

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Energy & Environment.

HB25-1042 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, **add** 25-7-110.9 as
4 follows:

5 **25-7-110.9. Air quality control rule-making - economic impact**
6 **analysis procedures - cost-benefit analyses - report - definitions -**
7 **repeal.** (1) AS USED IN THIS SECTION:

8 (a) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
9 AND ENVIRONMENT.

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

12 (c) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
13 THE DEPARTMENT.

14 (d) "WORKFORCE IMPACT" MEANS THE IMPACT OF AIR QUALITY
15 CONTROL RULES PROPOSED BY THE DEPARTMENT, COMMISSION, OR AIR
16 POLLUTION CONTROL DIVISION ON EMPLOYMENT THAT MAY RESULT IN JOB
17 LOSS OR GAIN, WORKER DISPLACEMENT, WORKFORCE TRANSITIONS,
18 EXPANSION OR DOWNSIZING OF BUSINESSES, MAJOR INDUSTRY-WIDE
19 WORKFORCE CHANGE, DISRUPTION IN OPERATIONS, CHANGES IN
20 WORKPLACE SAFETY, AN IMPACT ON THE OVERALL HEALTH OF THE
21 WORKFORCE, OR AN ECONOMIC IMPACT TO THE STATE.

22 (2) THE EXECUTIVE DIRECTOR SHALL CONDUCT AN INTERNAL
23 REVIEW OF:

24 (a) THE ECONOMIC IMPACT ANALYSIS PROCEDURES USED BY THE
25 COMMISSION IN THE ADOPTION OF AIR QUALITY CONTROL RULES; AND

26 (b) THE COST-BENEFIT ANALYSES CONDUCTED DURING THE AIR
27 QUALITY CONTROL RULE-MAKING PROCESS PURSUANT TO SECTION
28 24-4-103 (2.5).

29 (3) THE INTERNAL REVIEW REQUIRED BY SUBSECTION (2) OF THIS
30 SECTION MUST INCLUDE:

31 (a) A REVIEW OF THE COMMISSION'S AIR QUALITY CONTROL
32 RULE-MAKING PROCESS IN ORDER TO ASSESS HOW IT IS CURRENTLY
33 WORKING AND MAY BE IMPROVED;

34 (b) A REPORT ON THE ECONOMIC FACTORS THAT THE COMMISSION
35 CONSIDERS AND USES IN AN ECONOMIC IMPACT ANALYSIS OR A
36 COST-BENEFIT ANALYSIS AND HOW THE INFORMATION REGARDING
37 WORKFORCE IMPACTS IS TYPICALLY CONSIDERED WHEN CONDUCTING THE
38 ANALYSIS;

39 (c) AN EXPLANATION OF HOW ANALYSES THAT INCLUDE
40 INFORMATION ON WORKFORCE IMPACTS ARE USED BY THE COMMISSION

1 DURING THE ADOPTION OF AIR QUALITY CONTROL RULES;

2 (d) A REPORT ON THE EXTENT TO WHICH WORKFORCE IMPACTS ARE
3 CONSIDERED DURING THE CURRENT AIR QUALITY CONTROL RULE-MAKING
4 PROCESS AND HOW CONSIDERATION OF WORKFORCE IMPACTS ARE
5 INCORPORATED INTO EXISTING ECONOMIC ANALYSIS OR COST-BENEFIT
6 ANALYSIS PROCEDURES;

7 (e) AN EXPLANATION OF THE PARAMETERS AND LIMITATIONS THAT
8 EXIST IN CURRENT STATE AND FEDERAL LAW;

9 (f) CONSIDERATIONS OR RECOMMENDATIONS FROM THE
10 DEPARTMENT AS TO WHETHER HAVING A STANDING WORKFORCE
11 ADVISORY COUNCIL IN THE DEPARTMENT WOULD IMPROVE AND SUPPORT
12 THE ECONOMIC IMPACT ANALYSIS AND RELATED PROCEDURES AND
13 WHETHER THE DEPARTMENT HAS ANY RECOMMENDATIONS AS TO HOW
14 SUCH A WORKFORCE ADVISORY COUNCIL WOULD BE CONFIGURED AND
15 WHAT WOULD BE INCLUDED IN ITS OVERALL MISSION;

16 (g) SPECIFIC EXAMPLES OF COMPLETED ECONOMIC IMPACT
17 ANALYSES WHERE WORKFORCE IMPACTS WERE CONSIDERED OR NOT
18 CONSIDERED IN THE AIR QUALITY CONTROL RULE-MAKING PROCESS AND
19 THE REASONS EACH ECONOMIC IMPACT ANALYSIS DID OR DID NOT INCLUDE
20 CONSIDERATION OF WORKFORCE IMPACTS; AND

21 (h) LEGAL AND PROCEDURAL CONSIDERATIONS AND
22 RECOMMENDATIONS CONCERNING HOW MORE QUALITATIVE AND
23 QUANTITATIVE DATA RELATED TO WORKFORCE IMPACTS COULD BE ADDED
24 TO THE ECONOMIC IMPACT ANALYSIS AND COST-BENEFIT ANALYSIS
25 PROCEDURES IN A MANNER THAT WOULD NOT CONFLICT WITH STATE OR
26 FEDERAL LAW OR UNDERMINE THE PROCESS OF REGULATING AIR
27 POLLUTION OR REDUCING GREENHOUSE GAS EMISSIONS IN THIS STATE.

28 (4) THE EXECUTIVE DIRECTOR SHALL PREPARE A DRAFT REPORT OF
29 THE REVIEW CONTAINING THE ELEMENTS DESCRIBED IN SUBSECTION (3) OF
30 THIS SECTION AND, UPON COMPLETION OF THE DRAFT REPORT, ENGAGE
31 STAKEHOLDERS TO REVIEW THE REPORT AND PROVIDE INPUT FOR THE
32 FINAL REPORT THAT THE EXECUTIVE DIRECTOR SHALL SUBMIT TO THE
33 GENERAL ASSEMBLY. THE DEPARTMENT SHALL SOLICIT INPUT FROM
34 REGULATED BUSINESSES, BUSINESSES AND PROFESSIONAL ASSOCIATIONS,
35 ENVIRONMENTAL ORGANIZATIONS, LABOR ORGANIZATIONS,
36 ORGANIZATIONS THAT REPRESENT DISPROPORTIONATELY IMPACTED
37 COMMUNITIES, OTHER EXECUTIVE DEPARTMENTS, AND OTHER
38 ORGANIZATIONS THAT EXPRESS INTEREST IN PROVIDING INPUT. THE
39 EXECUTIVE DIRECTOR MAY INCLUDE IN THEIR SOLICITATION OF INPUT
40 SPECIFIC RECOMMENDATIONS FROM STAKEHOLDERS CONCERNING POLICIES
41 AND PROCEDURES TO EXPAND THE ECONOMIC IMPACT ANALYSES AND THE
42 COST-BENEFIT ANALYSES.

43 (5) ON OR BEFORE JANUARY 1, 2026, THE EXECUTIVE DIRECTOR
44 SHALL SUBMIT THE FINAL REPORT DESCRIBED IN SUBSECTION (4) OF THIS
45 SECTION TO THE HOUSE OF REPRESENTATIVES ENERGY AND ENVIRONMENT

1 COMMITTEE OR ITS SUCCESSOR COMMITTEE SPECIFYING HOW THE
2 DEPARTMENT INTENDS TO IMPROVE THE ECONOMIC IMPACT ANALYSES AND
3 THE COST-BENEFIT ANALYSES FOR THE AIR QUALITY CONTROL
4 RULE-MAKING PROCEDURES AND INCLUDING ANY ADDITIONAL RESOURCES
5 NECESSARY TO EFFECT CHANGE, STAFFING CHALLENGES THAT NEED TO BE
6 ADDRESSED, AND OTHER RECOMMENDATIONS THAT MAY REQUIRE A
7 CLARIFICATION OR CHANGE IN STATE LAW.

8 (6) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2026.

9 **SECTION 2. Safety clause.** The general assembly finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety or for appropriations for
12 the support and maintenance of the departments of the state and state
13 institutions.".

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