

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

INTRODUCED

LLS NO. 24-0172.01 Sarah Lozano x3858

HOUSE BILL 24-1359

HOUSE SPONSORSHIP

Hamrick and Velasco, Bacon, Boesenecker, Brown, Clifford, Duran, English, Hernandez, Joseph, Lieder, Lindsay, Lindstedt, Mabrey, Martinez, Marvin, Mauro, Ortiz, Ricks, Rutinel, Titone, Vigil, Willford

SENATE SPONSORSHIP

Cutter and Jaquez Lewis,

House Committees
Energy & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO INCREASE PUBLIC KNOWLEDGE OF**
102 **HAZARDOUS CHEMICALS RELEASED THROUGH OIL AND GAS**
103 **OPERATIONS.**

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>.)

Current rules of the energy and carbon management commission (commission) require oil and gas operators to submit certain reports (covered report) to the commission in the event of a spill or release of a hazardous chemical (incident). The bill enacts the "Community Right to Know Act" to create additional notification requirements in the event of

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.*

an incident (notification requirements). On and after July 1, 2024, oil and gas operators must, within 24 hours after the discovery of an incident, submit a covered report to the commission and the following state agencies (notification agency):

- For an incident involving air emissions or water contamination, the department of public health and environment;
- For an incident involving public conveyances, the department of transportation; and
- For an incident that results from a clear act of sabotage, vandalism, or a terrorist activity, the division of homeland security and emergency management in the department of public safety.

The oil and gas operator must also, within 24 hours after the operator's submission of the covered report to a notification agency, deliver the covered report to certain persons that are located near the well site where the incident was caused (affected persons).

Within 24 hours after the receipt of a covered report from an oil and gas operator, a notification agency must:

- Confirm with the oil and gas operator that the oil and gas operator has provided the covered report to any affected persons;
- Provide the covered report to any affected persons that have not yet received a covered report from the oil and gas operator;
- Provide the covered report to the county public health department and the county emergency notification party of the county or counties where the incident occurred; and
- On and after July 1, 2025, provide the covered report to the person designated by the executive director of the department of local affairs (DOLA) to receive covered reports from the notification agencies (designated person).

On and after July 1, 2025, no later than 24 hours after the receipt of a covered report for a certain heightened level of an incident (warning-level covered report) from a notification agency, if the county public health department has an existing opt-in notification system, the county public health department must notify medical professionals in the county that have opted in to the county public health department's notification system about the incident.

On and after July 1, 2025, no later than 24 hours after the receipt of a warning-level covered report from a notification agency, the county emergency notification party must:

- If the county has an existing opt-in public emergency notification system, notify all individuals residing in the county that have opted in; and

- If the county does not have an existing opt-in public emergency notification system but has an existing public emergency notification system, notify all individuals residing in the county.

On and after July 1, 2024, DOLA must maintain and routinely update a list of contact information for the county public health department and the county emergency notification party for each county in the state on DOLA's website.

The bill also creates the hazardous chemical notification committee (committee) in DOLA. On or before July 1, 2025, the committee is required to develop content for a hazardous chemical notification website (website) that includes certain informational and educational content about hazardous chemicals, including short-term and long-term adverse health impacts, and an entry for each covered report received by the designated person on and after July 1, 2025.

Beginning in the 2026 calendar year, and in each calendar year thereafter, the committee must meet on a quarterly basis to make updates to the content of the website.

On or before July 1, 2026, and on or before each July 1 thereafter, DOLA must submit a written report (hazardous chemical notification report requirement) to the health and human services committee of the house of representatives and the health and human services committee of the senate, which report must include a summary of the notifications made by oil and gas operators, the notification agencies, county public health departments, and county emergency notification parties in the previous year.

On or before July 1, 2025, and each calendar year thereafter, county public health departments and county emergency notification parties are required to provide a training to medical professionals and the public on the short-term and long-term adverse health impacts of exposure to hazardous chemicals and the notification requirements (training requirement).

The bill provides for a repeal of the committee, the hazardous chemical notification report requirement, and the training requirement, effective September 1, 2034, after review in accordance with the general assembly's sunset review process.

The bill also:

- Creates a \$1,000 per day penalty for an oil and gas operator that does not comply with the notification requirements (violation); and
- Provides that if an oil and gas operator commits a violation 3 or more times, the oil and gas operator may not claim a waiver of liability for damages related to the third or subsequent violation.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 37 to article
3 32 of title 24 as follows:

4 **PART 37**

5 **NOTIFICATION OF OIL AND GAS INCIDENTS**

6 **INVOLVING HAZARDOUS CHEMICALS**

7 **24-32-3701. Short title.** THE SHORT TITLE OF THIS PART 37 IS THE
8 "COMMUNITY RIGHT TO KNOW ACT".

9 **24-32-3702. Legislative declaration.** (1) THE GENERAL
10 ASSEMBLY FINDS THAT:

11 (a) THERE WERE THREE THOUSAND SIX HUNDRED TWENTY-EIGHT
12 INCIDENTS REPORTED BY OPERATORS TO THE COMMISSION BETWEEN 2019
13 AND 2023;

14 (b) THE NUMBER OF REPORTED INCIDENTS HAS INCREASED EACH
15 YEAR, WITH FOUR HUNDRED SEVENTY-SIX INCIDENTS IN 2020, EIGHT
16 HUNDRED FIFTY-FOUR INCIDENTS IN 2021, ONE THOUSAND ONE HUNDRED
17 SIX INCIDENTS IN 2022, AND ONE THOUSAND ONE HUNDRED NINETY-TWO
18 INCIDENTS IN 2023;

19 (c) CERTAIN CHEMICALS THAT ARE ACCIDENTALLY DISCHARGED,
20 EMITTED, RELEASED, OR SPILLED AS A RESULT OF OIL AND GAS
21 OPERATIONS CAN HAVE AN ADVERSE IMPACT ON PUBLIC HEALTH, SAFETY,
22 AND WELFARE; THE ENVIRONMENT; AND WILDLIFE RESOURCES;

23 (d) EXPOSURE TO A HAZARDOUS CHEMICAL MAY RESULT IN
24 ADVERSE SHORT-TERM AND LONG-TERM HEALTH IMPACTS, PARTICULARLY
25 FOR THOSE INDIVIDUALS IN CLOSE PROXIMITY TO AN INCIDENT;

26 (e) MEDICAL PROFESSIONALS WHO TREAT INDIVIDUALS SUFFERING

1 FROM SHORT-TERM AND LONG-TERM ADVERSE HEALTH IMPACTS FROM
2 HAZARDOUS CHEMICALS OFTEN DO NOT HAVE ENOUGH INFORMATION
3 ABOUT AN INCIDENT TO BE ABLE TO EFFECTIVELY TREAT A PATIENT; AND

4 (f) IT IS IMPERATIVE THAT WHEN AN INCIDENT OCCURS, COUNTY
5 PUBLIC HEALTH DEPARTMENTS AND COUNTY EMERGENCY NOTIFICATION
6 PARTIES IN THE STATE HAVE ACCESS TO ENOUGH INFORMATION ABOUT THE
7 INCIDENT TO INFORM MEDICAL PROFESSIONALS AND THE PUBLIC ABOUT
8 THE HAZARDOUS CHEMICALS THAT WERE INVOLVED IN THE INCIDENT AND
9 THE POTENTIAL SHORT-TERM AND LONG-TERM ADVERSE HEALTH IMPACTS
10 ASSOCIATED WITH THOSE HAZARDOUS CHEMICALS.

11 (2) THE GENERAL ASSEMBLY THEREFORE DETERMINES AND
12 DECLARES THAT:

13 (a) THE PUBLIC HAS A RIGHT TO BE INFORMED ABOUT HAZARDOUS
14 CHEMICALS THAT ARE INVOLVED IN AN INCIDENT; AND

15 (b) NOTIFICATIONS TO THE PUBLIC ABOUT HAZARDOUS CHEMICALS
16 THAT ARE INVOLVED IN AN INCIDENT ARE A MATTER OF STATEWIDE AND
17 LOCAL CONCERN AND IN THE PUBLIC INTEREST.

18 **24-32-3703. Definitions - rules.** AS USED IN THIS PART 37, UNLESS
19 THE CONTEXT OTHERWISE REQUIRES:

20 (1) "COMMISSION" MEANS THE ENERGY AND CARBON
21 MANAGEMENT COMMISSION CREATED IN SECTION 34-60-104.3.

22 (2) "COUNTY EMERGENCY NOTIFICATION PARTY" MEANS A PERSON
23 AUTHORIZED BY A COUNTY TO:

24 (a) ACTIVATE A PUBLIC EMERGENCY NOTIFICATION SYSTEM;

25 (b) PLAN AND PREPARE FOR INCIDENTS; AND

26 (c) ORGANIZE AND MANAGE EMERGENCY PREPAREDNESS AND
27 RESPONSE EFFORTS.

1 (3) "COVERED REPORT" MEANS A SPILL/RELEASE REPORT, AS
2 DESCRIBED IN COMMISSION RULES, OR A SITE INVESTIGATION AND
3 REMEDIATION WORK PLAN, AS DESCRIBED IN COMMISSION RULES, OR ANY
4 OTHER REPORTS OR PLANS, INCLUDING SUCCESSOR REPORTS OR PLANS,
5 REQUIRED TO BE SUBMITTED TO THE COMMISSION PURSUANT TO
6 COMMISSION RULES IN THE EVENT OF A SPILL OR RELEASE OF A
7 HAZARDOUS CHEMICAL.

8 (4) "DEPARTMENT" MEANS THE DEPARTMENT OF LOCAL AFFAIRS.

9 (5) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE
10 MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

11 (6) "HAZARDOUS CHEMICAL" MEANS ANY OF THE FOLLOWING
12 CHEMICALS:

- 13 (a) 5-FLUOROOROTIC ACID;
- 14 (b) ACETALDEHYDE;
- 15 (c) ACETYLENE;
- 16 (d) ACROLEIN;
- 17 (e) BENZENE;
- 18 (f) BUTENE;
- 19 (g) BUTYRALDEHYDE;
- 20 (h) CARBON MONOXIDE;
- 21 (i) CHLOROMETHANE;
- 22 (j) COVERED AIR TOXICS, AS DEFINED IN SECTION 25-7-141 (2)(b);
- 23 (k) CYCLOHEXANE;
- 24 (l) CYCLOPENTANE;
- 25 (m) DIMETHYLBUTANE;
- 26 (n) DIMETHYLPENTANE;
- 27 (o) ETHANE;

- 1 (p) ETHYLBENZENE;
2 (q) ETHYLCYCLOHEXANE;
3 (r) ETHYLENE;
4 (s) ETHYLENE GLYCOL;
5 (t) ETHYLTOLUENE;
6 (u) FORMALDEHYDE;
7 (v) FRUCTOOLIGOSACCHARIDE;
8 (w) GLYCOL DIBROMIDE;
9 (x) GLYCOL DICHLORIDE;
10 (y) GLYCOL MONOETHYL ETHER;
11 (z) GLYCOL NITRATE;
12 (aa) HAZARDOUS AIR POLLUTANTS, AS DEFINED IN SECTION
13 25-7-103 (13);
14 (bb) HEAVY METALS, INCLUDING ANTIMONY, CADMIUM,
15 CHROMIUM, COBALT, COPPER, LEAD, MANGANESE, MERCURY, NICKEL,
16 SILVER, THALLIUM, AND ZINC;
17 (cc) HEXENE;
18 (dd) HYDROGEN SULFIDE;
19 (ee) ISOBUTANE;
20 (ff) ISOPENTANE;
21 (gg) ISOPRENE;
22 (hh) ISOPROPYLBENZENE;
23 (ii) M-DIETHYLBENZENE;
24 (jj) METHYL BUTENE;
25 (kk) METHYLCYCLOHEXANE;
26 (ll) METHYLHEPTANE;
27 (mm) METHYLHEXANE;

1 (mn) METHYLNAPHTHALENE;
2 (oo) METHYLPENTANE;
3 (pp) METHYLPENTENE;
4 (qq) N-BUTANE;
5 (rr) N-DECANE;
6 (ss) N-DODECANE;
7 (tt) N-HEPTANE;
8 (uu) N-HEXANE;
9 (vv) N-NONANE;
10 (ww) N-OCTANE;
11 (xx) N-PENTANE;
12 (yy) N-PROPYLBENZENE;
13 (zz) N-UNDECANE;
14 (aaa) NAPHTHALENE;
15 (bbb) O-ETHYLTOLUENE;
16 (ccc) O-XYLENE;
17 (ddd) P-DIETHYLBENZENE;
18 (eee) P-ETHYLTOLUENE;
19 (fff) PENTENE;
20 (ggg) PFAS CHEMICALS, AS DEFINED IN SECTION 25-5-1302 (7);
21 (hhh) PROPANE;
22 (iii) PROPYLENE OXIDE;
23 (jjj) SULFUR DIOXIDE;
24 (kkk) STYRENE;
25 (lll) TOLUENE;
26 (mmm) TOXIC AIR CONTAMINANTS, AS DEFINED IN SECTION
27 25-7-109.5 (1)(i);

1 (nnn) TRIMETHYLBENZENE;
2 (ooo) TRIMETHYLPENTANE; AND
3 (ppp) XYLENE.

4 (7) "HAZARDOUS CHEMICAL NOTIFICATION COMMITTEE" OR
5 "COMMITTEE" MEANS THE HAZARDOUS CHEMICAL NOTIFICATION
6 COMMITTEE CREATED IN SECTION 24-32-3705 (1).

7 (8) "HAZARDOUS CHEMICAL NOTIFICATION REPORT" MEANS THE
8 WRITTEN REPORT PREPARED BY THE DEPARTMENT PURSUANT TO SECTION
9 24-32-3705 (6)(a).

10 (9) "HAZARDOUS CHEMICAL NOTIFICATION WEBSITE" OR
11 "WEBSITE" MEANS THE WEBSITE CONTENT DEVELOPED BY THE HAZARDOUS
12 CHEMICAL NOTIFICATION COMMITTEE PURSUANT TO SECTION 24-32-3705
13 (3).

14 (10) "INCIDENT" MEANS A SPILL OR RELEASE OF A HAZARDOUS
15 CHEMICAL THAT REQUIRES THE SUBMISSION OF A COVERED REPORT TO THE
16 COMMISSION PURSUANT TO COMMISSION RULES.

17 (11) "MEDICAL PROFESSIONAL" MEANS A PHYSICIAN, PHYSICIAN
18 ASSISTANT, ADVANCED PRACTICE REGISTERED NURSE, REGISTERED NURSE,
19 OR EMERGENCY MEDICAL SERVICE PROVIDER LICENSED OR CERTIFIED BY
20 THE STATE.

21 (12) "NOTIFICATION AGENCY" MEANS THE COMMISSION AND A
22 STATE AGENCY THAT RECEIVES A COVERED REPORT FROM AN OPERATOR
23 PURSUANT TO SECTION 24-32-3704 (1)(a).

24 (13) "OIL AND GAS OPERATIONS" HAS THE MEANING SET FORTH IN
25 SECTION 34-60-103.

26 (14) "OPERATOR" HAS THE MEANING SET FORTH IN SECTION
27 34-60-103.

1 (15) "PUBLIC CONVEYANCE" HAS THE MEANING SET FORTH IN
2 SECTION 18-9-115 (3).

3 (16) "PUBLIC EMERGENCY NOTIFICATION SYSTEM" MEANS A
4 COUNTY'S EMERGENCY NOTIFICATION SYSTEM THAT IS CAPABLE OF
5 SENDING ALERTS TO RESIDENTS OF THE COUNTY AND THAT CAN BE
6 MODIFIED BASED ON A RESIDENT'S PROXIMITY TO AN INCIDENT.

7 (17) "WARNING-LEVEL COVERED REPORT" MEANS A COVERED
8 REPORT THAT INVOLVES AN INCIDENT THAT OCCURS WITHIN TWO
9 THOUSAND FEET OF AN OCCUPIED STRUCTURE AND MEETS TWO OR MORE
10 OF THE FOLLOWING CONDITIONS:

11 (a) THE INCIDENT INVOLVES A SPILL OR RELEASE OF ONE HUNDRED
12 TWENTY-SIX GALLONS OR MORE, OR THE EQUIVALENT OF THREE BARRELS
13 OR MORE, OF A HAZARDOUS CHEMICAL;

14 (b) THE INCIDENT INVOLVES AN OLFACTORY, VISUAL, OR AUDIBLE
15 DISPLAY OF SOIL OR SURFACE WATER CONTAMINATION;

16 (c) THE INCIDENT INVOLVES A PLUGGED OR DECOMMISSIONED OIL
17 AND GAS WELL; OR

18 (d) THE INCIDENT INVOLVES CLEANUP OR REMEDIATION OF OIL
19 AND GAS OPERATIONS.

20 **24-32-3704. Notification of oil and gas incidents involving**
21 **hazardous chemicals - record retention requirements.** (1)(a) ON AND
22 AFTER JULY 1, 2024, IN THE EVENT OF AN INCIDENT, IN ADDITION TO
23 SUBMITTING A COVERED REPORT TO THE DIRECTOR OF THE COMMISSION
24 PURSUANT TO COMMISSION RULES, AN OPERATOR SHALL, WITHIN
25 TWENTY-FOUR HOURS AFTER THE DISCOVERY OF AN INCIDENT, ALSO
26 SUBMIT THE COVERED REPORT TO THE FOLLOWING STATE AGENCIES, AS
27 APPLICABLE:

1 (I) FOR AN INCIDENT INVOLVING AIR EMISSIONS OR WATER
2 CONTAMINATION, THE DEPARTMENT OF PUBLIC HEALTH AND
3 ENVIRONMENT;

4 (II) FOR AN INCIDENT AFFECTING PUBLIC CONVEYANCES, THE
5 DEPARTMENT OF TRANSPORTATION; AND

6 (III) FOR AN INCIDENT THAT RESULTS FROM A CLEAR ACT OF
7 SABOTAGE, VANDALISM, OR A TERRORIST ACTIVITY, THE DIVISION OF
8 HOMELAND SECURITY AND EMERGENCY MANAGEMENT IN THE
9 DEPARTMENT OF PUBLIC SAFETY.

10 (b) IN ADDITION TO THE SUBMISSION OF THE COVERED REPORT TO
11 THE NOTIFICATION AGENCY, ON AND AFTER JULY 1, 2024, THE OPERATOR
12 SHALL ALSO SUBMIT THE COVERED REPORT TO THE PARTIES DESCRIBED IN
13 SECTION 34-60-132 (6)(a), AS APPLICABLE TO THE WELL SITE THAT
14 CAUSED THE INCIDENT, TWENTY-FOUR HOURS AFTER THE OPERATOR'S
15 SUBMISSION OF THE COVERED REPORT TO THE NOTIFICATION AGENCY.

16 (2) NO LATER THAN TWENTY-FOUR HOURS AFTER THE RECEIPT OF
17 THE COVERED REPORT PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION,
18 A NOTIFICATION AGENCY SHALL:

19 (a) CONFIRM WITH THE OPERATOR THAT THE OPERATOR HAS
20 PROVIDED THE COVERED REPORT TO THE PARTIES DESCRIBED IN
21 SUBSECTION (1)(b) OF THIS SECTION;

22 (b) PROVIDE THE COVERED REPORT TO ANY PARTIES DESCRIBED IN
23 SUBSECTION (1)(b) OF THIS SECTION THAT HAVE NOT RECEIVED THE
24 COVERED REPORT FROM THE OPERATOR; AND

25 (c) PROVIDE THE COVERED REPORT TO THE FOLLOWING PARTIES:

26 (I) THE COUNTY PUBLIC HEALTH DEPARTMENT FOR THE COUNTY
27 OR COUNTIES WHERE THE INCIDENT OCCURRED;

1 (II) THE COUNTY EMERGENCY NOTIFICATION PARTY FOR THE
2 COUNTY OR COUNTIES WHERE THE INCIDENT OCCURRED; AND

3 (III) ON AND AFTER JULY 1, 2025, THE PERSON DESIGNATED BY
4 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT PURSUANT TO SECTION
5 (5)(b) OF THIS SECTION.

6 (3) (a) ON AND AFTER JULY 1, 2025, NO LATER THAN
7 TWENTY-FOUR HOURS AFTER THE RECEIPT OF A WARNING-LEVEL COVERED
8 REPORT FROM A NOTIFICATION AGENCY, IF THE COUNTY PUBLIC HEALTH
9 DEPARTMENT HAS AN EXISTING OPT-IN NOTIFICATION SYSTEM, THE
10 COUNTY PUBLIC HEALTH DEPARTMENT SHALL NOTIFY MEDICAL
11 PROFESSIONALS IN THE COUNTY THAT HAVE OPTED IN TO THE COUNTY
12 PUBLIC HEALTH DEPARTMENT'S NOTIFICATION SYSTEM ABOUT THE
13 INCIDENT.

14 (b) THE NOTIFICATION PURSUANT TO SUBSECTION (3)(a) OF THIS
15 SECTION MUST:

16 (I) STATE: "PATIENTS IN YOUR AREA HAVE RECEIVED A
17 NOTIFICATION OF POTENTIAL EXPOSURE TO HAZARDOUS CHEMICALS THAT
18 MAY BE PRESENT IN THE AIR, BIOLOGICAL RESOURCES, SOIL, OR WATER IN
19 PROXIMITY TO THE PATIENT'S HOME ADDRESS. PLEASE SEE (INSERT THE
20 INTERNET WEBSITE ADDRESS FOR THE HAZARDOUS CHEMICAL
21 NOTIFICATION WEBSITE) FOR POTENTIAL SHORT-TERM AND LONG-TERM
22 ADVERSE HEALTH IMPACTS ASSOCIATED WITH THE HAZARDOUS
23 CHEMICALS."; AND

24 (II) INCLUDE THE NAMES OF ANY HAZARDOUS CHEMICALS
25 INVOLVED IN THE INCIDENT.

26 (4) (a) ON AND AFTER JULY 1, 2025, NO LATER THAN
27 TWENTY-FOUR HOURS AFTER THE RECEIPT OF A WARNING-LEVEL COVERED

1 REPORT FROM A NOTIFICATION AGENCY, THE COUNTY EMERGENCY
2 NOTIFICATION PARTY SHALL:

3 (I) IF THE COUNTY HAS AN EXISTING OPT-IN PUBLIC EMERGENCY
4 NOTIFICATION SYSTEM, NOTIFY ALL INDIVIDUALS RESIDING IN THE COUNTY
5 THAT HAVE OPTED IN TO THE COUNTY'S PUBLIC EMERGENCY NOTIFICATION
6 SYSTEM; OR

7 (II) IF THE COUNTY DOES NOT HAVE AN EXISTING OPT-IN PUBLIC
8 EMERGENCY NOTIFICATION SYSTEM BUT HAS AN EXISTING PUBLIC
9 EMERGENCY NOTIFICATION SYSTEM, NOTIFY ALL INDIVIDUALS RESIDING
10 IN THE COUNTY THROUGH THE PUBLIC EMERGENCY NOTIFICATION SYSTEM.

11 (b) THE NOTIFICATION PURSUANT TO SUBSECTION (4)(a) OF THIS
12 SECTION MUST:

13 (I) STATE: "YOU ARE RECEIVING THIS ALERT BECAUSE YOU LIVE
14 NEAR A RELEASE OF HAZARDOUS CHEMICALS REPORTED ON (INSERT DATE
15 AND TIME OF THE INCIDENT) AT (INSERT LOCATION OF THE INCIDENT).
16 PLEASE SEE (INSERT THE INTERNET WEBSITE ADDRESS FOR THE
17 HAZARDOUS CHEMICAL NOTIFICATION WEBSITE) FOR MORE INFORMATION
18 ABOUT POTENTIAL SHORT-TERM AND LONG-TERM ADVERSE HEALTH
19 IMPACTS AND CONSULT WITH A MEDICAL PROFESSIONAL IF NEEDED. IF
20 NECESSARY, YOU WILL RECEIVE AN ADDITIONAL ALERT WITH MORE
21 INFORMATION AS IT BECOMES AVAILABLE."; AND

22 (II) INCLUDE A DESCRIPTION OF THE INCIDENT, INCLUDING THE
23 NAME OF THE OPERATOR THAT SUBMITTED THE WARNING-LEVEL COVERED
24 REPORT AND A FACILITY IDENTIFICATION NUMBER, IF ANY.

25 (5) (a) ON AND AFTER JULY 1, 2024, THE DEPARTMENT SHALL
26 MAINTAIN AND ROUTINELY UPDATE A LIST OF THE CONTACT INFORMATION
27 FOR THE COUNTY PUBLIC HEALTH DEPARTMENT AND COUNTY EMERGENCY

1 NOTIFICATION PARTY FOR EACH COUNTY IN THE STATE ON THE
2 DEPARTMENT'S WEBSITE.

3 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
4 DESIGNATE AN INDIVIDUAL WITH EXPERTISE IN INFORMATION
5 TECHNOLOGY AND WEBSITE DEVELOPMENT TO DEVELOP CODING FOR THE
6 HAZARDOUS CHEMICAL NOTIFICATION WEBSITE AND RECEIVE COVERED
7 REPORTS FROM NOTIFICATION AGENCIES PURSUANT TO SUBSECTION
8 (2)(c)(III) OF THIS SECTION. ON AND AFTER JULY 1, 2025, THE INDIVIDUAL
9 DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
10 PURSUANT TO THIS SUBSECTION (5)(b) SHALL POST THE COVERED REPORTS
11 RECEIVED PURSUANT TO SUBSECTION (2)(c)(III) OF THIS SECTION ON THE
12 HAZARDOUS CHEMICAL NOTIFICATION WEBSITE.

13 (6) AN OPERATOR, NOTIFICATION AGENCY, COUNTY PUBLIC
14 HEALTH DEPARTMENT, AND COUNTY EMERGENCY NOTIFICATION PARTY
15 SHALL:

16 (a) RETAIN ANY RECORD RELATED TO THE OPERATOR'S,
17 NOTIFICATION AGENCY'S, COUNTY PUBLIC HEALTH DEPARTMENT'S, OR
18 COUNTY EMERGENCY NOTIFICATION PARTY'S COMPLIANCE WITH THIS
19 SECTION FOR AT LEAST TEN YEARS AFTER THE RECORD IS MADE; AND

20 (b) UPON REQUEST BY THE DEPARTMENT, PROVIDE THE RECORDS
21 DESCRIBED IN SUBSECTION (6)(a) OF THIS SECTION TO THE DEPARTMENT
22 FOR THE PURPOSES OF A HAZARDOUS CHEMICAL NOTIFICATION REPORT.

23 **24-32-3705. Hazardous chemical notification committee -**
24 **website - trainings - reports - repeal.** (1) THE HAZARDOUS CHEMICAL
25 NOTIFICATION COMMITTEE IS CREATED IN THE DEPARTMENT.

26 (2) (a) THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:

27 (I) FOUR PHYSICIANS, APPOINTED BY THE GOVERNOR, WHO HAVE

1 EXPERIENCE:

2 (A) IN EPIDEMIOLOGY, ONCOLOGY, ENDOCRINOLOGY,
3 PULMONOLOGY, TOXICOLOGY, OR TREATING PATIENTS WITH MEDICAL
4 TRAUMA; AND

5 (B) TREATING PATIENTS WHO ARE LOCATED IN, OR ARE PART OF,
6 A DISPROPORTIONATELY IMPACTED COMMUNITY;

7 (II) FOUR MEMBERS, APPOINTED BY THE DEPARTMENT,
8 REPRESENTING COUNTY EMERGENCY NOTIFICATION PARTIES FROM
9 COUNTIES IN THE STATE THAT HAVE BEEN HEAVILY IMPACTED BY OIL AND
10 GAS OPERATIONS, WITH TWO MEMBERS REPRESENTING COUNTY
11 EMERGENCY NOTIFICATION PARTIES FROM COUNTIES OF THE STATE WEST
12 OF THE CONTINENTAL DIVIDE AND TWO MEMBERS REPRESENTING COUNTY
13 EMERGENCY NOTIFICATION PARTIES FROM THE AREA OF THE STATE EAST
14 OF THE CONTINENTAL DIVIDE;

15 (III) THE INDIVIDUAL DESIGNATED BY THE EXECUTIVE DIRECTOR
16 OF THE DEPARTMENT PURSUANT TO SECTION 24-32-3704 (5)(b);

17 (IV) ONE MEMBER REPRESENTING THE COMMISSION, APPOINTED
18 BY THE CHAIR OF THE COMMISSION;

19 (V) ONE MEMBER REPRESENTING THE DEPARTMENT OF PUBLIC
20 HEALTH AND ENVIRONMENT, APPOINTED BY THE EXECUTIVE DIRECTOR OF
21 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT; AND

22 (VI) FOUR MEMBERS OF THE PUBLIC, APPOINTED BY THE
23 ENVIRONMENTAL JUSTICE ADVISORY BOARD, CREATED IN SECTION
24 25-1-134 (2):

25 (A) THAT HAVE EACH FILED A COMPLAINT WITH THE COMMISSION
26 OR THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, WHICH
27 COMPLAINT ALLEGES ADVERSE HEALTH IMPACTS AS A RESULT OF OIL AND

1 GAS OPERATIONS; AND

2 (B) THAT ARE RESIDENTS OF FOUR COUNTIES IN THE STATE THAT
3 HAVE BEEN HEAVILY IMPACTED BY OIL AND GAS OPERATIONS, AS
4 DETERMINED BY THE ENVIRONMENTAL JUSTICE ADVISORY BOARD, WITH
5 TWO MEMBERS BEING RESIDENTS OF A COUNTY OF THE STATE WEST OF THE
6 CONTINENTAL DIVIDE AND TWO MEMBERS BEING RESIDENTS OF A COUNTY
7 OF THE STATE EAST OF THE CONTINENTAL DIVIDE.

8 (b) THE APPOINTING AUTHORITIES SHALL MAKE ALL
9 APPOINTMENTS TO THE COMMITTEE NO LATER THAN JULY 1, 2024. THE
10 MEMBERS SHALL SERVE AN INITIAL TERM OF THREE YEARS AND MAY BE
11 REAPPOINTED FOR ONE ADDITIONAL TERM OF THREE YEARS.

12 (c) EACH MEMBER OF THE COMMITTEE WHO IS NOT A STATE,
13 COUNTY, OR LOCAL EMPLOYEE OR CONTRACTOR SERVING AS A MEMBER OF
14 THE COMMITTEE AS PART OF THE MEMBER'S JOB DUTIES RECEIVES A PER
15 DIEM OF FIFTY DOLLARS FOR ATTENDANCE AT REGULARLY SCHEDULED
16 MEETINGS OF THE COMMITTEE DURING THE 2024-25 STATE FISCAL YEAR.
17 FOR EACH STATE FISCAL YEAR THEREAFTER, THE PER DIEM AMOUNT MUST
18 BE ANNUALLY ADJUSTED FOR INFLATION BASED ON THE PERCENTAGE
19 CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF
20 LABOR STATISTICS CONSUMER PRICE INDEX, OR A SUCCESSOR INDEX, FOR
21 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY URBAN
22 CONSUMERS. MEMBERS OF THE COMMITTEE ALSO RECEIVE
23 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED
24 WHILE PERFORMING OFFICIAL DUTIES.

25 (3) ON OR BEFORE JULY 1, 2025, THE COMMITTEE SHALL DEVELOP
26 CONTENT FOR A HAZARDOUS CHEMICAL NOTIFICATION WEBSITE. THE
27 WEBSITE MUST INCLUDE, AT A MINIMUM:

1 (a) A SECTION OF INFORMATIONAL AND EDUCATIONAL CONTENT
2 RELATED TO HAZARDOUS CHEMICALS, TARGETED TOWARD THE GENERAL
3 PUBLIC;

4 (b) A SECTION OF INFORMATIONAL AND EDUCATIONAL CONTENT
5 RELATED TO HAZARDOUS CHEMICALS, TARGETED TOWARD MEDICAL
6 PROFESSIONALS;

7 (c) A SECTION CONTAINING A LIST OF HAZARDOUS CHEMICALS,
8 WHICH LIST MUST INCLUDE THE FOLLOWING INFORMATION ABOUT EACH
9 HAZARDOUS CHEMICAL LISTED:

10 (I) POTENCY;

11 (II) MODE OF ACTION;

12 (III) EXPOSURE PATTERNS;

13 (IV) THE AMOUNT OF EACH HAZARDOUS CHEMICAL THAT IS
14 CONSIDERED HAZARDOUS FOR ACUTE AND CHRONIC EXPOSURE;

15 (V) THE SHORT-TERM ADVERSE HEALTH IMPACTS ASSOCIATED
16 WITH EACH HAZARDOUS CHEMICAL, AS DESCRIBED BY THE NATIONAL
17 LIBRARY OF MEDICINE OR THE NATIONAL INSTITUTE OF OCCUPATIONAL
18 SAFETY AND HEALTH, AS APPLICABLE, INCLUDING:

19 (A) POTENTIAL RESPIRATORY IMPACTS;

20 (B) POTENTIAL MENTAL HEALTH IMPACTS;

21 (C) POTENTIAL NEUROLOGICAL IMPACTS;

22 (D) POTENTIAL CIRCULATORY IMPACTS;

23 (E) POTENTIAL DEVELOPMENTAL EFFECTS ON CHILDREN; AND

24 (F) ANY OTHER POTENTIAL SHORT-TERM ADVERSE HEALTH
25 IMPACTS; AND

26 (VI) THE LONG-TERM ADVERSE HEALTH IMPACTS ASSOCIATED
27 WITH EACH HAZARDOUS CHEMICAL, AS DESCRIBED BY THE NATIONAL

1 LIBRARY OF MEDICINE OR THE NATIONAL INSTITUTE OF OCCUPATIONAL
2 SAFETY AND HEALTH, AS APPLICABLE, INCLUDING:

3 (A) POTENTIAL RISKS OF ANEMIA, CANCER, LEUKEMIA, IRREGULAR
4 MENSTRUAL PERIODS, INCREASED CHANCES OF INFECTION, FERTILITY
5 ISSUES, HEARING LOSS, VISION LOSS, PREGNANCY COMPLICATIONS,
6 ECZEMA, RESPIRATORY DISEASE, AND HEART DISEASE;

7 (B) POTENTIAL GENETIC IMPACTS;

8 (C) POTENTIAL GERIATRIC IMPACTS;

9 (D) POTENTIAL PEDIATRIC IMPACTS; AND

10 (E) ANY OTHER POTENTIAL LONG-TERM ADVERSE HEALTH
11 IMPACTS;

12 (d) AN EXPLANATION OF THE DIFFERENCE BETWEEN A COVERED
13 REPORT AND A WARNING-LEVEL COVERED REPORT;

14 (e) THE LANGUAGE DESCRIBED IN SECTION 24-32-3704 (3)(b)(I)
15 AND (4)(b)(I);

16 (f) A MECHANISM FOR MEDICAL PROFESSIONALS TO OPT IN TO THE
17 NOTIFICATIONS PROVIDED BY THE COUNTY PUBLIC HEALTH DEPARTMENTS
18 PURSUANT TO SECTION 24-32-3704 (3)(a);

19 (g) A MECHANISM FOR THE PUBLIC TO OPT IN TO A COUNTY'S
20 PUBLIC EMERGENCY NOTIFICATION SYSTEM, IF AVAILABLE, PURSUANT TO
21 SECTION 24-32-3704 (4)(a)(I);

22 (h) AN ENTRY FOR EACH COVERED REPORT RECEIVED ON AND
23 AFTER JULY 1, 2025, BY THE INDIVIDUAL DESIGNATED BY THE EXECUTIVE
24 DIRECTOR OF THE DEPARTMENT PURSUANT TO SECTION 24-32-3704 (5)(b),
25 WHICH ENTRY MUST INCLUDE:

26 (I) A POSTING OF THE COVERED REPORT;

27 (II) AN EXPLANATION OF HOW TO CONTACT THE COMMISSION FOR

1 MORE DETAILS ABOUT THE COVERED REPORT; AND

2 (III) THE INFORMATION DESCRIBED IN SUBSECTION (3)(c) OF THIS
3 SECTION FOR EACH HAZARDOUS CHEMICAL INVOLVED IN THE INCIDENT;

4 (i) INTERNET WEBSITE ADDRESSES FOR OTHER RESOURCES DEEMED
5 BY THE COMMISSION TO BE RELEVANT TO THE CONTENT OF THE WEBSITE;

6 (j) A TRAINING CURRICULUM FOR USE IN THE TRAININGS
7 CONDUCTED PURSUANT TO SUBSECTION (7) OF THIS SECTION; AND

8 (k) ANY ADDITIONAL CONTENT THAT THE COMMITTEE DEEMS
9 NECESSARY PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION.

10 (4) (a) THE MEMBERS OF THE COMMITTEE SHALL MEET ON A
11 MONTHLY BASIS DURING THE FIRST YEAR AFTER THE FIRST APPOINTMENTS
12 TO THE COMMITTEE ARE MADE TO:

13 (I) DEVELOP CONTENT FOR THE WEBSITE IN ACCORDANCE WITH
14 THE REQUIREMENTS DESCRIBED IN SUBSECTION (3) OF THIS SECTION; AND

15 (II) ENSURE THAT THE INDIVIDUAL DESIGNATED BY THE
16 EXECUTIVE DIRECTOR OF THE DEPARTMENT PURSUANT TO SECTION
17 24-32-3704 (5)(b) IS ABLE TO POST COVERED REPORTS ON THE WEBSITE.

18 (b) THE WEBSITE MUST INCORPORATE A TRANSLATION SERVICE
19 COMPATIBLE WITH THE WEBSITE'S DEVELOPMENT SOFTWARE THAT
20 ALLOWS USERS TO SELECT A LANGUAGE OF CHOICE FOR READING THE
21 WEBSITE CONTENT.

22 (c) BEGINNING IN THE 2026 CALENDAR YEAR, AND IN EACH
23 CALENDAR YEAR THEREAFTER, THE MEMBERS OF THE COMMITTEE SHALL
24 MEET ON A QUARTERLY BASIS TO MAKE UPDATES TO THE CONTENT OF THE
25 WEBSITE THAT THE COMMITTEE DETERMINES TO BE USEFUL TO MEDICAL
26 PROFESSIONALS AND THE PUBLIC.

27 (d) ON OR BEFORE JULY 1, 2025, AND ON OR BEFORE EACH JULY 1

1 THEREAFTER, THE COMMITTEE SHALL SUBMIT A REPORT OF THE
2 COMMITTEE'S WORK PURSUANT TO THIS SECTION TO THE DEPARTMENT.

3 (e) ON OR BEFORE JULY 1, 2025, AND ON OR BEFORE EACH JULY 1
4 THEREAFTER, THE COMMITTEE SHALL NOTIFY THE PUBLIC ABOUT THE
5 WEBSITE, WHICH NOTIFICATION MUST INCLUDE:

6 (I) AN INTERNET WEBSITE ADDRESS FOR THE WEBSITE; AND

7 (II) INSTRUCTIONS ON HOW TO OPT IN TO A COUNTY'S PUBLIC
8 EMERGENCY NOTIFICATION SYSTEM, IF AVAILABLE, PURSUANT TO SECTION
9 24-32-3704 (4)(a)(I).

10 (5) (a) THE DEPARTMENT SHALL PROVIDE ADMINISTRATIVE
11 SUPPORT TO THE COMMITTEE AS MAY BE NECESSARY TO IMPLEMENT THIS
12 SECTION. THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
13 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
14 PURPOSES OF THIS SECTION.

15 (b) THE HAZARDOUS CHEMICAL NOTIFICATION WEBSITE MUST BE
16 ACCESSIBLE FROM THE HOMEPAGE OF THE DEPARTMENT'S WEBSITE.

17 (6) (a) (I) ON OR BEFORE JULY 1, 2026, AND ON OR BEFORE EACH
18 JULY 1 THEREAFTER, THE DEPARTMENT SHALL SUBMIT THE HAZARDOUS
19 CHEMICAL NOTIFICATION REPORT AS A WRITTEN REPORT TO THE HEALTH
20 AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES
21 AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR
22 ANY SUCCESSOR COMMITTEES, WHICH REPORT MUST INCLUDE, FOR THE
23 PREVIOUS YEAR, A SUMMARY OF THE NOTIFICATIONS MADE BY:

24 (A) OPERATORS PURSUANT TO SECTION 24-32-3704 (1);

25 (B) NOTIFICATION AGENCIES PURSUANT TO SECTION 24-32-3704
26 (2);

27 (C) COUNTY PUBLIC HEALTH DEPARTMENTS PURSUANT TO SECTION

1 24-32-3704 (3); AND

2 (D) COUNTY EMERGENCY NOTIFICATION PARTIES PURSUANT TO
3 SECTION 24-32-3704 (4).

4 (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
5 REPORTING REQUIREMENT IN THIS SUBSECTION (6) CONTINUES UNTIL THE
6 REPEAL OF THIS SECTION PURSUANT TO SUBSECTION (8) OF THIS SECTION.

7 (b) THE DEPARTMENT SHALL DIRECT THE HAZARDOUS CHEMICAL
8 NOTIFICATION COMMITTEE TO POST EACH HAZARDOUS CHEMICAL
9 NOTIFICATION REPORT ON THE HAZARDOUS CHEMICAL NOTIFICATION
10 WEBSITE.

11 (7) (a) ON OR BEFORE JULY 1, 2025, AND AT LEAST ONCE IN EACH
12 CALENDAR YEAR THEREAFTER, A COUNTY PUBLIC HEALTH DEPARTMENT
13 AND A COUNTY NOTIFICATION PARTY SHALL PROVIDE A TRAINING TO
14 MEDICAL PROFESSIONALS AND THE PUBLIC ON THE SHORT-TERM AND
15 LONG-TERM ADVERSE HEALTH IMPACTS OF EXPOSURE TO HAZARDOUS
16 CHEMICALS AND THE NOTIFICATION REQUIREMENTS OF SECTION
17 24-32-3704, USING THE TRAINING CURRICULUM DEVELOPED BY THE
18 COMMITTEE PURSUANT TO SUBSECTION (3)(j) OF THIS SECTION.

19 (b) THE INDIVIDUALS PROVIDING TRAINING PURSUANT TO
20 SUBSECTION (1) OF THIS SECTION MUST INCLUDE:

21 (I) A REPRESENTATIVE OF THE DEPARTMENT;

22 (II) A MEDICAL PROFESSIONAL WITH EXPERIENCE IN TOXICOLOGY;

23 (III) A MEDICAL PROFESSIONAL EMPLOYED BY THE COUNTY PUBLIC
24 HEALTH DEPARTMENT; AND

25 (IV) A MEMBER OF THE COMMITTEE.

26 (8) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2034.
27 BEFORE THE REPEAL, THE COMMITTEE IS SCHEDULED FOR REVIEW IN

1 ACCORDANCE WITH SECTION 2-3-1203.

2 **24-32-3706. Enforcement - penalties - waiver of liability.**

3 (1) AN OPERATOR THAT VIOLATES SECTION 24-32-3704 (1) IS SUBJECT TO
4 A PENALTY OF NO MORE THAN ONE THOUSAND DOLLARS FOR EACH DAY
5 THAT A VIOLATION CONTINUES. THE COMMISSION MAY ADMINISTER THE
6 PENALTY AFTER NOTICE AND A HEARING IN ACCORDANCE WITH SECTION
7 24-4-105.

8 (2) THE COMMISSION SHALL TRANSMIT ALL PENALTIES COLLECTED
9 PURSUANT TO SUBSECTION (1) OF THIS SECTION TO THE STATE TREASURER,
10 WHO SHALL CREDIT THE PENALTIES TO THE ENERGY AND CARBON
11 MANAGEMENT CASH FUND CREATED IN SECTION 34-60-124.

12 (3) IF AN OPERATOR VIOLATES SECTION 24-32-3704 (1) THREE OR
13 MORE TIMES, THE OPERATOR MAY NOT CLAIM A WAIVER OF LIABILITY FOR
14 DAMAGES RELATED TO THE THIRD OR SUBSEQUENT VIOLATION.

15 **SECTION 2.** In Colorado Revised Statutes, 2-3-1203, **add**
16 (25)(a)(III) as follows:

17 **2-3-1203. Sunset review of advisory committees - legislative**
18 **declaration - definition - repeal.** (25) (a) The following statutory
19 authorizations for the designated advisory committees will repeal on
20 September 1, 2034:

21 (III) THE HAZARDOUS CHEMICAL NOTIFICATION COMMITTEE
22 CREATED IN SECTION 24-32-3705 (1).

23 **SECTION 3.** In Colorado Revised Statutes, 34-60-124, **amend**
24 (1)(f) and (1)(g); and **add** (1)(h) as follows:

25 **34-60-124. Energy and carbon management cash fund -**
26 **definitions - repeal.** (1) The state treasurer shall credit the following
27 money to the fund:

1 (f) Money recovered from the sale of salvaged equipment, as
2 provided for in subsection (6)(c) of this section; ~~and~~

3 (g) Money credited to the fund pursuant to sections 34-64-108 (4)
4 and 37-90.5-106 (4); AND

5 (h) MONEY CREDITED TO THE FUND PURSUANT TO SECTION
6 24-32-3706 (2).

7 **SECTION 4. Safety clause.** The general assembly finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety or for appropriations for
10 the support and maintenance of the departments of the state and state
11 institutions.