISSION;

22 (F) ONE REPRESENTATIVE OF THE DEPARTMENT OF AGRICULTURE;

23 AND

24 (G) ONE REPRESENTATIVE OF THE GOVERNOR'S OFFICE;

25 (II) TWO MEMBERS, ONE APPOINTED BY THE CHAIR OF THE
26 SOUTHERN UTE INDIAN TRIBE TRIBAL COUNCIL AND ONE APPOINTED BY
27 THE CHAIR OF THE UTE MOUNTAIN UTE TRIBE TRIBAL COUNCIL;

1 (III) EIGHT MEMBERS APPOINTED BY THE PRESIDENT OF THE
2 SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF THE
3 HOUSE OF REPRESENTATIVES, AND THE MINORITY LEADER OF THE HOUSE
4 OF REPRESENTATIVES, WITH ONE MEMBER APPOINTED BY EACH
5 APPOINTING AUTHORITY FROM BOTH OF THE FOLLOWING TWO CATEGORIES:

6 (A) FOUR MEMBERS WHO REPRESENT DISPROPORTIONATELY
7 IMPACTED COMMUNITIES LOCATED, TO THE EXTENT PRACTICABLE, IN
8 DIFFERENT CONGRESSIONAL DISTRICTS OF THE STATE; AND

9 (B) FOUR MEMBERS OF ORGANIZATIONS THAT CARRY OUT
10 INITIATIVES RELATING TO ENVIRONMENTAL JUSTICE, REPRESENT BUSINESS
11 INTERESTS, REPRESENT WORKER INTERESTS, OR REPRESENT THE INTERESTS
12 OF PEOPLE OF COLOR.

13 (d) THE APPOINTING AUTHORITIES SHALL FILL A VACANCY AS SOON
14 AS POSSIBLE. IN MAKING APPOINTMENTS TO THE TASK FORCE, THE
15 APPOINTING AUTHORITIES SHALL ENSURE THAT THE MEMBERSHIP OF THE
16 TASK FORCE REFLECTS THE RACIAL, ETHNIC, CULTURAL, AND GENDER
17 DIVERSITY OF THE STATE, INCLUDING REPRESENTATION OF ALL AREAS OF
18 THE STATE.

19 (2) **Mission of the task force.** THE MISSION OF THE TASK FORCE
20 IS TO PROPOSE RECOMMENDATIONS TO THE GENERAL ASSEMBLY
21 REGARDING PRACTICAL MEANS OF ADDRESSING ENVIRONMENTAL JUSTICE
22 INEQUITIES BY:

23 (a) PROMOTING ENVIRONMENTAL JUSTICE ACROSS STATE
24 AGENCIES AND IMPROVING COLLABORATION AMONG STATE AGENCIES IN
25 IDENTIFYING AND ADDRESSING THE HUMAN HEALTH AND ENVIRONMENTAL
26 EFFECTS OF PROGRAMS, POLICIES, PRACTICES, AND ACTIVITIES ON
27 DISPROPORTIONATELY IMPACTED COMMUNITIES;

1 (b) IMPROVING COOPERATION ON ENVIRONMENTAL JUSTICE
2 INITIATIVES BETWEEN THE STATE GOVERNMENT, TRIBAL GOVERNMENTS,
3 AND LOCAL GOVERNMENTS;

4 (c) ENSURING MEANINGFUL INVOLVEMENT AND DUE PROCESS IN
5 THE DEVELOPMENT, IMPLEMENTATION, AND ENFORCEMENT OF
6 ENVIRONMENTAL LAWS AND POLICIES; AND

7 (d) ADDRESSING ENVIRONMENTAL HEALTH, POLLUTION, AND
8 PUBLIC HEALTH BURDENS IN DISPROPORTIONATELY IMPACTED
9 COMMUNITIES AND BUILDING HEALTHY, SUSTAINABLE, AND RESILIENT
10 COMMUNITIES.

11 (3) **Duties of the task force.** THE TASK FORCE SHALL CONSIDER
12 PROPOSING RECOMMENDATIONS CONCERNING THE FOLLOWING:

13 (a) DEVELOPING A STATE AGENCY-WIDE ENVIRONMENTAL JUSTICE
14 STRATEGY AND A PLAN TO IMPLEMENT THAT STRATEGY, WHICH COULD
15 INCLUDE:

16 (I) RECOMMENDATIONS FOR CREATING AND IMPLEMENTING
17 EQUITY ANALYSIS INTO ALL SIGNIFICANT PLANNING, RULE-MAKING,
18 ADJUDICATIONS, ORDERS, PROGRAMMATIC AND POLICY DECISION-MAKING,
19 AND INVESTMENTS;

20 (II) A POTENTIAL REQUIREMENT THAT AGENCIES PREPARE AN
21 ENVIRONMENTAL EQUITY ANALYSIS FOR ANY STATE ACTION THAT HAS THE
22 POTENTIAL TO CAUSE NEGATIVE ENVIRONMENTAL OR PUBLIC HEALTH
23 IMPACTS TO A DISPROPORTIONATELY IMPACTED COMMUNITY, WHICH
24 ANALYSIS COULD INCLUDE A PROCESS FOR IDENTIFYING AND DESCRIBING
25 CUMULATIVE IMPACTS TO THE HEALTH AND ENVIRONMENT OF
26 DISPROPORTIONATELY IMPACTED COMMUNITIES;

27 (III) A POTENTIAL REQUIREMENT THAT FOR ANY STATE ACTION

1 THAT MAY CAUSE ADVERSE ENVIRONMENTAL OR PUBLIC HEALTH IMPACTS
2 TO A DISPROPORTIONATELY IMPACTED COMMUNITY, THE ADVERSE
3 ENVIRONMENTAL OR PUBLIC HEALTH MUST BE AVOIDED, AND IF THE
4 EFFECTS CANNOT BE AVOIDED, THEY MUST BE MINIMIZED AND MITIGATED;

5 (IV) A POTENTIAL REQUIREMENT THAT NO PERMIT WILL BE ISSUED
6 OR RENEWED IF IT IS DETERMINED AFTER AN ENVIRONMENTAL EQUITY
7 ANALYSIS THAT THE TERMS AND CONDITIONS OF THE PERMIT OR RENEWAL
8 WOULD NOT BE SUFFICIENT TO ENSURE A REASONABLE CERTAINTY OF NO
9 HARM TO THE HEALTH AND ENVIRONMENT OF DISPROPORTIONATELY
10 IMPACTED COMMUNITIES;

11 (V) A POTENTIAL REQUIREMENT THAT ALL ENVIRONMENTAL
12 PROJECTS DEVELOPED AS PART OF A SETTLEMENT RELATING TO
13 VIOLATIONS IN A DISPROPORTIONATELY IMPACTED COMMUNITY ARE
14 DEVELOPED IN CONSULTATION WITH AND THROUGH MEANINGFUL
15 PARTICIPATION OF INDIVIDUALS IN THE DISPROPORTIONATELY IMPACTED
16 COMMUNITY AND RESULT IN IMPROVEMENT TO THE HEALTH AND
17 ENVIRONMENT OF THE AFFECTED DISPROPORTIONATELY IMPACTED
18 COMMUNITY; AND

19 (VI) RECOMMENDATIONS FOR ESTABLISHING MEASURABLE GOALS
20 FOR REDUCING ENVIRONMENTAL HEALTH DISPARITIES FOR
21 DISPROPORTIONATELY IMPACTED COMMUNITIES;

22 (b) ADOPTION OF A PLAN THAT ADDRESSES THE LACK OF DATA AND
23 LACK OF DATA SHARING BETWEEN STATE AGENCIES ABOUT POTENTIAL
24 EXPOSURE TO ENVIRONMENTAL HAZARDS AND IMPROVES RESEARCH AND
25 DATA COLLECTION EFFORTS RELATED TO THE HEALTH AND ENVIRONMENT
26 OF DISPROPORTIONATELY IMPACTED COMMUNITIES, CLIMATE CHANGE,
27 AND THE INEQUITABLE DISTRIBUTION OF BURDENS AND BENEFITS OF THE

1 MANAGEMENT AND USE OF NATURAL RESOURCES;

2 (c) THE PROVISIONS OF SECTION 24-4-109 REGARDING
3 ENGAGEMENT OF DISPROPORTIONATELY IMPACTED COMMUNITIES, TAKING
4 INTO ACCOUNT BARRIERS TO PARTICIPATION THAT MAY ARISE DUE TO
5 RACE, COLOR, ETHNICITY, RELIGION, INCOME, OR EDUCATION LEVEL; AND

6 (d) EVALUATING AND PROPOSING RECOMMENDATIONS OR
7 REVISIONS TO THE FOLLOWING DEFINITIONS:

8 (I) "DISPROPORTIONATELY IMPACTED COMMUNITY" AS DEFINED IN
9 SECTION 2-4-401 (2.7);

10 (II) "PROPOSED STATE ACTION" AS DEFINED IN SECTION 24-4-109
11 (2)(b)(II); AND

12 (III) "AGENCY" AS DEFINED IN SECTION 24-4-109 (2)(b)(I). IN
13 FORMULATING ITS RECOMMENDATION, THE TASK FORCE SHALL CONSIDER
14 INCLUDING WITHIN THE DEFINITION AT LEAST THE STATE ENTITIES
15 SPECIFIED IN SUBSECTION (1)(c)(I) OF THIS SECTION.

16 (4) THE TASK FORCE SHALL:

17 (a) HOLD AT LEAST SIX MEETINGS, WHICH MAY BE ONLINE OR IN
18 PERSON, TO SEEK INPUT FROM, PRESENT ITS WORK PLAN AND PROPOSALS
19 TO, AND RECEIVE FEEDBACK FROM COMMUNITIES THROUGHOUT THE
20 STATE;

21 (b) SUBMIT A FINAL REPORT OF ITS FINDINGS AND
22 RECOMMENDATIONS TO THE GOVERNOR, THE DEPARTMENT, THE HOUSE OF
23 REPRESENTATIVES AGRICULTURE, LIVESTOCK, AND WATER, ENERGY AND
24 ENVIRONMENT, AND HEALTH AND INSURANCE COMMITTEES, AND THE
25 SENATE AGRICULTURE AND NATURAL RESOURCES, HEALTH AND HUMAN
26 SERVICES, AND TRANSPORTATION AND ENERGY COMMITTEES, OR THEIR
27 SUCCESSOR COMMITTEES, BY NOVEMBER 14, 2022; AND

1 (c) POST SUMMARIES OF ITS MEETINGS, DRAFT
2 RECOMMENDATIONS, AND THE FINAL REPORT, WHICH MUST BE AVAILABLE
3 AS A PUBLIC RECORD ON THE HOME PAGE OF THE DEPARTMENT'S WEBSITE.

4 (5) THE DEPARTMENT SHALL INCLUDE UPDATES REGARDING THE
5 TASK FORCE'S ACTIVITIES, INCLUDING ITS FINAL REPORT, IN ITS
6 DEPARTMENTAL PRESENTATION TO LEGISLATIVE COMMITTEES OF
7 REFERENCE PURSUANT TO SECTION 2-7-203.

8 (6) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2024.

9 **SECTION 6.** In Colorado Revised Statutes, 25-7-105, **amend**
10 (1)(e)(III) as follows:

11 **25-7-105. Duties of commission - rules - legislative declaration**
12 **- definitions.** (1) Except as provided in sections 25-7-130 and 25-7-131,
13 the commission shall promulgate such rules and regulations as are
14 consistent with the legislative declaration set forth in section 25-7-102
15 and necessary for the proper implementation and administration of this
16 article 7, including, but not limited to:

17 (e) (III) The commission will identify AND ENGAGE WITH
18 disproportionately impacted communities ~~In identifying these~~
19 ~~communities, the commission will consider: Minority, low-income, tribal,~~
20 ~~or indigenous populations in the state that potentially experience~~
21 ~~disproportionate environmental harms and risks. This disproportionality~~
22 ~~can be a result of increased vulnerability to environmental degradation,~~
23 ~~lack of opportunity for public participation, or other factors. Increased~~
24 ~~vulnerability may be attributable to an accumulation of negative or lack~~
25 ~~of positive environmental, health, economic, or social conditions within~~
26 ~~these populations. "Disproportionately impacted communities" describes~~
27 ~~situations where multiple factors, including both environmental and~~

1 ~~socioeconomic stressors, may act cumulatively to affect health and the~~
2 ~~environment and contribute to persistent environmental health disparities~~
3 AS SPECIFIED IN SECTION 24-4-109.

4 **SECTION 7. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, or safety.