

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

PREAMENDED

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

LLS NO. 24-0251.03 Jason Gelender x4330

HOUSE BILL 24-1235

HOUSE SPONSORSHIP

Brown and Bird, Amabile, Clifford, Hernandez, Kipp, Lindstedt, Parenti, Weissman,
Willford, Woodrow

SENATE SPONSORSHIP

Fenberg and Zenzinger,

House Committees

Transportation, Housing & Local Government
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO REDUCE THE IMPACT OF AVIATION ON**
102 **SURROUNDING COMMUNITIES, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

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 creates a state income tax credit for owners of aircraft that incur qualified expenses to enable an aircraft that is powered by leaded aviation gasoline to be certified to instead be powered by unleaded aviation gasoline. **Sections 4 and 8** provide explicit authority in the existing state aviation grant program (grant program) for aviation

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.

fund (fund) grants to general aviation airports and commercial airports at which there is significant general aviation activity to fund the design, engineering, construction, installation, acquisition, and inspection of infrastructure, including equipment, that allows the sale of unleaded aviation gasoline at such airports and to subsidize purchases of unleaded aviation gasoline at such airports.

Section 6 increases the Colorado aeronautical board (board) from 7 to 9 voting members by requiring the appointment of 2 members who are residents of communities that are affected by general aviation airport traffic or traffic at a commercial airport at which there is significant general aviation activity and makes the executive director of the department of public health and environment (CDPHE), or the executive director's designee, an ex officio nonvoting member of the board. In appointing the 2 new voting members, the governor is required to give priority to individuals who are not trained pilots and who reside directly in the predominant flight path of a high-traffic general aviation airport or a commercial airport at which there is significant general aviation activity and in an area that has a population density of more than 3,000 individuals per square mile.

Section 8 requires prioritization of grant program grants to general aviation airports or commercial airports at which there is significant general aviation activity, as determined by the division of aeronautics (division), in urban or suburban areas that use a predominant flight pattern that includes a county or municipality that has a population density of more than 3,000 individuals per square mile.

Section 8 also prohibits money from being expended from the fund for an airport that the division has identified as being located in a densely populated residential area or as having a significant number of flights over a densely populated residential area unless the airport or entity operating the airport demonstrates to the satisfaction of the division that:

- By January 1, 2026, it has adopted a plan for phasing out sales of leaded aviation gasoline at the airport;
- It has voluntarily established and enforces an effective noise mitigation plan in accordance with specified criteria, requirements, or guidelines that the division is required to develop; and
- It complies with the requirements of any aviation easements or contracts that it has entered into.

However, the limitation on the expenditure of money from the fund does not apply to money expended for an aviation project that is determined by the division to be designed and intended to mitigate significant adverse impacts on the health, safety, and welfare of individuals who reside near the airport at which the aviation project will be completed. **Section 7** imposes similar limitations on certain federal money that the state may

apply to receive for aviation purposes.

Section 9 requires the division and CDPHE to work together to evaluate, prevent, and mitigate the adverse impacts of aircraft noise and the use of leaded aviation gasoline on public health, safety, and welfare and specifies prioritization and other minimum requirements for the mitigation activities.

Section 9 also creates the unleaded aviation gasoline enterprise in the aeronautics division of the department of transportation for the purpose of remediating impacts caused by the use of leaded aviation gasoline by imposing a leaded aviation gasoline impact remediation fee on purchases of leaded aviation gasoline and using fee revenue to provide grants, loans, and rebates to fund infrastructure and programs at general aviation airports that are designed to increase the use of unleaded aviation gasoline in lieu of leaded aviation gasoline.

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

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

4 (a) According to the United States environmental protection
5 agency:

6 (I) Aircraft that use leaded aviation gasoline are a leading source
7 of lead emissions in our air;

8 (II) Excessive exposure to lead has many harmful health effects,
9 which can include adverse effects on the nervous system, kidney function,
10 the immune system, reproductive and developmental systems, the
11 cardiovascular system, and the oxygen carrying capacity of blood;

12 (III) Exposure to lead can cause irreversible and life-long harmful
13 health effects in children and pregnant individuals; and

14 (IV) Elevated lead in the environment can result in decreased
15 growth and reproduction in plants and animals and negative neurological
16 effects in vertebrates;

17 (b) According to the United States centers for disease control and

1 prevention, no level of lead exposure is safe for children, and even low
2 levels of lead in their blood are associated with developmental delays,
3 learning difficulties, and behavioral issues;

4 (c) Peer-reviewed research indicates that children who live near
5 airports with significant general aviation activity have elevated levels of
6 lead in their blood and that blood lead levels in children under five
7 increase as levels of atmospheric lead increase;

8 (d) Persistent and loud noise also has harmful health effects,
9 especially for children; and

10 (e) It is therefore necessary, appropriate, and in the best interest
11 of all Coloradans for the state to:

12 (I) Provide financial incentives in the form of an income tax credit
13 and a grant program to reduce the use of leaded aviation gasoline; and

14 (II) Create standards for an airport with significant general
15 aviation activity in an urban or suburban area to follow to notify the
16 surrounding community of its voluntary plans and procedures to reduce
17 the impacts of noise and lead on the community.

18 **SECTION 2.** In Colorado Revised Statutes, **add** 39-22-560 as
19 follows:

20 **39-22-560. Tax credit for certification of aircraft to use**
21 **unleaded aviation gasoline - tax preference performance statement**
22 **- review - legislative declaration - definitions - repeal.** (1) (a) IN
23 ACCORDANCE WITH SECTION 39-21-304 (1), WHICH REQUIRES EACH BILL
24 THAT CREATES A NEW TAX EXPENDITURE TO INCLUDE A TAX PREFERENCE
25 PERFORMANCE STATEMENT AS PART OF A STATUTORY LEGISLATIVE
26 DECLARATION, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE
27 PURPOSE OF THE TAX CREDIT PROVIDED IN THIS SECTION IS TO INDUCE

1 CERTAIN DESIGNATED BEHAVIOR BY TAXPAYERS, SPECIFICALLY THE
2 MODIFICATION OF AIRCRAFT THAT ARE POWERED BY LEADED AVIATION
3 GASOLINE SO THAT SUCH AIRCRAFT CAN BE CERTIFIED TO BE POWERED BY
4 UNLEADED AVIATION GASOLINE AND NO LONGER USE LEADED AVIATION
5 GASOLINE.

6 (b) THE GENERAL ASSEMBLY AND THE STATE AUDITOR SHALL
7 MEASURE THE EFFECTIVENESS OF THE CREDIT IN ACHIEVING THE PURPOSE
8 SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION BASED ON THE NUMBER
9 OF CREDITS CLAIMED.

10 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
11 REQUIRES:

12 (a) "AIRCRAFT" HAS THE SAME MEANING AS SET FORTH IN SECTION
13 43-10-102 (1).

14 (b) "AVIATION GASOLINE" MEANS GASOLINE-BASED FUEL THAT IS
15 USED TO POWER AN AIRCRAFT.

16 (c) "LEADED AVIATION GASOLINE" MEANS ANY AVIATION FUEL
17 CONTAINING TETRAETHYL LEAD ADDITIVES.

18 (d) "QUALIFYING AIRCRAFT" MEANS AN AIRCRAFT THAT HAS BEEN
19 POWERED BY LEADED AVIATION GASOLINE AND FOR WHICH A
20 SUPPLEMENTAL TYPE CERTIFICATE OR ANY OTHER AUTHORIZATION THAT
21 APPROVES THE COMPLETED MODIFICATION OF THE AIRCRAFT TO BE
22 POWERED BY UNLEADED AVIATION GASOLINE HAS BEEN ISSUED.

23 (e) "QUALIFYING EXPENSES" MEANS ANY ACTUAL OUT-OF-POCKET
24 EXPENSES INCURRED AND PAID BY A QUALIFYING TAXPAYER FOR THE
25 PURPOSE OF MODIFYING AN AIRCRAFT REGISTERED WITH THE FEDERAL
26 AVIATION ADMINISTRATION IN THIS STATE SO THAT IT IS A QUALIFYING
27 AIRCRAFT.

1 (f) "QUALIFYING TAXPAYER" MEANS A PERSON SUBJECT TO TAX
2 UNDER THIS ARTICLE 22 WHO IS THE OWNER OF AN AIRCRAFT AS
3 INDICATED ON THE AIRCRAFT REGISTRY MAINTAINED BY THE FEDERAL
4 AVIATION ADMINISTRATION.

5 (g) "SUPPLEMENTAL TYPE CERTIFICATE" MEANS A TYPE
6 CERTIFICATE ISSUED BY THE FEDERAL AVIATION ADMINISTRATION TO AN
7 APPLICANT THAT HAS MODIFIED AN AERONAUTICAL PRODUCT FROM ITS
8 ORIGINAL DESIGN WITH FEDERAL AVIATION ADMINISTRATION APPROVAL.

9 (h) "UNLEADED AVIATION GASOLINE" MEANS AVIATION GASOLINE
10 THAT DOES NOT INCLUDE LEAD.

11 (3) FOR ANY INCOME TAX YEAR COMMENCING ON OR AFTER
12 JANUARY 1, 2025, BUT BEFORE JANUARY 1, 2030, A QUALIFYING
13 TAXPAYER WHO INCURS QUALIFYING EXPENSES IS ALLOWED A CREDIT
14 AGAINST THE INCOME TAXES IMPOSED BY THIS ARTICLE 22 IN THE TAX
15 YEAR IN WHICH THE QUALIFYING AIRCRAFT IS REGISTERED BY THE
16 FEDERAL AVIATION ADMINISTRATION IN THIS STATE IN AN AMOUNT EQUAL
17 TO FIFTY PERCENT OF ALL QUALIFYING EXPENSES INCURRED; EXCEPT THAT
18 THE MAXIMUM AMOUNT OF THE CREDIT THAT MAY BE CLAIMED FOR
19 QUALIFYING EXPENSES INCURRED IN MODIFYING ANY ONE AIRCRAFT IS
20 FIVE HUNDRED DOLLARS.

21 (4) IF THE AMOUNT OF A CREDIT AUTHORIZED BY THIS SECTION
22 EXCEEDS THE AMOUNT OF INCOME TAXES OTHERWISE DUE ON THE INCOME
23 OF THE QUALIFYING TAXPAYER CLAIMING THE CREDIT IN THE INCOME TAX
24 YEAR FOR WHICH THE CREDIT IS BEING CLAIMED, THE AMOUNT OF THE
25 CREDIT NOT USED AS AN OFFSET AGAINST INCOME TAXES IN THAT INCOME
26 TAX YEAR MAY BE CARRIED FORWARD AS A CREDIT AGAINST SUBSEQUENT
27 YEARS' INCOME TAX LIABILITY FOR A PERIOD NOT EXCEEDING FIVE YEARS

1 AND MUST BE APPLIED FIRST TO THE EARLIEST INCOME TAX YEARS
2 POSSIBLE. ANY CREDIT REMAINING AFTER THE PERIOD MAY NOT BE
3 REFUNDED OR CREDITED TO THE QUALIFYING TAXPAYER.

4 (5) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2039.

5 **SECTION 3.** In Colorado Revised Statutes, 43-10-102, **amend**
6 the introductory portion and (3)(a)(VII); and **add** (3)(a)(IX), (3)(a)(X),
7 (3)(a)(XI), (3)(a)(XII), and (3)(a)(XIII) as follows:

8 **43-10-102. Definitions.** As used in this ~~article~~ ARTICLE 10, unless
9 the context otherwise requires:

10 (3) (a) "Aviation purposes" means any objective that provides
11 direct and indirect benefits to the state aviation system and includes, but
12 is not limited to:

13 (VII) Any acquisition of land, of any interest therein, or of any
14 easement through or other interest in airspace, including land for future
15 airport development, which is necessary to permit any such work or to
16 remove, mitigate, prevent, or limit the establishment of any hazard to the
17 safe operation of aircraft; ~~and~~

18 (IX) DESIGN, ENGINEERING, CONSTRUCTION, INSTALLATION,
19 ACQUISITION, AND INSPECTION OF INFRASTRUCTURE, INCLUDING
20 EQUIPMENT, THAT WILL ALLOW THE SALE OF UNLEADED AVIATION
21 GASOLINE AT A GENERAL AVIATION AIRPORT OR AT A COMMERCIAL
22 AIRPORT AT WHICH THERE IS, AS DETERMINED BY THE DIVISION,
23 SIGNIFICANT GENERAL AVIATION ACTIVITY;

24 (X) SUBSIDIZATION OF UNLEADED AVIATION GASOLINE AT A
25 GENERAL AVIATION AIRPORT OR A COMMERCIAL AIRPORT AT WHICH THERE
26 IS SIGNIFICANT GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE
27 DIVISION;

1 (XI) NOISE MONITORING DEVICES, TECHNOLOGIES, OR SYSTEMS
2 THAT ARE USED TO EVALUATE NOISE LEVELS FROM THE OPERATION OF
3 AIRCRAFT AND OTHER AVIATION ACTIVITIES AT OR NEAR AIRPORTS;

4 (XII) THE EVALUATION, PROVISION OF EDUCATION AND
5 TECHNICAL ASSISTANCE TO AIRPORTS ABOUT, PREVENTION, OR
6 MITIGATION OF ADVERSE IMPACTS TO THE HEALTH, SAFETY, AND WELFARE
7 OF INDIVIDUALS WHO RESIDE OR WORK NEAR AN AIRPORT INCLUDING BUT
8 NOT LIMITED TO THE EVALUATION, PROVISION OF EDUCATION AND
9 TECHNICAL ASSISTANCE TO AIRPORTS ABOUT, PREVENTION, OR
10 MITIGATION OF SUCH ADVERSE IMPACTS CONDUCTED BY THE DIVISION AND
11 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO
12 SECTION 43-10-118; AND

13 (XIII) AT A TIME THAT ELECTRIC AIRCRAFT TECHNOLOGY HAS
14 BEEN APPROPRIATELY CERTIFIED BY THE FAA, PROVIDING FOR
15 ON-AIRPORT ELECTRIC AIRCRAFT CHARGING INFRASTRUCTURE.

16 **SECTION 4.** In Colorado Revised Statutes, 43-10-103, **amend**
17 (2) introductory portion and (2)(k); and **add** (2)(n) and (2)(o) as follows:

18 **43-10-103. Division of aeronautics created - duties.** (2) The
19 division shall provide support for the Colorado aeronautical board in
20 fulfilling its duties. The duties of the division ~~shall~~ also include, but ARE
21 not ~~be~~ limited to, the following:

22 (k) Publishing information relating to aeronautics in the state; ~~and~~

23 (n) WORKING WITH THE DEPARTMENT OF PUBLIC HEALTH AND
24 ENVIRONMENT TO EVALUATE AND EDUCATE AND PROVIDE TECHNICAL
25 ASSISTANCE TO AIRPORTS ABOUT THE ADVERSE IMPACTS OF AIRCRAFT
26 NOISE AND THE USE OF LEADED AVIATION GASOLINE ON PUBLIC HEALTH,
27 SAFETY, AND WELFARE AS REQUIRED BY SECTION 43-10-118; AND

1 (o) EDUCATING AIRPORTS WITH SIGNIFICANT GENERAL AVIATION
2 ACTIVITY, AS DETERMINED BY THE DIVISION, REGARDING:

3 (I) THE NEED TO EXPEDITE THE TRANSITION FROM LEADED
4 AVIATION GASOLINE TO UNLEADED AVIATION GASOLINE; AND

5 (II) THE PROVISIONS OF THIS ARTICLE 10, AS AMENDED BY HOUSE
6 BILL 24-1235, ENACTED IN 2024, THAT OFFER FUNDING FOR PROJECTS AND
7 UNLEADED AVIATION GASOLINE SUBSIDIES, IF OFFERED BY THE DIVISION,
8 THAT SUPPORT THE TRANSITION FROM LEADED AVIATION GASOLINE TO
9 UNLEADED AVIATION GASOLINE AND IMPOSE REQUIREMENTS FOR
10 ACCESSING THAT FUNDING AND, IF OFFERED, THOSE SUBSIDIES.

11 **SECTION 5.** In Colorado Revised Statutes, 43-10-104, **amend**
12 (1)(b), (1)(f), and (2) as follows:

13 **43-10-104. Colorado aeronautical board - created.** (1) (b) The
14 board consists of ~~seven~~ NINE VOTING members appointed by the governor,
15 with the consent of the senate, for terms of three years; except that the
16 terms ~~shall~~ MUST be staggered so that no more than three members' terms
17 expire in the same year.

18 (f) The board shall not conduct any business unless there are at
19 least ~~four~~ FIVE VOTING members of the board present.

20 (2) (a) ~~The members of the board shall be chosen as follows~~
21 CONSISTS OF THE FOLLOWING MEMBERS:

22 (I) Four members, two from the eastern slope and two from the
23 western slope of the state, representing local governments ~~which~~ THAT
24 operate airports, which members ~~shall be selected by~~ the governor SHALL
25 SELECT from a list of nominees supplied by THOSE local governments;

26 (II) TWO MEMBERS WHO ARE RESIDENTS OF COMMUNITIES THAT
27 ARE AFFECTED BY GENERAL AVIATION AIRPORT TRAFFIC OR TRAFFIC AT A

1 COMMERCIAL AIRPORT AT WHICH THERE IS SIGNIFICANT GENERAL
2 AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION. THE INITIAL TERMS
3 OF THE TWO NEW MEMBERS COMMENCE WHEN THE NEXT TERM OF AN
4 EXISTING MEMBER COMMENCES, AND THE NEW MEMBERS' INITIAL TERMS
5 MUST COMPLY WITH THE EXISTING STAGGERING REQUIREMENT. IN
6 APPOINTING THESE MEMBERS, THE GOVERNOR SHALL GIVE PRIORITY TO
7 INDIVIDUALS WHO:

8 (A) ARE NOT TRAINED PILOTS;

9 (B) ARE FAMILIAR WITH AIRPORT INFRASTRUCTURE, AVIATION,
10 AND THE MISSION OF THE BOARD, INCLUDING BUT NOT LIMITED TO THOSE
11 WHO SERVE ON AN AIRPORT COMMUNITY NOISE ROUNDTABLE; AND

12 (C) RESIDE IN A COMMUNITY THAT IS SIGNIFICANTLY IMPACTED BY
13 NOISE OR LEAD EMISSIONS BY A HIGH-TRAFFIC AIRPORT WITH SIGNIFICANT
14 GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION;

15 (III) One member representing a statewide association of airport
16 managers;

17 (IV) One member representing a statewide association of pilots;
18 and

19 (V) One member familiar with and supportive of the state's
20 aviation issues, interests, and concerns; AND

21 (VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
22 HEALTH AND ENVIRONMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE,
23 WHO IS AN EX OFFICIO NONVOTING MEMBER OF THE BOARD.

24 (b) ~~Appointments shall be made~~ IN ADDITION TO SATISFYING THE
25 REQUIREMENTS SET FORTH IN SECTION 24-20-115, THE GOVERNOR SHALL
26 MAKE APPOINTMENTS TO THE BOARD so as to ~~insure~~ ENSURE a balance
27 broadly representative of the activity level of airports throughout the state

1 AND FURTHER ENSURE THAT THE RACIAL, ETHNIC, AND GENDER MAKEUP
2 OF THE BOARD IS REPRESENTATIVE OF COMMUNITIES THAT ARE
3 DISPROPORTIONATELY IMPACTED BY GENERAL AVIATION AIRPORT TRAFFIC
4 OR TRAFFIC AT A COMMERCIAL AIRPORT AT WHICH THERE IS SIGNIFICANT
5 GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION.

6 **SECTION 6.** In Colorado Revised Statutes, 43-10-108.5, **amend**
7 (2) as follows:

8 **43-10-108.5. State aviation system grant program.**

9 (2) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(c) OF THIS
10 SECTION, any entity operating an FAA-designated public-use airport may
11 apply to the division for a state aviation system grant to be used solely for
12 aviation purposes. Applications ~~shall~~ MUST contain such information as
13 may be required by the division and shall be filed in accordance with
14 procedures established by the division. In order to be eligible for a grant,
15 the applicant must demonstrate, to the satisfaction of the division, that the
16 grant shall be used solely for aviation purposes as defined in section
17 43-10-102 (3). The division shall evaluate grant applications based upon
18 criteria established by the division, AND CRITERIA SET FORTH IN
19 SUBSECTION (2)(b) OF THIS SECTION, and make recommendations to the
20 board on the awarding of grants. Any grant proposed by the board ~~shall~~
21 MUST be submitted to the governor's office for review and
22 recommendation prior to a final decision. The governor shall accomplish
23 ~~his~~ THE GOVERNOR'S review and recommendation within thirty days of
24 submittal of the grant proposal by the board. The board shall make final
25 decisions on the awarding of grants subject to the availability of ~~moneys~~
26 MONEY in the aviation fund created in section 43-10-109. The board shall
27 establish procedures to ensure that grants awarded pursuant to the

1 provisions of this section are used solely for aviation purposes as required
2 by this subsection (2).

3 (b) THE DIVISION, WHEN EVALUATING GRANT APPLICATIONS AND
4 MAKING RECOMMENDATIONS TO THE BOARD AS TO THE AWARDING OF
5 GRANTS; THE GOVERNOR'S OFFICE, WHEN REVIEWING REQUESTED GRANTS
6 RECOMMENDED BY THE DIVISION MAKING RECOMMENDATIONS REGARDING
7 SUCH REQUESTED GRANTS TO THE BOARD; AND THE BOARD, WHEN
8 AWARDING GRANTS, SHALL DESIGNATE THE LESSER OF TEN PERCENT OF
9 THE AMOUNT AWARDED IN GRANTS PER YEAR OR ONE MILLION FIVE
10 HUNDRED THOUSAND DOLLARS PER YEAR IN GRANTS FOR THE AVIATION
11 PURPOSES OF AIDING AND ACCELERATING THE TRANSITION FROM LEADED
12 AVIATION GASOLINE TO UNLEADED AVIATION GASOLINE. THE BOARD
13 SHALL PRIORITIZE AWARDING GRANTS DESIGNATED TO ADDRESS THE
14 TRANSITION FROM LEADED AVIATION GASOLINE TO UNLEADED AVIATION
15 GASOLINE TO AIRPORTS WITH SIGNIFICANT GENERAL AVIATION TRAFFIC IN
16 URBAN AND SUBURBAN AREAS WHERE SURROUNDING COMMUNITIES MAY
17 BE DISPROPORTIONATELY IMPACTED BY SUCH TRAFFIC. IF THE BOARD DOES
18 NOT RECEIVE GRANT APPLICATIONS EQUALING AT LEAST THE AMOUNT
19 DESIGNATED BY THE BOARD PURSUANT TO THIS SUBSECTION (2)(b) IN ANY
20 GIVEN YEAR, THE BOARD MAY USE THE REMAINDER OF THIS FUNDING FOR
21 OTHER AVIATION PURPOSES.

22 (c) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(h) OF
23 THIS SECTION, MONEY SHALL NOT BE EXPENDED FROM THE FUND FOR A
24 GRANT AWARDED PURSUANT TO THIS SECTION OR OTHERWISE TO AN
25 AIRPORT THAT THE DIVISION HAS IDENTIFIED AS BEING LOCATED IN A
26 DENSELY POPULATED RESIDENTIAL AREA OR AS HAVING A SIGNIFICANT
27 NUMBER OF FLIGHTS OVER A DENSELY POPULATED RESIDENTIAL AREA

1 UNLESS THE AIRPORT OR ENTITY OPERATING THE AIRPORT DEMONSTRATES
2 TO THE SATISFACTION OF THE DIVISION THAT:

3 (I) BY JANUARY 1, 2026, IT HAS ADOPTED A PLAN FOR PHASING
4 OUT SALES OF LEADED AVIATION GASOLINE AT THE AIRPORT BY JANUARY
5 1, 2030, WITH EXECUTION OF THE PLAN IN ACCORDANCE WITH FAA AND
6 FEDERAL ENVIRONMENTAL PROTECTION AGENCY REQUIREMENTS OR
7 OTHER RELEVANT FEDERAL GUIDANCE; AND

8 (II) IT HAS ESTABLISHED, IN CONSULTATION WITH FLIGHT SCHOOLS
9 AND PILOTS THAT REGULARLY USE THE AIRPORT, A VOLUNTARY NOISE
10 ABATEMENT PLAN, WITH EXECUTION OF THE NOISE ABATEMENT PLAN IN
11 ACCORDANCE WITH FAA AND FEDERAL ENVIRONMENTAL PROTECTION
12 AGENCY REQUIREMENTS OR OTHER RELEVANT FEDERAL GUIDANCE, SO
13 THAT AIRCRAFT NOISE IS NOT A SIGNIFICANT PUBLIC NUISANCE AND DOES
14 NOT CAUSE SIGNIFICANT ADVERSE IMPACTS TO THE PUBLIC HEALTH,
15 SAFETY, AND WELFARE OF INDIVIDUALS RESIDING NEAR THE AIRPORT. THE
16 DIVISION SHALL DEVELOP GUIDELINES FOR THE ESTABLISHMENT OF
17 EFFECTIVE VOLUNTARY NOISE ABATEMENT PLANS THAT MUST INCLUDE, AT
18 A MINIMUM:

19 (A) PUBLICATION OF NOISE ABATEMENT PLANS AMONG ALL
20 AIRPORT OPERATORS; AND

21 (B) NOISE ABATEMENT PLAN ELEMENTS, INCLUDING, BUT NOT
22 LIMITED TO, A VOLUNTARY CURFEW ON WHEN FLIGHTS MAY DEPART FROM
23 THE AIRPORT; VOLUNTARY GUIDELINES ON THE NUMBER OF FLIGHTS THAT
24 MAY DEPART FROM THE AIRPORT WITHIN SPECIFIED PERIODS; AND
25 VOLUNTARY GUIDELINES ON THE FREQUENCY OF TOUCH AND GO FLIGHTS
26 DURING WHICH AN AIRCRAFT TOUCHES DOWN ON A RUNWAY AND THEN
27 IMMEDIATELY ACCELERATES AND TAKES OFF AGAIN WITHOUT STOPPING.

1 (d) (I) NOISE ABATEMENT PLANS DEVELOPED IN ACCORDANCE
2 WITH SUBSECTION (2)(c)(II) OF THIS SECTION MUST BE PROPERLY POSTED
3 AT EACH AIRPORT.

4 (II) EACH AIRPORT SHALL CONDUCT MEETINGS WITH THE
5 AIRPORT'S FLIGHT SCHOOLS, FUEL OPERATORS, AND PILOTS WHO
6 COMMONLY FLY OUT OF THE AIRPORT ON A REGULAR BASIS TO INFORM THE
7 PARTIES OF THE NOISE ABATEMENT PROCEDURES AND HOW THEY MIGHT
8 COMPLY WITH SUCH PROCEDURES.

9 (III) EACH AIRPORT SHALL CREATE AND POST ON ITS WEBSITE AN
10 INTERNAL COMMUNICATIONS PLAN DETAILING HOW THEY INTEND TO
11 ENSURE THAT THEIR NOISE ABATEMENT PLAN IS WELL UNDERSTOOD AND
12 AVAILABLE TO ALL AIRPORT OPERATORS.

13 (e) NOISE ABATEMENT PLANS DEVELOPED IN ACCORDANCE WITH
14 SUBSECTION (2)(c)(II) OF THIS SECTION MUST BE SUBMITTED TO THE FAA
15 AND ARE NOT CONTINGENT ON FAA APPROVAL.

16 (f) IF AN AIRPORT OR AN ENTITY OPERATING AN AIRPORT HAS ONE
17 OR MORE AVIGATION EASEMENTS IN PLACE, THE LEGAL STAFF OF THE
18 AIRPORT OR ENTITY MUST CERTIFY IN WRITING FOR EACH GRANT
19 APPLICATION THAT THE AIRPORT OR ENTITY IS IN COMPLIANCE WITH THE
20 ALL THE EASEMENTS.

21 (g) AN AIRPORT OR AN ENTITY OPERATING AN AIRPORT MUST
22 CERTIFY IN WRITING FOR EACH GRANT APPLICATION THAT THE AIRPORT OR
23 ENTITY IS IN COMPLIANCE WITH ALL APPLICABLE FEDERAL LAWS AND
24 REGULATIONS.

25 (h) THE LIMITATION ON THE EXPENDITURE OF MONEY FROM THE
26 FUND SET FORTH IN SUBSECTION (2)(c) OF THIS SECTION DOES NOT APPLY
27 TO MONEY EXPENDED FOR AN AVIATION PROJECT THAT IS FOR AN

1 INTERNATIONAL AIRPORT OR THAT IS DETERMINED BY THE DIVISION TO BE
2 DIRECTLY UTILIZED TOWARDS THE TRANSITION FROM LEADED AVIATION
3 GASOLINE TO UNLEADED AVIATION GASOLINE, INCLUDING BUT NOT
4 LIMITED TO IMPROVEMENTS, ADDITIONS, AND MODIFICATIONS DESCRIBED
5 IN SECTION 43-10-102 (3)(a)(IX) TO (3)(a)(XII), FOR THE HEALTH,
6 SAFETY, AND WELFARE OF INDIVIDUALS WHO RESIDE NEAR THE AIRPORT
7 AT WHICH THE AVIATION PROJECT WILL BE COMPLETED.

8 **SECTION 7.** In Colorado Revised Statutes, **add** 43-10-118 as
9 follows:

10 **43-10-118. Adverse impacts - evaluation and provision of**
11 **education, and technical assistance.** (1) (a) THE DIVISION SHALL
12 EVALUATE, AND EDUCATE AND PROVIDE TECHNICAL ASSISTANCE TO
13 AIRPORTS ABOUT, THE ADVERSE IMPACTS OF AIRCRAFT NOISE ON PUBLIC
14 HEALTH, SAFETY, AND WELFARE. THE DIVISION SHALL PRIORITIZE THIS
15 EVALUATION, EDUCATION, AND TECHNICAL ASSISTANCE AT AIRPORTS
16 WITH SIGNIFICANT GENERAL AVIATION ACTIVITY THAT THE DIVISION HAS
17 IDENTIFIED AS BEING LOCATED IN DENSELY POPULATED RESIDENTIAL
18 AREAS OR AS HAVING A SIGNIFICANT NUMBER OF FLIGHTS OVER DENSELY
19 POPULATED RESIDENTIAL AREAS.

20 (b) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
21 SHALL CONTINUE TO ENCOURAGE TESTING IN HIGH-RISK AREAS FOR THE
22 PRESENCE OF LEAD IN THE BLOOD OF INDIVIDUALS WHO RESIDE OR WORK
23 NEAR SUCH AIRPORTS OR CHILDREN WHO ATTEND SCHOOLS OR CHILD CARE
24 FACILITIES NEAR SUCH AIRPORTS.

25 **SECTION 8. Appropriation.** (1) For the 2024-25 state fiscal
26 year, \$44,609 is appropriated to the department of revenue. This
27 appropriation is from the general fund. To implement this act, the

1 department may use this appropriation as follows:

2 (a) \$26,651 for tax administration IT system (GenTax) support;

3 (b) \$4,832 for personal services related to taxation services;

4 (c) \$10,535 for personal services related to administration and
5 support; and,

6 (d) \$2,591 for IDS print production.

7 (2) For the 2024-25 state fiscal year, \$2,591 is appropriated to the
8 department of personnel. This appropriation is from reappropriated funds
9 received from the department of revenue under subsection (1)(d) of this
10 section. To implement this act, the department of personnel may use this
11 appropriation to provide document management services for the
12 department of revenue.

13 **SECTION 9. Safety clause.** The general assembly finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety or for appropriations for
16 the support and maintenance of the departments of the state and state
17 institutions.