

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 26-0155.01 Clare Haffner x6137

**SENATE BILL 26-016**

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**SENATE SPONSORSHIP**

**Cutter and Wallace**, Amabile, Coleman, Jodeh, Kipp, Marchman, Roberts, Weissman

**HOUSE SPONSORSHIP**

**Smith and Lukens**,

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**Senate Committees**  
Transportation & Energy

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING PROHIBITING THE DISCHARGE OF PREPRODUCTION**  
102 **PLASTIC MATERIALS.**

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**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>.)*

The bill prohibits the discharge of plastic pellets and other preproduction plastic materials through land application or into state waters, wastewater, storm water runoff, or other runoff by a facility, point source, or person that makes, uses, handles, packages, or transports plastic pellets or other preproduction plastic materials in the state.

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.*

SENATE  
3rd Reading Unamended  
February 17, 2026

SENATE  
Amended 2nd Reading  
February 12, 2026

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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 plastic feedstock materials, including both virgin  
4 and recycled plastic pellets, when released into the environment,  
5 contribute to plastic pollution, harm aquatic life, and disproportionately  
6 impact communities located near industrial and transportation corridors.

7 (2) Therefore, it is the intent of the general assembly to prevent  
8 these releases.

9 **SECTION 2.** In Colorado Revised Statutes, **add** part 11 to article  
10 8 of title 25 as follows:

11 PART 11

12 PLASTIC PELLET-FREE WATERS ACT

13 **25-8-1101. Short title.**

14 THE SHORT TITLE OF THIS PART 11 IS THE "PLASTIC PELLET-FREE  
15 WATERS ACT".

16 **25-8-1102. Definitions.**

17 AS USED IN THIS PART 11, UNLESS THE CONTEXT OTHERWISE  
18 REQUIRES:

19 (1) "DISCHARGE" MEANS THE INTRODUCTION OR ADDITION OF  
20 PREPRODUCTION PLASTIC MATERIALS INTO STATE WATERS, WASTEWATER,  
21 STORM WATER RUNOFF, OR OTHER RUNOFF.

22 (2) (a) "FACILITY" MEANS A FACILITY THAT MAKES, USES,  
23 PACKAGES, OR TRANSPORTS PLASTIC PELLETS OR OTHER PREPRODUCTION  
24 PLASTIC MATERIALS IN THE STATE.

25 (b) "FACILITY" DOES NOT INCLUDE A TREATMENT WORKS, AS  
26 DEFINED IN SECTION 212 OF THE FEDERAL ACT.

1           (3) (a) "PREPRODUCTION PLASTIC MATERIALS" MEANS  
2 PREPRODUCTION PLASTIC PELLETS, FLAKES, FIBERS, POWDERS, OR  
3 POWDERED COLORING FOR PLASTICS, IN THEIR RAW OR PRIMARY STATE.

4           (b) "PREPRODUCTION PLASTIC MATERIALS" INCLUDES  
5 PREPRODUCTION PLASTIC MATERIALS PRODUCED FROM VIRGIN RESIN OR  
6 FROM RECYCLED OR POST-CONSUMER PLASTIC SOURCES, PRIOR TO  
7 INCORPORATION OR REINCORPORATION INTO A FINISHED PLASTIC  
8 PRODUCT.

9           (c) "PREPRODUCTION PLASTIC MATERIALS" DOES NOT INCLUDE  
10 MATERIALS RESULTING FROM THE BREAKDOWN OF MANUFACTURED OR  
11 OTHERWISE USEFUL PLASTIC PRODUCTS.

12           **25-8-1103. Discharge of preproduction plastic materials**  
13 **prohibited.**

14           A FACILITY SHALL NOT DISCHARGE PLASTIC PELLETS OR OTHER  
15 PREPRODUCTION PLASTIC MATERIALS IN THE STATE. ==

16           **SECTION 3.** In Colorado Revised Statutes, 25-8-501, **add** (7) as  
17 follows:

18           **25-8-501. Permits required for discharge of pollutants -**  
19 **administration.**

20           (7) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, THE  
21 DIVISION SHALL NOT ISSUE A PERMIT FOR THE DISCHARGE OF PLASTIC  
22 PELLETS OR OTHER PREPRODUCTION PLASTIC MATERIALS INTO STATE  
23 WATERS.

24           **SECTION 4.** In Colorado Revised Statutes, 25-8-609, **amend** (1)  
25 as follows:

26           **25-8-609. Criminal pollution - penalties.**

27           (1) ~~Any~~ A person ~~who~~ THAT recklessly, knowingly, intentionally,

1 or with criminal negligence discharges ~~any~~ A pollutant into any state  
2 waters or into any domestic wastewater treatment works commits  
3 criminal pollution if such discharge is made:

4 (a) In violation of ~~any~~ A permit issued under this ~~article~~; or  
5 ARTICLE 8;

6 (b) In violation of ~~any~~ A cease-and-desist order or clean-up order  
7 issued by the division ~~which~~ THAT is final and not stayed by court order;  
8 or

9 (c) Without a permit, if a permit is required by ~~the provisions of~~  
10 this ~~article~~ ARTICLE 8 for such discharge; or

11 ~~(d) Repealed.~~

12 ~~(e)~~ (d) In violation of any pretreatment regulations ~~promulgated~~  
13 ADOPTED by the commission; OR

14 (e) IN VIOLATION OF THE PROHIBITION ON THE DISCHARGE OF  
15 PREPRODUCTION PLASTIC MATERIALS DESCRIBED IN SECTION 25-8-1103.

16 **SECTION 5.** In Colorado Revised Statutes, **add** 25-15-329 as  
17 follows:

18 **25-15-329. Discharge of preproduction plastic materials**  
19 **prohibited - definitions.**

20 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
21 REQUIRES:

22 (a) "DISCHARGE" MEANS THE INTRODUCTION OR ADDITION OF  
23 PREPRODUCTION PLASTIC MATERIALS THROUGH LAND APPLICATION AT A  
24 LOCATION THAT DOES NOT HAVE FEDERAL INTERIM STATUS, A FEDERAL  
25 PERMIT GRANTED PURSUANT TO THE FEDERAL ACT, OR A STATE PERMIT  
26 GRANTED BY THE DEPARTMENT PURSUANT TO SECTION 25-15-303.

27 (b) (I) "FACILITY" MEANS A FACILITY THAT MAKES, USES,

1 PACKAGES, OR TRANSPORTS PLASTIC PELLETS OR OTHER PREPRODUCTION  
2 PLASTIC MATERIALS IN THE STATE.

3 (II) "FACILITY" DOES NOT INCLUDE A TREATMENT WORKS, AS  
4 DEFINED IN SECTION 212 OF THE FEDERAL "CLEAN WATER ACT", 33  
5 U.S.C. SEC. 1251 ET SEQ.

6 (c) "LAND APPLICATION" MEANS A DISCHARGE BEING APPLIED TO  
7 THE LAND.

8 (d) "PREPRODUCTION PLASTIC MATERIALS" HAS THE MEANING SET  
9 FORTH IN SECTION 25-8-1102.

10 (2) A FACILITY SHALL NOT DISCHARGE PLASTIC PELLETS OR OTHER  
11 PREPRODUCTION PLASTIC MATERIALS IN THE STATE.

12 **SECTION 6. Act subject to petition - effective date -**  
13 **applicability.** (1) This act takes effect August 12, 2027; except that, if  
14 a referendum petition is filed pursuant to section 1 (3) of article V of the  
15 state constitution against this act or an item, section, or part of this act  
16 within the ninety-day period after final adjournment of the general  
17 assembly, then the act, item, section, or part will not take effect unless  
18 approved by the people at the general election to be held in November  
19 2026 and, in such case, will take effect August 12, 2027.

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