

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

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

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**

Energy & Environment

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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.*

HOUSE  
Amended 2nd Reading  
March 16, 2026

SENATE  
3rd Reading Unamended  
February 17, 2026

SENATE  
Amended 2nd Reading  
February 12, 2026

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 DOMESTIC WASTEWATER  
26 TREATMENT WORKS, AS DEFINED IN SECTION 25-8-103 (5).

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 PERSON SHALL NOT DISCHARGE PLASTIC PELLETS OR OTHER  
15       PREPRODUCTION PLASTIC MATERIALS FROM A FACILITY 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           

25           **SECTION 4.** In Colorado Revised Statutes, **add** 25-15-329 as  
26       follows:

27           **25-15-329. Discharge of preproduction plastic materials**

1     **prohibited - definitions.**

2             (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
3     REQUIRES:

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

9             (b) (I) "FACILITY" MEANS A FACILITY THAT MAKES, USES,  
10    PACKAGES, OR TRANSPORTS PLASTIC PELLETS OR OTHER PREPRODUCTION  
11    PLASTIC MATERIALS IN THE STATE.

12            (II) "FACILITY" DOES NOT INCLUDE A DOMESTIC WASTEWATER  
13    TREATMENT WORKS, AS DEFINED IN SECTION 25-8-103 (5).

14            (c) "LAND APPLICATION" MEANS A DISCHARGE BEING APPLIED TO  
15    THE LAND.

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

18            (2) A PERSON SHALL NOT DISCHARGE PLASTIC PELLETS OR OTHER  
19    PREPRODUCTION PLASTIC MATERIALS FROM A FACILITY IN THE STATE.

20            **SECTION 5. Act subject to petition - effective date -**  
21    **applicability.** (1) This act takes effect August 12, 2027; except that, if  
22    a referendum petition is filed pursuant to section 1 (3) of article V of the  
23    state constitution against this act or an item, section, or part of this act  
24    within the ninety-day period after final adjournment of the general  
25    assembly, then the act, item, section, or part will not take effect unless  
26    approved by the people at the general election to be held in November  
27    2026 and, in such case, will take effect August 12, 2027.

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