

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB24-123 be amended as follows:

- 1 Amend printed bill, page 4, after line 1 insert:
 - 2 "(f) THE WASTE TIRE MANAGEMENT ENTERPRISE WILL AID IN THE
 - 3 PROPER MANAGEMENT OF WASTE TIRES BY PROVIDING FINANCIAL
 - 4 INCENTIVES AND REBATES FOR THE RECYCLING OF WASTE TIRES INTO
 - 5 END-USE TIRE-DERIVED PRODUCTS, WHICH FINANCIAL INCENTIVES AND
 - 6 REBATES DIRECTLY COMPENSATE PEOPLE WHO PROPERLY DISPOSE OF OR
 - 7 RECYCLE WASTE TIRES, PROVIDE FEE PAYERS MORE CONVENIENT WASTE
 - 8 TIRE AND DISPOSAL OPTIONS, INCREASE THE PRODUCTION OF TIRE-DERIVED
 - 9 PRODUCTS, AND POSITIVELY IMPACT HUMAN HEALTH AND SAFETY AND
 - 10 THE ENVIRONMENT;"
- 11 Reletter succeeding paragraphs accordingly.
- 12 Page 4, line strike lines 15 through 18 and substitute "PROVIDING THE
- 13 BUSINESS SERVICES SPECIFIED IN SECTIONS 30-20-1404 AND 30-20-1405
- 14 TO CONSUMERS WHO ULTIMATELY PAY THE ENTERPRISE FEE, WHICH
- 15 ENTERPRISE FEE IS IMPOSED AT RATES THAT ARE REASONABLY
- 16 CALCULATED BASED ON THE BENEFITS RECEIVED BY THOSE CONSUMERS;"
- 17 Page 5, line 7, after "(2)" insert "(a)".
- 18 Page 5, line 9, strike "this part 14." and substitute "~~this part 14.~~".
- 19 Page 5, line 12, strike "14." and substitute "14 SECTIONS 30-20-1403,
- 20 30-20-1404, AND 30-20-1405, AS APPLICABLE."
- 21 Page 5, before line 13 insert:
 - 22 "(b) THE COMMISSION, IN CONSULTATION WITH THE DEPARTMENT,
 - 23 SHALL PROMULGATE RULES FOR THE IMPLEMENTATION AND ENFORCEMENT
 - 24 OF SECTIONS 30-20-1403 AND 30-20-1405.5 AND OTHER SECTIONS OF THIS
 - 25 PART 14, AS APPLICABLE."
- 26 Page 5, line 14, after "(4.5)," insert "(12.5),".
- 27 Page 5, strike lines 21 and 22 and substitute:
 - 28 "(12.5) "WASTE TIRE ADMINISTRATION FEE" OR "ADMINISTRATION
 - 29 FEE" MEANS MONEY COLLECTED PURSUANT TO SECTION 30-20-1403 (2)(b).
 - 30 (14.5) "WASTE TIRE ENTERPRISE FEE" OR "ENTERPRISE FEE" MEANS
 - 31 MONEY COLLECTED PURSUANT TO SECTION 30-20-1403 (2)(a)."
- 32 Page 5, strike line 26 and substitute "**directors - waste tire enterprise**

1 **fee - waste tire administration fee - distribution - rules.**
2 **(1) Enterprise."**

3 Page 6, line 5, strike "THE" and strike "INDUSTRY" and substitute
4 "STRATEGIES".

5 Page 6, after line 20 insert:
6 "(IV) THE REPEAL OF THE WASTE TIRE FEE, AS IT EXISTED
7 PURSUANT TO SECTION 30-20-1403, BEFORE ITS REPEAL BY SENATE BILL
8 24-123, ENACTED IN 2024, AND THE CREATION OF THE WASTE TIRE
9 MANAGEMENT ENTERPRISE AS A NEW ENTERPRISE TO CHARGE AND
10 COLLECT A NEW WASTE TIRE ENTERPRISE FEE AS AUTHORIZED BY
11 SUBSECTION (2) OF THIS SECTION AND TO PROVIDE AND PROMOTE WASTE
12 TIRE RECYCLING AND MANAGEMENT STRATEGIES AND SERVICES FUNDED
13 BY THE WASTE TIRE ENTERPRISE FEE AS A NEW GOVERNMENT-OWNED
14 BUSINESS THAT PROVIDES BUSINESS SERVICES AS A NEW ENTERPRISE FOR
15 THE PURPOSE OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION,
16 DOES NOT CONSTITUTE THE QUALIFICATION OF AN EXISTING
17 GOVERNMENT-OWNED BUSINESS AS AN ENTERPRISE FOR THE PURPOSES OF
18 SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR SECTION
19 24-77-103.6 (6)(b)(II), AND, THEREFORE, DOES NOT REQUIRE OR
20 AUTHORIZE ADJUSTMENT OF THE STATE FISCAL YEAR SPENDING LIMIT
21 CALCULATED PURSUANT TO SECTION 20 OF ARTICLE X OF THE STATE
22 CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS DEFINED IN
23 SECTION 24-77-103.6 (6)(b)(I)."

24 Page 7, line 8, after "(VI)" insert "(A)".

25 Page 7, line 9, strike "INCLUDING" and substitute "WHICH MAY INCLUDE".

26 Page 7, after line 15 insert:
27 "(B) THE ENTERPRISE SHALL PAY A FAIR MARKET RATE TO ANY
28 CONTRACTOR, CONSULTANT, OR LEGAL COUNSEL, WHICH MAY INCLUDE
29 THE DEPARTMENT AND THE ATTORNEY GENERAL'S OFFICE, THAT IS HIRED
30 BY THE ENTERPRISE TO PERFORM DUTIES PURSUANT TO THIS SUBSECTION
31 (1)(b)."

32 Page 7, strike lines 22 and 23 and substitute, "DEPARTMENT WHO
33 REPRESENTS A COUNTY THAT HAS EXPERIENCE WITH THE MANAGEMENT OF
34 WASTE".

35 Page 8, line 2, after "PROCESSOR," insert "AND".

36 Page 8, strike line 3 and substitute, "TIRE HAULER. TO THE EXTENT
37 PRACTICABLE,".

- 1 Page 9, line 11, after "BOARD." add "IN ACCORDANCE WITH SUBSECTION
2 (1)(b)(VI)(B) OF THIS SECTION, THE ENTERPRISE SHALL PAY THE
3 DEPARTMENT A FAIR MARKET RATE FOR ANY OFFICE SPACE OR
4 ADMINISTRATIVE STAFF USED BY THE BOARD IN PERFORMANCE OF THE
5 ENTERPRISE'S DUTIES."
- 6 Page 9, strike line 12 and substitute:
7 "(2) **Waste tire enterprise fee and waste tire administration**
8 **fee.** (a) (I) EFFECTIVE JULY 1, 2025, AND".
- 9 Page 9, line 18, strike "JANUARY" and substitute "JULY".
- 10 Page 9, line 21, after the second "TIRE" insert "ENTERPRISE".
- 11 Page 9, strike lines 22 through 24 and substitute, "FEE IS IMPOSED IN AN
12 AMOUNT THAT IS:
13 (A) REASONABLY RELATED TO THE DIRECT AND INDIRECT COSTS
14 OF OPERATING THE ENTERPRISE IN ACCORDANCE WITH THIS PART 14 AND
15 THE SERVICES PROVIDED BY THE".
- 16 Strike page 10 and substitute:
17 "(B) SUFFICIENT TO PAY COSTS ASSOCIATED WITH PROVIDING
18 REBATES AS DESCRIBED IN SECTION 30-20-1405.
19 (b) (I) EFFECTIVE JULY 1, 2025, AND CONTINUING THROUGH
20 DECEMBER 31, 2040, RETAILERS OF NEW MOTOR VEHICLE TIRES AND NEW
21 TRAILER TIRES SHALL COLLECT A WASTE TIRE ADMINISTRATION FEE IN AN
22 AMOUNT TO BE SET BY THE COMMISSION, IN COORDINATION WITH THE
23 DEPARTMENT.
24 (II) THE COMMISSION MAY REVIEW THE WASTE TIRE
25 ADMINISTRATION FEE ON AN ANNUAL BASIS AND ADJUST THE
26 ADMINISTRATION FEE AMOUNT SO THAT IT COVERS THE DIRECT AND
27 INDIRECT COSTS OF CONDUCTING THE REGULATORY AND ADMINISTRATIVE
28 FUNCTIONS OF THE DEPARTMENT IN IMPLEMENTING THIS PART 14.
29 (III) THE WASTE TIRE ADMINISTRATION FEE AMOUNT MUST NOT
30 EXCEED HALF OF THE AMOUNT OF THE WASTE TIRE ENTERPRISE FEE;
31 EXCEPT THAT THE MINIMUM AMOUNT OF THE WASTE TIRE
32 ADMINISTRATION FEE ON THE SALE OF EACH NEW TIRE MUST BE FIFTY
33 CENTS OR MORE.
34 (c) (I) ON AND AFTER JULY 1, 2025, RETAILERS OF NEW MOTOR
35 VEHICLE TIRES AND NEW TRAILER TIRES SHALL COLLECT BOTH THE
36 ENTERPRISE FEE AND THE ADMINISTRATION FEE FROM THE CONSUMER AT
37 THE POINT OF SALE.
38 (II) THE RECEIPT FROM THE RETAILER TO THE CONSUMER FOR
39 EVERY NEW MOTOR VEHICLE OR NEW TRAILER TIRE PURCHASED MUST
40 CONTAIN THE FOLLOWING STATEMENT IN THE LARGEST BOLD-FACED TYPE

1 CAPABLE BASED ON POINT-OF-SALE SOFTWARE AND ON EXISTING INVOICE
2 PRINTERS, NOT TO EXCEED FIFTEEN POINTS: **"SECTION 30-20-1403,**
3 **COLORADO REVISED STATUTES, REQUIRES RETAILERS TO COLLECT A**
4 **WASTE TIRE ENTERPRISE FEE SET BY THE WASTE TIRE MANAGEMENT**
5 **ENTERPRISE, WHICH IS A GOVERNMENT-OWNED BUSINESS WITHIN THE**
6 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND A WASTE**
7 **TIRE ADMINISTRATION FEE, SET BY THE SOLID AND HAZARDOUS WASTE**
8 **COMMISSION ON THE SALE OF EACH NEW MOTOR VEHICLE TIRE AND**
9 **EACH NEW TRAILER TIRE."**

10 (III) THE RETAILER SHALL SUBMIT TO THE ENTERPRISE BY THE
11 TWENTIETH DAY OF EACH QUARTER OF EACH CALENDAR YEAR THE
12 ENTERPRISE FEE COLLECTED PURSUANT TO THIS SECTION IN THE
13 PRECEDING QUARTER OF THE CALENDAR YEAR, TOGETHER WITH ANY
14 REPORT REQUIRED BY THE ENTERPRISE. THE ENTERPRISE SHALL TRANSMIT
15 THE ENTERPRISE FEES TO THE STATE TREASURER, WHO SHALL CREDIT
16 THEM IN ACCORDANCE WITH SUBSECTION (3)(a) OF THIS SECTION OR AS
17 SPECIFIED IN RULES PROMULGATED BY THE COMMISSION.

18 (IV) THE RETAILER SHALL SUBMIT TO THE DEPARTMENT BY THE
19 TWENTIETH DAY OF EACH QUARTER OF EACH CALENDAR YEAR THE
20 ADMINISTRATION FEE COLLECTED PURSUANT TO THIS SECTION IN THE
21 PRECEDING QUARTER OF THE CALENDAR YEAR, TOGETHER WITH ANY
22 REPORT REQUIRED BY THE DEPARTMENT. THE DEPARTMENT SHALL
23 TRANSMIT THE ADMINISTRATION FEES TO THE STATE TREASURER, WHO
24 SHALL CREDIT THEM IN ACCORDANCE WITH SUBSECTION (3)(b) OF THIS
25 SECTION OR AS SPECIFIED IN RULES PROMULGATED BY THE COMMISSION.

26 (3) (a) FROM JULY 1, 2025, THROUGH JANUARY 31, 2041, THE
27 STATE TREASURER SHALL DISTRIBUTE THE REVENUE FROM THE WASTE
28 TIRE ENTERPRISE FEE ASSESSED IN SUBSECTION (2)(a) AS FOLLOWS:

29 (I) THE PORTION OF THE ENTERPRISE FEE COLLECTED TO COVER
30 THE COSTS DESCRIBED IN SUBSECTION (2)(a)(II)(A) OF THIS SECTION TO
31 THE WASTE TIRE MANAGEMENT ENTERPRISE FUND CREATED IN SECTION
32 30-20-1404;

33 (II) THE PORTION OF THE ENTERPRISE FEE COLLECTED TO COVER
34 THE COSTS DESCRIBED IN SUBSECTION (2)(a)(II)(B) OF THIS SECTION TO
35 THE END USERS FUND CREATED IN SECTION 30-20-1405;

36 (III) ALL INTEREST EARNED ON THE INVESTMENT OF MONEY IN THE
37 WASTE TIRE MANAGEMENT ENTERPRISE FUND TO THE WASTE TIRE
38 MANAGEMENT ENTERPRISE FUND. ANY UNEXPENDED AND UNENCUMBERED
39 MONEY IN THE WASTE TIRE MANAGEMENT ENTERPRISE FUND AT THE END
40 OF ANY FISCAL YEAR SHALL REMAIN IN THE WASTE TIRE MANAGEMENT
41 ENTERPRISE FUND; AND

42 (IV) ALL INTEREST EARNED ON THE INVESTMENT OF MONEY IN THE
43 END USERS FUND TO THE END USERS FUND. ANY UNEXPENDED AND
44 UNENCUMBERED MONEY IN THE END USERS FUND AT THE END OF ANY
45 FISCAL YEAR SHALL REMAIN IN THE END USERS FUND.

1 (b) (I) FROM JULY 1, 2025, THROUGH JANUARY 31, 2041, THE
2 STATE TREASURER SHALL DISTRIBUTE THE REVENUE FROM THE WASTE
3 TIRE ADMINISTRATION FEE ASSESSED IN SUBSECTION (2)(b) OF THIS
4 SECTION TO THE WASTE TIRE ADMINISTRATION FUND CREATED IN SECTION
5 30-20-1405.5.

6 (II) ALL INTEREST EARNED ON THE INVESTMENT OF MONEY IN THE
7 WASTE TIRE ADMINISTRATION FUND TO THE WASTE TIRE ADMINISTRATION
8 FUND. ANY UNEXPENDED AND UNENCUMBERED MONEY IN THE WASTE TIRE
9 ADMINISTRATION FUND IN EXCESS OF SIXTEEN AND ONE-HALF PERCENT OF
10 THE PREVIOUS STATE FISCAL YEAR'S EXPENDITURES AT THE END OF ANY
11 FISCAL YEAR SHALL REMAIN IN THE WASTE TIRE ADMINISTRATION FUND."

12 Page 11, strike lines 1 through 6.

13 Page 11, line 8, strike "(2)(b), (2)(c), (2)(f)," and after "(5)," insert "(6),".

14 Page 11, line 9, after "**repeal**" insert "(2)(b), (2)(c), (2)(d), (2)(i), (2)(j),
15 (2)(k), (2)(l), (2)(p), (3), (4), and".

16 Page 11, line 14, after "30-20-1403" insert "(2)(a)".

17 Page 11, line 20, strike "PART 14" and substitute "SECTION".

18 Page 12, strike lines 5 through 19 and substitute:

19 "(a) Collecting the WASTE TIRE ENTERPRISE fee assessed in section
20 30-20-1403 ~~(+)~~ (2)(a);

21 ~~(b) Inspecting retailers to determine whether all fees are being~~
22 ~~collected;~~

23 ~~(c) Enforcing the requirements of this part 14 pursuant to existing~~
24 ~~authority, including sections 30-20-113 and 30-20-114;~~

25 ~~(d) Developing a system to address the receipt by registered~~
26 ~~persons of unmanifested waste tires from unregistered haulers;~~

27 ~~(i) Providing grants to law enforcement, fire departments, local~~
28 ~~health departments, state agencies, and any other applicable entities for~~
29 ~~purchasing equipment and supplies to implement this part 14;~~

30 ~~(j) Training of and enforcement by entities that enforce this part~~
31 ~~14;~~

32 ~~(k) Awarding grants and developing educational programs for~~
33 ~~enforcement, fire prevention and suppression, proper waste tire~~
34 ~~management and disposal, training, and customer technical assistance;~~

35 ~~(l) Maintaining an online complaint form and processes for law~~
36 ~~enforcement, fire departments, and citizens to report potential waste tire~~
37 ~~violations;~~

38 ~~(o) Encouraging waste tire market development; and~~

39 ~~(p) Reimbursing the division of fire prevention and control in the~~

1 department of public safety for:
2 (F) ~~Inspections of facilities where waste tires are present~~
3 ~~conducted by the division to determine whether the waste tire collection~~
4 ~~facilities, waste tire processors, and waste tire monofills are in~~
5 ~~compliance with the rules promulgated by the director of the division~~
6 ~~pursuant to section 24-33.5-1203.5 (2); and~~
7 (H) ~~Technical and other assistance the division provides to the~~
8 ~~department or the public related to waste tires, including assistance~~
9 ~~related to:~~
10 (A) ~~The development of fire prevention education materials; and~~
11 (B) ~~Review of fire prevention plans."~~

12 Page 12, line 22, strike "THE DEPARTMENT" and substitute "ANY
13 CONTRACTORS USED".

14 Page 12, lines 23 and 24, strike "(3) AND (4)" and substitute "(2)(f) AND
15 (2)(g)".

16 Page 13, line 1, strike "THIS PART 14," and substitute "SECTION
17 30-20-1403,".

18 Page 13, after line 2 insert:

19 "(3) ~~If the department is denied access or if consent to access has~~
20 ~~not been given to clean up a site where the department reasonably~~
21 ~~believes waste tires exist illegally, the department may obtain from the~~
22 ~~district court for the judicial district in which the property is located a~~
23 ~~warrant to enter the property and remove the waste tires.~~

24 (4) (a) ~~In addition to any penalties assessed, the department may~~
25 ~~issue an order requiring the owner or operator to compensate the~~
26 ~~department for the cost of remediation of the site, and the department may~~
27 ~~request the attorney general to bring suit for compensation from the~~
28 ~~owner or operator for money expended remediating the site. The~~
29 ~~department shall use the recovered moneys to reimburse the fund for~~
30 ~~actual costs of remediating the site and of seeking compensation pursuant~~
31 ~~to this section. The state treasurer shall credit all additional moneys to the~~
32 ~~general fund.~~

33 (b) ~~The department may place a lien on a property on which the~~
34 ~~department funds the remediation of waste tires pursuant to this section~~
35 ~~until the costs of remediation have been repaid to the department. If~~
36 ~~complete repayment has not been made before a sale of the property, the~~
37 ~~department shall be repaid in full, to the extent possible, from proceeds~~
38 ~~of the sale."~~

39 Page 13, after line 10 insert:

40 "(6) The ~~department~~ ENTERPRISE shall, either itself or through a

- 1 contractor, create a priority abatement list of illegal waste tire disposal
2 sites.".
- 3 Page 13, line 25, strike "(6)(b)," and substitute "(6)(b)(II),".
- 4 Page 14, line 4, strike "(3)(b)." and substitute "(3)(a)(II)."
- 5 Page 15, line 23, after "type-A" insert "AND TYPE-B".
- 6 Page 16, strike lines 7 through 9.
- 7 Page 17, line 2, strike "2040," and substitute "2041,".
- 8 Page 17, line 9, strike "2041," and substitute "2042,".
- 9 Page 17, line 11, strike "JULY 1, 2042." and substitute, "DECEMBER 31,
10 2042.
- 11 **SECTION 6.** In Colorado Revised Statutes, **add** 30-20-1405.5 as
12 follows:
- 13 **30-20-1405.5. Waste tire administration fund - creation - clean**
14 **up - reimbursement - penalties - rules.** (1) (a) THERE IS CREATED IN
15 THE STATE TREASURY THE WASTE TIRE ADMINISTRATION FUND, REFERRED
16 TO IN THIS SECTION AS THE "FUND".
- 17 (b) THE FUND CONSISTS OF THE WASTE TIRE ADMINISTRATION FEE
18 REVENUE CREDITED TO THE FUND PURSUANT TO SECTION 30-20-1403
19 (2)(b) AND ANY OTHER MONEY APPROPRIATED OR TRANSFERRED TO IT.
- 20 (c) MONEY CREDITED TO THE FUND IS CONTINUOUSLY
21 APPROPRIATED TO THE DEPARTMENT FOR THE PURPOSES SET FORTH IN
22 SUBSECTION (2) OF THIS SECTION.
- 23 (2) THE DEPARTMENT MAY USE THE MONEY IN THE FUND FOR THE
24 REASONABLE DIRECT AND INDIRECT COSTS OF CONDUCTING THE
25 REGULATORY AND ADMINISTRATIVE FUNCTIONS OF THE DEPARTMENT IN
26 IMPLEMENTING THIS PART 14, INCLUDING:
- 27 (a) INSPECTING NEW MOTOR VEHICLE TIRE AND NEW TRAILER TIRE
28 RETAILERS TO DETERMINE WHETHER ALL FEES ARE BEING COLLECTED;
- 29 (b) ENFORCING THE REQUIREMENTS OF THIS PART 14 PURSUANT TO
30 EXISTING AUTHORITY, INCLUDING SECTIONS 30-20-113 AND 30-20-114;
- 31 (c) DEVELOPING A SYSTEM TO ADDRESS THE RECEIPT BY
32 REGISTERED PERSONS OF UNMANIFESTED WASTE TIRES FROM
33 UNREGISTERED WASTE TIRE HAULERS;
- 34 (d) MAINTAINING AN ONLINE COMPLAINT FORM AND PROCESS FOR
35 LAW ENFORCEMENT, FIRE DEPARTMENTS, AND CITIZENS TO REPORT
36 POTENTIAL WASTE TIRE VIOLATIONS;
- 37 (e) REIMBURSING THE DIVISION OF FIRE PREVENTION AND CONTROL
38 IN THE DEPARTMENT OF PUBLIC SAFETY FOR:

1 (I) INSPECTIONS OF FACILITIES WHERE WASTE TIRES ARE PRESENT
2 CONDUCTED BY THE DIVISION OF FIRE PREVENTION AND CONTROL TO
3 DETERMINE WHETHER THE WASTE TIRE COLLECTION FACILITIES, WASTE
4 TIRE PROCESSORS, AND WASTE TIRE MONOFILLS ARE IN COMPLIANCE WITH
5 THE RULES PROMULGATED BY THE DIRECTOR OF THE DIVISION PURSUANT
6 TO SECTION 24-33.5-1203.5 (2); AND
7 (II) TECHNICAL AND OTHER ASSISTANCE THE DIVISION OF FIRE
8 PREVENTION AND CONTROL PROVIDES TO THE DEPARTMENT OR THE PUBLIC
9 RELATED TO WASTE TIRES, INCLUDING ASSISTANCE RELATED TO:
10 (A) THE DEVELOPMENT OF FIRE PREVENTION EDUCATION
11 MATERIALS; AND
12 (B) REVIEW OF FIRE PREVENTION PLANS;
13 (f) REGISTERING AND REGULATING WASTE TIRE HAULERS, WASTE
14 TIRE GENERATORS, USED TIRE MANAGERS, WASTE TIRE COLLECTION
15 FACILITIES, WASTE TIRE PROCESSORS, MOBILE PROCESSORS, WASTE TIRE
16 MONOFILLS, AND END USERS IN ACCORDANCE WITH SECTIONS 30-20-1408
17 TO 30-20-1417;
18 (g) PROVIDING GRANTS TO LAW ENFORCEMENT, FIRE
19 DEPARTMENTS, LOCAL HEALTH DEPARTMENTS, STATE AGENCIES, AND ANY
20 OTHER APPLICABLE ENTITIES FOR PURCHASING EQUIPMENT AND SUPPLIES
21 TO IMPLEMENT THIS PART 14;
22 (h) TRAINING OF AND ENFORCEMENT BY ENTITIES THAT ENFORCE
23 THIS PART 14;
24 (i) AWARDING GRANTS AND DEVELOPING EDUCATIONAL
25 PROGRAMS FOR ENFORCEMENT, FIRE PREVENTION AND SUPPRESSION,
26 PROPER WASTE TIRE MANAGEMENT AND DISPOSAL, TRAINING, AND
27 CUSTOMER TECHNICAL ASSISTANCE; AND
28 (j) ANY OTHER REGULATORY OR ADMINISTRATIVE COSTS RELATED
29 TO THE DEPARTMENT'S AUTHORITY AND DUTIES IN IMPLEMENTING THIS
30 PART 14.
31 (3) IF THE DEPARTMENT IS DENIED ACCESS OR IF CONSENT TO
32 ACCESS HAS NOT BEEN GIVEN TO CLEAN UP A SITE WHERE THE
33 DEPARTMENT REASONABLY BELIEVES WASTE TIRES EXIST ILLEGALLY, THE
34 DEPARTMENT MAY OBTAIN FROM THE DISTRICT COURT FOR THE JUDICIAL
35 DISTRICT IN WHICH THE PROPERTY IS LOCATED A WARRANT TO ENTER THE
36 PROPERTY AND REMOVE THE WASTE TIRES.
37 (4) (a) IN ADDITION TO ANY PENALTIES ASSESSED, THE
38 DEPARTMENT MAY ISSUE AN ORDER REQUIRING THE OWNER OR OPERATOR
39 TO COMPENSATE THE DEPARTMENT FOR THE COST OF REMEDIATION OF THE
40 SITE, AND THE DEPARTMENT MAY REQUEST THE ATTORNEY GENERAL TO
41 BRING SUIT FOR COMPENSATION FROM THE OWNER OR OPERATOR FOR
42 MONEY EXPENDED REMEDIATING THE SITE. THE DEPARTMENT SHALL USE
43 THE RECOVERED MONEY TO REIMBURSE THE FUND FOR ACTUAL COSTS OF
44 REMEDIATING THE SITE AND OF SEEKING COMPENSATION PURSUANT TO
45 THIS SECTION. THE STATE TREASURER SHALL CREDIT ALL ADDITIONAL

1 MONEY TO THE GENERAL FUND.

2 (b) THE DEPARTMENT MAY PLACE A LIEN ON A PROPERTY ON
3 WHICH THE DEPARTMENT FUNDS THE REMEDIATION OF WASTE TIRES
4 PURSUANT TO THIS SECTION UNTIL THE COSTS OF REMEDIATION HAVE BEEN
5 REPAYED TO THE DEPARTMENT. IF COMPLETE REPAYMENT HAS NOT BEEN
6 MADE BEFORE A SALE OF THE PROPERTY, THE DEPARTMENT SHALL BE
7 REPAYED IN FULL, TO THE EXTENT POSSIBLE, FROM PROCEEDS OF THE SALE.

8 **SECTION 7.** In Colorado Revised Statutes, 30-20-1415, **amend**
9 (1)(k) as follows:

10 **30-20-1415. Waste tire monofills - requirements.** (1) An owner
11 or operator of a waste tire monofill shall, as specified by the commission
12 by rule:

13 (k) Not place any waste tires into monofill storage after January
14 1, 2018, and SHALL close, or cause to be closed, the waste tire monofill
15 by July 1, ~~2024~~ 2034."

16 Renumber succeeding section accordingly.

17 Strike "WASTE TIRE FEE" and substitute "WASTE TIRE ENTERPRISE FEE" on:
18 **Page 4**, lines 12 and 21; **Page 6**, lines 3, 4, and 22; **Page 7**, line 4; and
19 **Page 9**, lines 14, 16, and 26.

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