

SB101\_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Energy.

SB26-101 be amended as follows:

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

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

5 (a) On December 18, 2025, the air quality control commission in  
6 the department of public health and environment adopted Regulation  
7 Number 31, "Control of Methane Emissions from Municipal Solid Waste  
8 Landfills", 5 CCR 1001-35, to reduce methane emissions and other air  
9 pollutants from municipal solid waste landfills;

10 (b) Regulation 31 requires municipal solid waste landfills to  
11 reduce methane emissions through the installation and operation of gas  
12 collection and control systems and improved monitoring and gas  
13 management, thereby supporting cleaner air and lowering greenhouse gas  
14 emissions; and

15 (c) Compliance with Regulation 31 may impose a financial burden  
16 on some entities that own or operate municipal solid waste landfills.

17 (2) The general assembly further finds and declares that:

18 (a) The community impact cash fund was created in section  
19 25-7-129, Colorado Revised Statutes, to provide financial assistance for  
20 environmental mitigation projects through the environmental justice grant  
21 program using air quality-related penalty revenue. The community impact  
22 cash fund is an existing source of state financial assistance intended to  
23 address impacts of air and water quality to local communities and  
24 infrastructures.

25 (b) The local government mineral impact fund, created in section  
26 34-63-102 (5), Colorado Revised Statutes, consists of money that is  
27 distributed by the executive director of the department of local affairs to  
28 counties, federal mineral lease districts, and municipalities in accordance  
29 with guidelines established by the executive director in consultation with  
30 the energy impact assistance advisory committee;

31 (c) It is the intent of the general assembly that money in the  
32 community impact cash fund and local government mineral impact fund  
33 may be used to assist entities in complying with Regulation 31;

34 (d) In determining any financial assistance for municipal solid  
35 waste landfill methane emission reduction projects, priority should be  
36 given to municipal solid waste landfills that are owned or operated by  
37 local governments in recognition of local governments' limited access to  
38 private capital; and

39 (e) Clarifying the availability and prioritization of these funding  
40 sources will support timely compliance with Regulation 31, protect public

1 health, and reduce greenhouse gas emissions.

2 **SECTION 2.** In Colorado Revised Statutes, 25-7-129, **add** (3)(g)  
3 as follows:

4 **25-7-129. Disposition of fines - community impact cash fund**  
5 **- repeal.**

6 (3) (g) (I) PURSUANT TO THE DEPARTMENT OF PUBLIC HEALTH AND  
7 ENVIRONMENT'S AUTHORITY TO EXPEND MONEY FROM THE FUND TO  
8 PROVIDE GRANTS FOR ENVIRONMENTAL MITIGATION PROJECTS PURSUANT  
9 TO SECTION 25-1-134 (2)(g)(VII), THE DEPARTMENT MAY EXPEND MONEY  
10 FROM THE FUND TO PROVIDE GRANTS TO LOCAL GOVERNMENTS FOR  
11 MUNICIPAL SOLID WASTE LANDFILL METHANE EMISSION REDUCTION  
12 PROJECTS THAT ARE CONDUCTED IN ACCORDANCE WITH RULES ADOPTED  
13 BY THE COMMISSION UNDER THIS ARTICLE 7 AND THAT QUALIFY AS  
14 ENVIRONMENTAL MITIGATION PROJECTS, AS DEFINED IN SECTION 25-1-134  
15 (4)(b).

16 (II) THE ENVIRONMENTAL JUSTICE ADVISORY BOARD, CREATED IN  
17 SECTION 25-1-134 (2)(a), SHALL PRIORITIZE A GRANT REQUEST FOR THE  
18 PURPOSE OF COMPLYING WITH MUNICIPAL SOLID WASTE LANDFILL  
19 METHANE EMISSION REDUCTION REQUIREMENTS FROM A LOCAL  
20 GOVERNMENT THAT OWNS OR OPERATES A MUNICIPAL SOLID WASTE  
21 LANDFILL OVER A GRANT REQUEST FROM A PRIVATE ENTITY THAT OWNS  
22 OR OPERATES A MUNICIPAL SOLID WASTE LANDFILL.

23 (III) A LOCAL GOVERNMENT SHALL USE MONEY EXPENDED BY THE  
24 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO  
25 SUBSECTION (3)(g)(I) OF THIS SECTION AS SUPPLEMENTAL FUNDING ONLY  
26 AND NOT AS THE EXCLUSIVE SOURCE OF FUNDING FOR COMPLIANCE WITH  
27 MUNICIPAL SOLID WASTE LANDFILL METHANE EMISSION REDUCTION  
28 REQUIREMENTS. WITH THE EXCEPTION OF SUPPLEMENTAL FUNDING  
29 GRANTS FOR ENVIRONMENTAL MITIGATION PROJECTS PROVIDED PURSUANT  
30 TO SUBSECTION (3)(g)(I) OF THIS SECTION, NOTHING IN THIS SUBSECTION  
31 (3)(g) RELIEVES A LOCAL GOVERNMENT OF THE RESPONSIBILITY TO  
32 OTHERWISE ENSURE ADEQUATE FUNDING FOR MUNICIPAL SOLID WASTE  
33 LANDFILL METHANE EMISSION REDUCTION PROJECTS IN COMPLIANCE WITH  
34 APPLICABLE COMMISSION RULES.

35 **SECTION 3. Act subject to petition - effective date -**  
36 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
37 the expiration of the ninety-day period after final adjournment of the  
38 general assembly (August 12, 2026, if adjournment sine die is on May 13,  
39 2026); except that, if a referendum petition is filed pursuant to section 1  
40 (3) of article V of the state constitution against this act or an item, section,  
41 or part of this act within such period, then the act, item, section, or part  
42 will not take effect unless approved by the people at the general election  
43 to be held in November 2026 and, in such case, will take effect on the  
44 date of the official declaration of the vote thereon by the governor.

1 (2) This act applies to conduct occurring on or after the applicable  
2 effective date of this act."

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