

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0139.01 Clare Haffner x6137

SENATE BILL 26-003

SENATE SPONSORSHIP

Wallace and Cutter,

HOUSE SPONSORSHIP

Brown and Stewart R.,

Senate Committees

Transportation & Energy
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING EXPANDING THE SCOPE OF THE "BATTERY STEWARDSHIP**
102 **ACT" TO COVER THE END-OF-LIFE MANAGEMENT OF ELECTRIC**
103 **VEHICLE BATTERIES.**

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>.)

Senate Bill 25-163 created the "Battery Stewardship Act", which requires the establishment of battery stewardship organizations (organizations) and the submittal of battery stewardship plans (plans) to the executive director of the department of public health and environment (executive director) for the collection, transportation, processing, and

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.*

recycling of certain batteries.

The bill expands the scope of the "Battery Stewardship Act" to cover the end-of-life management of propulsion batteries, which are batteries that are primarily used to supply power to an electric or hybrid vehicle, and establishes requirements concerning propulsion batteries that differ from the requirements for the batteries currently contemplated by the "Battery Stewardship Act".

No later than April 1, 2028, and every 5 years thereafter, an organization must submit a plan for the collection, transportation, processing, reuse, repurposing, and recycling of propulsion batteries as part of a battery stewardship program. The bill specifies what a plan must contain to be approved by the executive director. On and after August 1, 2028, a provider of propulsion batteries selling, making available for sale, or distributing propulsion batteries or vehicles containing a propulsion battery in or into the state is required to participate in and finance an organization that has submitted a plan.

An organization implementing a plan on behalf of providers of propulsion batteries is required to develop a website that includes educational and promotional materials and safety information related to battery storage and collection activities and submit annual reports to the executive director that concern certain information about the preceding year of plan implementation.

The bill includes requirements for the marking and labeling of propulsion batteries and requires the solid and hazardous waste commission to, no later than July 1, 2027, adopt rules establishing a process for the department of public health and environment to certify an entity as a qualified propulsion battery recycler.

On and after August 1, 2028, all propulsion batteries in the state must be managed in accordance with the requirements established by the bill.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Short title.** The short title of this act is the
3 **"Promoting Responsible End-of-Life Management of Electric Vehicle**
4 **Batteries Act"**.

5 **SECTION 2.** In Colorado Revised Statutes, 25-17-1002, **amend**
6 **(2); and add (1.5) as follows:**

7 **25-17-1002. Legislative declaration.**

8 **(1.5) THE GENERAL ASSEMBLY FURTHER FINDS THAT:**

1 (a) ELECTRIC VEHICLES ARE CRUCIAL TOOLS FOR REDUCING
2 GREENHOUSE GAS EMISSIONS, WHICH THE STATE IS STRIVING TO ELIMINATE
3 BY 2050. ELECTRIC VEHICLES ARE ALSO VITAL TO REDUCING LOCAL AIR
4 POLLUTION IN AREAS OF THE STATE, SUCH AS THE DENVER METRO AND
5 NORTH FRONT RANGE AREAS, THAT THE FEDERAL ENVIRONMENTAL
6 PROTECTION AGENCY HAS DESIGNATED AS BEING IN NONATTAINMENT
7 WITH A NATIONAL AMBIENT AIR QUALITY STANDARD. TO ACHIEVE
8 EMISSION REDUCTIONS NEEDED TO MEET STATE-MANDATED CLIMATE
9 GOALS AND FEDERALLY REQUIRED OZONE LEVELS, MANY MORE ELECTRIC
10 VEHICLES WILL NEED TO BE DEPLOYED IN COLORADO.

11 (b) AS ELECTRIC VEHICLE SALES IN THE STATE CONTINUE TO GROW,
12 SUBSTANTIALLY MORE ELECTRIC VEHICLES WILL BE RETIRED IN THE
13 COMING YEARS, AND THEIR BATTERIES, KNOWN AS PROPULSION
14 BATTERIES, WILL NEED RESPONSIBLE END-OF-LIFE MANAGEMENT;

15 (c) PROPULSION BATTERIES OFTEN RETAIN VALUE EVEN AFTER
16 THEY CEASE TO POWER THE ORIGINAL VEHICLES INTO WHICH THEY WERE
17 PLACED AND CAN BE REUSED, REMANUFACTURED, REPURPOSED, OR
18 RECYCLED. EXTENDING THE USEFUL LIFESPAN OF PROPULSION BATTERIES
19 IMPROVES THE SUSTAINABILITY PROFILE OF THE ELECTRIC VEHICLE
20 INDUSTRY AND CREATES LOCAL ECONOMIC OPPORTUNITIES.

21 (d) MULTIPLE ANALYSES HAVE ESTABLISHED THAT EXPENSIVE AND
22 HAZARDOUS RISKS RESULT FROM THE IMPROPER HANDLING, STORAGE, AND
23 DISPOSAL OF PROPULSION BATTERIES; AND

24 (e) UNWANTED PROPULSION BATTERIES THAT ARE STORED
25 IMPROPERLY INSTEAD OF BEING SORTED FOR REUSE, REMANUFACTURING,
26 REPURPOSING, OR ULTIMATE RECYCLING AND RECOVERY OF VALUABLE
27 MATERIALS COULD POTENTIALLY REDUCE THE ENVIRONMENTAL BENEFITS

1 OF A ROBUST CIRCULAR ECONOMY FOR PROPULSION BATTERIES WHILE
2 ALSO INCREASING THE RISK OF BATTERY FIRES. A ROBUST EXTENDED
3 PROVIDER RESPONSIBILITY POLICY IS NEEDED TO ENABLE A PROPULSION
4 BATTERY CIRCULAR ECONOMY.

5 (2) The general assembly therefore declares that it is in the public
6 interest of Colorado to:

7 (a) Require producers of batteries AND PROVIDERS OF PROPULSION
8 BATTERIES to finance and implement a coordinated, state-approved
9 system that increases access to the safe disposal AND RESPONSIBLE
10 END-OF-LIFE MANAGEMENT of batteries in Colorado;

11 (b) REDUCE THE INHERENT RISK OF FIRE THAT CAN OCCUR WHEN
12 PROPULSION BATTERIES ARE IMPROPERLY DISPOSED OF; AND

13 (c) ENCOURAGE THE REUSE, REMANUFACTURING, AND
14 REPURPOSING OF PROPULSION BATTERIES AND THE ULTIMATE RECYCLING
15 AND RECOVERY OF THE VALUABLE MATERIALS IN A PROPULSION BATTERY
16 THAT CAN BE PUT BACK INTO THE SUPPLY CHAIN.

17 **SECTION 3.** In Colorado Revised Statutes, 25-17-1003, amend
18 (8)(b)(VI); and add (1.5), (2.5), (8.5), (10.5), (12.5), (13.5), (19.5), (23.3),
19 (23.5), (23.7), (23.9), (24.5), (26.3), (26.5), (26.7), (26.8), (26.9), (27.1),
20 (27.2), (27.3), (27.4), (27.5), (27.6), and (30.5) as follows:

21 **25-17-1003. Definitions - rules.**

22 As used in this part 10, unless the context otherwise requires:

23 (1.5) "BATTERY" MEANS A DEVICE CONSISTING OF ONE OR MORE
24 ELECTRICALLY CONNECTED ELECTROCHEMICAL CELLS, WHICH DEVICE IS
25 DESIGNED TO RECEIVE, STORE, AND DELIVER ELECTRIC ENERGY.

26 (2.5) "BATTERY MANAGEMENT HIERARCHY" MEANS THE PROCESS
27 OF SECONDARY HANDLERS, REMANUFACTURERS, REPURPOSERS, AND

1 PROPULSION BATTERY PROVIDERS FIRST STRIVING TO REUSE, REPURPOSE,
2 OR REMANUFACTURE PROPULSION BATTERIES, WHEN DOING SO IS POSSIBLE
3 AND COST-EFFECTIVE, BEFORE PROPULSION BATTERY RECYCLING.

4 (8) (b) "Covered battery" does not include:

5 (VI) A battery, INCLUDING A PROPULSION BATTERY, assembled by
6 or for a vehicle manufacturer, ~~or franchised dealer~~, that is designed to
7 power a motor vehicle, a part of a motor vehicle, or a component part of
8 a motor vehicle, including a replacement part for use in a motor vehicle.

9 (8.5) "CRITICAL MINERALS" MEANS MINERALS DESIGNATED AS
10 CRITICAL MINERALS BY THE UNITED STATES SECRETARY OF THE INTERIOR,
11 ACTING THROUGH THE DIRECTOR OF THE UNITED STATES GEOLOGICAL
12 SURVEY, PURSUANT TO 30 U.S.C. SEC. 1606 (c).

13 (10.5) (a) "DISPOSITIONING" OR "DISPOSITIONED" MEANS
14 EVALUATING A PROPULSION BATTERY TO DETERMINE THE MOST SUITABLE
15 BATTERY MANAGEMENT OPTION BASED ON METRICS SUCH AS THE
16 CHEMISTRY, CONDITION, FORMAT, AND LOCATION OF THE PROPULSION
17 BATTERY.

18 (b) "DISPOSITIONING" OR "DISPOSITIONED" MAY INCLUDE
19 EVALUATING A PROPULSION BATTERY FOR SECONDARY USE BY A
20 REPURPOSER OR A PROPULSION BATTERY RECYCLER.

21 (12.5) "EDUCATION AND OUTREACH PLAN" MEANS A PLAN
22 SUBMITTED BY A PROPULSION BATTERY PROVIDER OR GROUP OF
23 PROPULSION BATTERY PROVIDERS TO THE EXECUTIVE DIRECTOR PURSUANT
24 TO SECTION 25-17-1019 (2).

25 (13.5) "END OF LIFE" MEANS:

26 (a) THE STAGE WHEN A COVERED BATTERY IS NO LONGER
27 SUITABLE FOR USE AS A BATTERY AND MUST BE RECYCLED; OR

1 (b) THE STAGE WHEN A PROPULSION BATTERY IS NO LONGER
2 SUITABLE FOR USE AS A PROPULSION BATTERY OR FOR REPURPOSING AND
3 IS DIRECTED FOR PROPULSION BATTERY RECYCLING.

4 (19.5) "ORPHANED BATTERY" MEANS:

5 (a) A PROPULSION BATTERY THAT HAS AN UNIDENTIFIABLE
6 PROPULSION BATTERY PROVIDER OR REMANUFACTURER OR A PROPULSION
7 BATTERY PROVIDER OR REMANUFACTURER THAT NO LONGER EXISTS; OR

8 (b) AN UNWANTED PROPULSION BATTERY THAT HAS NOT BEEN
9 COLLECTED OR MANAGED IN ACCORDANCE WITH THE BATTERY
10 MANAGEMENT HIERARCHY.

11 (23.3) "PROPULSION BATTERY" MEANS A BATTERY THAT IS
12 PRIMARILY USED TO SUPPLY POWER TO PROPEL A BATTERY ELECTRIC
13 MOTOR VEHICLE, AS DEFINED IN SECTION 43-4-1202 (1.5), A PLUG-IN
14 HYBRID ELECTRIC MOTOR VEHICLE, AS DEFINED IN SECTION 43-4-1202
15 (14), OR A HYBRID VEHICLE, AS DEFINED IN SECTION 42-4-1012
16 (2.5)(a)(III).

17 (23.5) (a) "PROPULSION BATTERY PROVIDER" MEANS:

18 (I) A PERSON THAT FIRST SELLS, OFFERS FOR SALE, OR DISTRIBUTES
19 A PROPULSION BATTERY OR A VEHICLE CONTAINING A PROPULSION
20 BATTERY IN OR INTO THE STATE, INCLUDING VEHICLE MANUFACTURERS
21 LICENSED PURSUANT TO APPLICABLE STATE LAWS OR PROPULSION
22 BATTERY MANUFACTURERS THAT DISTRIBUTE PROPULSION BATTERIES
23 UNDER THEIR OWN NAME OR BRAND;

24 (II) IF THERE IS NOT A PERSON THAT SUBSECTION (23.5)(a)(I) OF
25 THIS SECTION APPLIES TO, THE OWNER OR LICENSEE OF THE BRAND OR
26 TRADEMARK UNDER WHICH THE PROPULSION BATTERY IS SOLD, OFFERED
27 FOR SALE, OR DISTRIBUTED IN OR INTO THE STATE. THIS INCLUDES AN

1 EXCLUSIVE LICENSEE WITH THE EXCLUSIVE RIGHT TO USE THE BRAND OR
2 TRADEMARK IN CONNECTION WITH THE DISTRIBUTION OR SALE OF
3 PROPULSION BATTERIES.

4 (III) IF THERE IS NOT A PERSON THAT SUBSECTION (23.5)(a)(I) OR
5 (23.5)(a)(II) OF THIS SECTION APPLIES TO, THE PERSON THAT IMPORTS THE
6 PROPULSION BATTERY INTO THE STATE FOR SALE, DISTRIBUTION, OR
7 INSTALLATION.

8 (b) "PROPULSION BATTERY PROVIDER" DOES NOT INCLUDE:

9 (I) A DEALER OF A VEHICLE CONTAINING A PROPULSION BATTERY;

10 (II) A SECONDARY HANDLER THAT SELLS, OFFERS FOR SALE,
11 REGISTERS, OR DISTRIBUTES A VEHICLE CONTAINING A PROPULSION
12 BATTERY IN OR INTO THE STATE; OR

13 (III) A PERSON THAT SELLS A USED VEHICLE IN OR INTO THE STATE.

14 (c) FOR THE PURPOSES OF THIS SUBSECTION (23.5), THE SALE OF A
15 PROPULSION BATTERY OCCURS IN THE STATE IF THE PROPULSION BATTERY,
16 OR THE VEHICLE CONTAINING THE PROPULSION BATTERY, IS DELIVERED TO
17 A LICENSED DEALER OR DIRECTLY TO A CONSUMER IN THE STATE.

18 (23.7) (a) "PROPULSION BATTERY RECYCLER" MEANS AN ENTITY
19 OR FACILITY THAT:

20 (I) OPERATES IN ACCORDANCE WITH ALL REQUIRED PERMITS AND
21 REGULATORY EXCLUSIONS IN ALL APPLICABLE FEDERAL, STATE, AND
22 LOCAL LAWS;

23 (II) CONDUCTS PROPULSION BATTERY RECYCLING; AND

24 (III) PERFORMS AT LEAST ONE OF THE FOLLOWING ACTIVITIES:

25 (A) EXTRACTS AND SEPARATES MATERIALS FROM END-OF-LIFE
26 PROPULSION BATTERIES, INCLUDING METALS, COMPOUNDS, OR
27 INTERMEDIATE FRACTIONS, AND DIRECTS THESE MATERIALS TO ONE OR

1 MORE ADDITIONAL PROPULSION BATTERY RECYCLERS FOR FURTHER
2 PROCESSING OR REFINING; OR

3 (B) REFINES END-OF-LIFE PROPULSION BATTERIES OR PROPULSION
4 BATTERY MATERIALS, SUCH AS ALUMINUM, COBALT, COPPER, GRAPHITE,
5 IRON, LITHIUM COMPOUNDS, MANGANESE, AND NICKEL, BACK TO USEABLE
6 MATERIALS SUITABLE FOR REINTRODUCTION INTO BATTERY,
7 MANUFACTURING, OR OTHER INDUSTRIAL SUPPLY CHAINS.

8 (b) "PROPULSION BATTERY RECYCLER" DOES NOT INCLUDE AN
9 ENTITY OR FACILITY THAT ONLY ENGAGES IN THE COLLECTION OR
10 TRANSPORTATION OF, OR THE LOGISTICS OF MOVING, PROPULSION
11 BATTERIES OR PROPULSION BATTERY MATERIALS DURING THE RECYCLING
12 PROCESS.

13 (23.9) (a) "PROPULSION BATTERY RECYCLING" MEANS THE
14 RECOVERY OF CRITICAL MINERALS THAT ARE PRESENT IN THE PROPULSION
15 BATTERY FEEDSTOCK, USING ONE OR MORE PROPULSION BATTERY
16 RECYCLERS.

17 (b) (I) "PROPULSION BATTERY RECYCLING" DOES NOT INCLUDE
18 DISPOSAL OR SHAM RECYCLING UNDER THE FEDERAL "RESOURCE
19 CONSERVATION AND RECOVERY ACT OF 1976", 42 U.S.C. SEC. 6901 ET
20 SEQ., OR OTHER APPLICABLE FEDERAL LAW.

21 (II) FOR THE PURPOSES OF THIS SUBSECTION (23.9)(b), SHAM
22 RECYCLING AND LEGITIMATE RECYCLING ARE DETERMINED IN
23 ACCORDANCE WITH THE LEGITIMACY CRITERIA SET FORTH IN 40 CFR
24 260.43.

25 (24.5) (a) "RECOVERY" MEANS THE EXTRACTION, SEPARATION, OR
26 REGENERATION OF CRITICAL MINERALS OR CATHODE MATERIALS IN THEIR
27 ELEMENTAL, COMPOUND, OR INTERMEDIATE FORM, SUCH AS REFINED

1 METALS, SALTS, OXIDES, HYDROXIDES, OR REGENERATED CATHODE
2 MATERIALS, OR OTHER COMMERCIALY USABLE FORMS.

3 (b) "RECOVERY" DOES NOT INCLUDE LITHIUM RECOVERED AS SLAG
4 AND USED AS CONCRETE ADDITIVES.

5 (26.3) "REMANUFACTURE" MEANS A STANDARDIZED INDUSTRIAL
6 PROCESS THROUGH WHICH BATTERY CORES ARE RETURNED TO
7 SAME-AS-NEW OR BETTER CONDITION AND PERFORMANCE, WHICH PROCESS
8 IS IN LINE WITH SPECIFIC TECHNICAL SPECIFICATIONS INCLUDING
9 ENGINEERING, QUALITY, AND TESTING STANDARDS.

10 (26.5) "REMANUFACTURER" MEANS A PERSON THAT
11 REMANUFACTURES A PROPULSION BATTERY.

12 (26.7) "REPURPOSE" MEANS THE PROCESS OF MODIFYING A
13 PROPULSION BATTERY OR PROPULSION BATTERY PACK, MODULE, OR CELL
14 TO STORE AND SUPPLY ELECTRICITY IN A MANNER OTHER THAN THE
15 ORIGINAL INTENDED PURPOSE OF THE PROPULSION BATTERY.

16 (26.8) "REPURPOSER" MEANS A PERSON THAT USES A PROPULSION
17 BATTERY TO FULFILL A DIFFERENT USE THAN THE USE FOR WHICH THE
18 PROPULSION BATTERY WAS ORIGINALLY DESIGNED.

19 (26.9) "RESPONSIBLE PROPULSION BATTERY MANAGEMENT"
20 MEANS ENSURING A PROPULSION BATTERY IS DISPOSITIONED AND
21 MANAGED PURSUANT TO THE BATTERY MANAGEMENT HIERARCHY, WHILE
22 ALSO ENSURING THAT ANY PROPULSION BATTERY NO LONGER SUITABLE
23 FOR USE IN A VEHICLE IS ULTIMATELY DIRECTED TO EITHER A REPURPOSER
24 OR A PROPULSION BATTERY RECYCLER.

25 (27.1) "REUSE" MEANS THE USE OF A PROPULSION BATTERY IN A
26 VEHICLE OTHER THAN THE ORIGINAL VEHICLE INTO WHICH THE
27 PROPULSION BATTERY WAS PLACED.

1 (27.2) (a) "SECONDARY HANDLER" MEANS A COMMERCIAL ENTITY
2 OTHER THAN THE PROPULSION BATTERY PROVIDER THAT TAKES
3 POSSESSION OF A PROPULSION BATTERY OR REMOVES A PROPULSION
4 BATTERY FROM A VEHICLE FOR THE PURPOSE OF SELLING, DISPOSITIONING,
5 REPAIRING, REUSING, OR RECYCLING THE PROPULSION BATTERY WITH A
6 PROPULSION BATTERY RECYCLER.

7 (b) "SECONDARY HANDLER" INCLUDES A SOLID WASTE DISPOSAL
8 SITE AND FACILITY.

9 (27.3) "SOLID WASTE COLLECTOR" MEANS A PERSON THAT
10 OPERATES COLLECTION ROUTES FOR THE REMOVAL OF SOLID WASTE FROM
11 RESIDENTIAL, MULTIRESIDENTIAL, COMMERCIAL, OR INDUSTRIAL
12 PREMISES.

13 (27.4) "SOLID WASTE DISPOSAL SITE AND FACILITY" HAS THE SAME
14 MEANING AS "SOLID WASTES DISPOSAL SITE AND FACILITY" AS DEFINED IN
15 SECTION 30-20-101 (8).

16 (27.5) "STATE OF CHARGE" MEANS THE MEASURE OF A PROPULSION
17 BATTERY'S REMAINING CAPACITY, EXPRESSED AS A PERCENTAGE OF ITS
18 TOTAL CAPACITY.

19 (27.6) "STATE OF HEALTH" MEANS A CALCULATED PARAMETER
20 THAT CORRELATES TO USABLE PROPULSION BATTERY ENERGY FOR THE
21 CERTIFIED RANGE VALUE AND IS NORMALIZED FROM ZERO TO ONE
22 HUNDRED PERCENT.

23 (30.5) (a) "UNWANTED PROPULSION BATTERY" MEANS A
24 PROPULSION BATTERY THAT IS NO LONGER WANTED BY THE OWNER.

25 (b) "UNWANTED PROPULSION BATTERY" INCLUDES A PROPULSION
26 BATTERY THAT HAS BEEN DAMAGED, INCLUDING IN A THERMAL RUNAWAY
27 INCIDENT.

1 **SECTION 4. In Colorado Revised Statutes, 25-17-1012, amend**
2 **(2)(b); and add (3) as follows:**

3 **25-17-1012. Annual fee - battery stewardship fund -**
4 **responsibilities of the executive director - rules.**

5 (2) (b) The fund consists of fees paid to the department pursuant
6 to ~~subsection (1)~~ SUBSECTIONS (1) AND (3) of this section and any other
7 money that the general assembly may appropriate or transfer to the fund.

8 (3) (a) (I) IN ADDITION TO THE ANNUAL FEE DESCRIBED IN
9 SUBSECTION (3)(b) OF THIS SECTION, A PROPULSION BATTERY PROVIDER
10 SHALL PAY A PROGRAM INITIATION FEE. THE PROGRAM INITIATION FEE
11 MUST BE SPLIT INTO THREE PAYMENTS, AND A PROPULSION BATTERY
12 PROVIDER SHALL MAKE ONE OF EACH OF THE PAYMENTS ON JULY 1, 2027,
13 JULY 1, 2028, AND JULY 1, 2029, RESPECTIVELY. THE SUM OF THE
14 PROGRAM INITIATION FEES PAID BY PROPULSION BATTERY PROVIDERS IN
15 A GIVEN YEAR MUST OFFSET ANY GENERAL FUND ALLOCATIONS BY
16 COVERING ANY COSTS INCURRED BY THE DEPARTMENT IN IMPLEMENTING
17 SECTION 25-17-1019.

18 (II) THE PROGRAM INITIATION FEE AMOUNT REQUIRED TO BE PAID
19 BY EACH PROPULSION BATTERY PROVIDER IS BASED ON EACH PROPULSION
20 BATTERY PROVIDER'S PERCENTAGE OF ALL PROPULSION BATTERY
21 VEHICLES REGISTERED IN THE STATE, ACCORDING TO REGISTRATION DATA
22 COLLECTED BY THE DIVISION OF MOTOR VEHICLES IN THE DEPARTMENT OF
23 REVENUE AS OF APRIL 26, 2026, AS FOLLOWS:

24 (A) A PROPULSION BATTERY PROVIDER THAT IS RESPONSIBLE FOR
25 MORE THAN FIVE PERCENT OF ALL PROPULSION BATTERY VEHICLES
26 REGISTERED IN THE STATE AS OF APRIL 26, 2026, SHALL PAY A PROGRAM
27 INITIATION FEE OF TWENTY-FOUR THOUSAND FOUR HUNDRED DOLLARS,

1 CONSISTING OF A PAYMENT OF EIGHT THOUSAND THREE HUNDRED
2 DOLLARS ON JULY 1, 2027, AND TWO PAYMENTS OF EIGHT THOUSAND
3 FIFTY DOLLARS ON JULY 1, 2028, AND ON JULY 1, 2029, RESPECTIVELY;

4 (B) A PROPULSION BATTERY PROVIDER THAT IS RESPONSIBLE FOR
5 MORE THAN TWO PERCENT BUT NO MORE THAN FIVE PERCENT OF ALL
6 PROPULSION BATTERY VEHICLES REGISTERED IN THE STATE AS OF APRIL
7 26, 2026, SHALL PAY A PROGRAM INITIATION FEE OF FOURTEEN THOUSAND
8 FOUR HUNDRED DOLLARS, CONSISTING OF A PAYMENT OF FIVE THOUSAND
9 DOLLARS ON JULY 1, 2027, AND TWO PAYMENTS OF FOUR THOUSAND
10 SEVEN HUNDRED DOLLARS ON JULY 1, 2028, AND ON JULY 1, 2029,
11 RESPECTIVELY;

12 (C) A PROPULSION BATTERY PROVIDER THAT IS RESPONSIBLE FOR
13 MORE THAN ONE-FIFTH PERCENT BUT NO MORE THAN TWO PERCENT OF ALL
14 PROPULSION BATTERY VEHICLES REGISTERED IN THE STATE AS OF APRIL
15 26, 2026, SHALL PAY A PROGRAM INITIATION FEE OF FOUR THOUSAND
16 EIGHT HUNDRED DOLLARS, CONSISTING OF A PAYMENT OF TWO THOUSAND
17 DOLLARS ON JULY 1, 2027, AND TWO PAYMENTS OF ONE THOUSAND FOUR
18 HUNDRED DOLLARS ON JULY 1, 2028, AND ON JULY 1, 2029,
19 RESPECTIVELY; AND

20 (D) A PROPULSION BATTERY PROVIDER THAT IS RESPONSIBLE FOR
21 ONE-FIFTH PERCENT OR LESS OF ALL PROPULSION BATTERY VEHICLES
22 REGISTERED IN THE STATE AS OF APRIL 26, 2026, IS NOT REQUIRED TO PAY
23 A PROGRAM INITIATION FEE.

24 (IV) ANY GENERAL FUND ALLOCATIONS REQUIRED FOR THE
25 DEPARTMENT TO PROCESS THE PROGRAM INITIATION FEES SHALL BE
26 REIMBURSED TO THE GENERAL FUND THE FOLLOWING YEAR USING THE
27 MONEY GATHERED FROM THE PROGRAM INITIATION FEES.

1 (V) A PROPULSION BATTERY PROVIDER IS NOT REQUIRED TO PAY
2 THE PROGRAM INITIATION FEE WHEN THE PROPULSION BATTERY PROVIDER
3 SEEKS TO UPDATE THEIR REGISTRATION INFORMATION THAT THEY
4 PREVIOUSLY PROVIDED TO THE EXECUTIVE DIRECTOR PURSUANT TO
5 SECTION 25-17-1019 (1)(a).

6 (b) (I) ON OR BEFORE JULY 1, 2030, AND ON OR BEFORE EACH JULY
7 1 THEREAFTER, A PROPULSION BATTERY PROVIDER SHALL PAY TO THE
8 DEPARTMENT AN ANNUAL FEE TO COVER THE DEPARTMENT'S COST OF
9 IMPLEMENTING, ADMINISTERING, AND ENFORCING SECTION 25-17-1019.
10 THE STATE TREASURER SHALL CREDIT THE ANNUAL FEES TO THE FUND,
11 AND THE DEPARTMENT SHALL USE THE FEES FOR COSTS ASSOCIATED WITH
12 THE ADMINISTRATION OF SECTION 25-17-1019.

13 (II) ON OR BEFORE JULY 1, 2029, THE COMMISSION SHALL
14 ESTABLISH THE ANNUAL FEE AMOUNT BY RULE. THE FEE AMOUNT MUST BE
15 BASED ON FACTORS SUCH AS THE PROPULSION BATTERY PROVIDER'S
16 RELATIVE MARKET SHARE OF PROPULSION BATTERIES IN THE STATE AND
17 THE NUMBER OF UNWANTED PROPULSION BATTERIES COLLECTED BY THE
18 PROPULSION BATTERY PROVIDER. THE SUM OF ANNUAL FEES PAID BY
19 PROPULSION BATTERY PROVIDERS THAT ARE REGISTERED PURSUANT TO
20 SECTION 25-17-1019 (1)(a) AND FEES PAID BY SECONDARY HANDLERS
21 PURSUANT TO SECTION 25-17-1015 (2)(d) MUST COVER THE
22 DEPARTMENT'S ANNUAL COSTS OF ADMINISTERING SECTION 25-17-1019
23 STARTING IN 2030 AND MUST NOT EXCEED NINETY THOUSAND DOLLARS
24 ACROSS ALL PARTICIPATING ENTITIES. A SINGLE PROPULSION BATTERY
25 PROVIDER SHALL NOT BE REQUIRED TO PAY MORE THAN TEN PERCENT OF
26 THE TOTAL AMOUNT OF ANNUAL FEES.

27 **SECTION 5. In Colorado Revised Statutes, amend 25-17-1015**

1 as follows:

2 **25-17-1015. Enforcement - responsibilities of the department**
3 **- study.**

4 (1) For violations related to covered batteries, PROPULSION
5 BATTERIES, and the management of universal waste pursuant to this part
6 10, the enforcement process is conducted pursuant to section 25-15-308
7 and rules adopted by the commission in accordance with section
8 25-15-302.

9 (2) TO IMPLEMENT SECTION 25-17-1019, THE DEPARTMENT SHALL:

10 (a) NOTIFY SOLID WASTE COLLECTORS THAT THE DISPOSAL OF
11 PROPULSION BATTERIES IN LANDFILLS IS PROHIBITED AND THAT
12 SECONDARY HANDLERS CAN CONTACT A PROPULSION BATTERY PROVIDER
13 OR REMANUFACTURER TO TAKE RESPONSIBILITY FOR AN UNWANTED
14 PROPULSION BATTERY;

15 (b) DETERMINE HOW TO PROCEED IF THE FEDERAL GOVERNMENT
16 ENACTS A LAW OR ADOPTS REGULATIONS PERTAINING TO PROPULSION
17 BATTERIES THAT MAY IMPACT THE REQUIREMENTS OF SECTION
18 25-17-1019;

19 (c) PROVIDE A LINK ON THE DEPARTMENT'S PUBLIC WEBSITE TO
20 EACH PROPULSION BATTERY PROVIDER'S WEBSITE IN ORDER TO EXPEDITE
21 THE COLLECTION OF UNWANTED PROPULSION BATTERIES;

22 (d) ASSESS THE ANNUAL REPORTS SUBMITTED PURSUANT TO
23 SECTION 25-17-1019 (9) TO DETERMINE WHETHER ANY SECONDARY
24 HANDLERS REQUIRED THE COLLECTION OF TEN OR MORE UNWANTED
25 PROPULSION BATTERIES IN A GIVEN YEAR AND, IF SO, ASSESS A
26 COLLECTION CHARGE OF ONE THOUSAND DOLLARS TO BE PAID TO THE
27 DEPARTMENT BY THE SECONDARY HANDLER AND CREDITED TOWARD THE

1 ANNUAL FEE AMOUNT TO REDUCE THE AMOUNT OF PROPULSION BATTERY
2 PROVIDER ANNUAL FEES;

3 (e) ASSESS THE ANNUAL REPORTS SUBMITTED PURSUANT TO
4 SECTION 25-17-1019 (9) TO DETERMINE IF SECONDARY HANDLERS THAT
5 ARE NOT YET REGISTERED PURSUANT TO SECTION 25-17-1019 (1)
6 REQUIRED THE COLLECTION OF AN UNWANTED PROPULSION BATTERY IN
7 THE PRECEDING YEAR, AND, IF SO, THE DEPARTMENT SHALL COLLECT
8 THEIR REGISTRATION INFORMATION;

9 (f) COMPILE A LIST OF ENTITIES REGISTERED PURSUANT TO
10 SECTION 25-17-1019 (1) AND MAKE THE LIST AVAILABLE UPON REQUEST;

11 AND

12 (g) CONDUCT AN EMAIL SURVEY WITH ENTITIES REGISTERED
13 PURSUANT TO SECTION 25-17-1019 (1) AND SOLID WASTE DISPOSAL SITES
14 AND FACILITIES TO REQUEST FEEDBACK ON THE FUNCTIONING OF THE
15 PROPULSION BATTERY RECYCLING PROGRAM SET FORTH IN SECTION
16 25-17-1019 TO UNDERSTAND THEIR EXPERIENCE, ANY KNOWLEDGE OF
17 ORPHANED BATTERIES, AND ANY RECOMMENDED PROGRAM
18 IMPROVEMENTS. BASED ON THE FINDINGS OF THE SURVEY, THE
19 DEPARTMENT SHALL ASSESS THE EFFECTIVENESS OF THE RESPONSIBILITY
20 FRAMEWORK OUTLINED IN SECTION 25-17-1019 TO COLLECT UNWANTED
21 PROPULSION BATTERIES. THE DEPARTMENT SHALL INCLUDE A SUMMARY
22 OF THE SURVEY FINDINGS AND THE DEPARTMENT'S ASSESSMENT WITH THE
23 AGGREGATED NONPROPRIETARY DATA POSTED ANNUALLY ON THE
24 DEPARTMENT'S PUBLIC WEBSITE PURSUANT TO SUBSECTION (3) OF THIS
25 SECTION.

26 (3) THE DEPARTMENT SHALL INCLUDE THE AGGREGATED
27 NONPROPRIETARY DATA COLLECTED ON PROPULSION BATTERIES

1 PURSUANT TO SECTION 25-17-1019 (9) WITH THE DATA ON RECYCLING,
2 SOLID WASTE, AND SOLID WASTE DIVERSION THAT IS COLLECTED AND
3 REPORTED ANNUALLY BY THE DEPARTMENT TO THE STANDING COMMITTEE
4 OF REFERENCE IN EACH HOUSE OF THE GENERAL ASSEMBLY EXERCISING
5 JURISDICTION OVER MATTERS CONCERNING PUBLIC HEALTH AND THE
6 ENVIRONMENT PURSUANT TO SECTION 30-20-122 (1) AND SHALL
7 ANNUALLY POST THE DATA ON THE DEPARTMENT'S PUBLIC WEBSITE.

8 (4) NOTHING IN THIS PART 10 EXEMPTS A PERSON FROM
9 COMPLYING WITH ANY OTHER APPLICABLE LOCAL, STATE, OR FEDERAL
10 LAWS OR REGULATORY REQUIREMENTS.

11 **SECTION 6.** In Colorado Revised Statutes, add 25-17-1019 and
12 25-17-1020 as follows:

13 **25-17-1019. Propulsion batteries - propulsion battery**
14 **providers - remanufacturers - secondary handlers - public outreach**
15 **and education - collection of unwanted propulsion batteries -**
16 **reporting requirement - marking and labeling requirements - solid**
17 **waste disposal site and facility disposal prohibited.**

18 (1) (a) ON OR BEFORE JULY 1, 2027, A PROPULSION BATTERY
19 PROVIDER SHALL REGISTER WITH THE DEPARTMENT BY:

20 (I) PROVIDING TO THE DEPARTMENT, THROUGH INFORMAL DIGITAL
21 CORRESPONDENCE OR BY SUBMITTING A DIGITAL FORM, THE PROPULSION
22 BATTERY PROVIDER'S BUSINESS NAME, CONTACT INFORMATION, ADDRESS,
23 AND BUSINESS DESCRIPTION; AND

24 (II) INFORMING THE DEPARTMENT WHETHER THE PROPULSION
25 BATTERY PROVIDER PLANS TO FILE ITS EDUCATION AND OUTREACH PLAN
26 INDIVIDUALLY OR AS PART OF A GROUP OF PROPULSION BATTERY
27 PROVIDERS. A PROPULSION BATTERY PROVIDER INTENDING TO FILE AS

1 PART OF A GROUP SHALL PROVIDE TO THE DEPARTMENT THE NAMES OF THE
2 OTHER PROPULSION BATTERY PROVIDERS IN THE GROUP, IF FEASIBLE. A
3 PROPULSION BATTERY PROVIDER MAY PARTICIPATE IN A GROUP
4 EDUCATION AND OUTREACH PLAN WITHOUT PARTICIPATING IN GROUP
5 PROPULSION BATTERY COLLECTION ACTIVITIES.

6 (b) A SECONDARY HANDLER, REMANUFACTURER, OR REPURPOSER
7 MAY ELECT TO REGISTER WITH THE DEPARTMENT AT ANY TIME BY
8 PROVIDING, THROUGH INFORMAL DIGITAL CORRESPONDENCE OR BY
9 SUBMITTING A DIGITAL FORM, THE ENTITY'S BUSINESS NAME, CONTACT
10 INFORMATION, ADDRESS, AND BUSINESS DESCRIPTION. A SECONDARY
11 HANDLER, REMANUFACTURER, OR REPURPOSER IS NOT REQUIRED TO PAY
12 THE REGISTRATION FEE.

13 (2) ON OR BEFORE APRIL 1, 2028, A PROPULSION BATTERY
14 PROVIDER OR GROUP OF PROPULSION BATTERY PROVIDERS SHALL SUBMIT
15 TO THE EXECUTIVE DIRECTOR AN EDUCATION AND OUTREACH PLAN. THE
16 EDUCATION AND OUTREACH PLAN MUST:

17 (a) INCLUDE A PUBLIC EDUCATION AND OUTREACH STRATEGY FOR
18 SECONDARY HANDLERS THAT DESCRIBES:

19 (I) THE SOLID WASTE DISPOSAL SITE AND FACILITY BAN IN
20 SUBSECTION (12) OF THIS SECTION;

21 (II) THE REQUIREMENTS FOR SECONDARY HANDLERS IN
22 SUBSECTION (10) OF THIS SECTION;

23 (III) THE PROCESS FOR HOW A SECONDARY HANDLER CAN NOTIFY
24 THE PROPULSION BATTERY PROVIDER THAT AN UNWANTED PROPULSION
25 BATTERY NEEDS COLLECTION; AND

26 (IV) INFORMATION ABOUT SECONDARY HANDLER REGISTRATION;

27 (b) SPECIFY HOW THE PROPULSION BATTERY PROVIDER'S CONTACT

1 INFORMATION FOR SECONDARY HANDLERS CAN BE ACCESSED;
2 (c) INCLUDE INFORMATION THAT THE PROPULSION BATTERY
3 PROVIDER REQUIRES TO DETERMINE THE ELIGIBILITY OF A PROPULSION
4 BATTERY THAT NEEDS COLLECTION, INCLUDING:
5 (I) CONFIRMATION THAT THE BATTERY IS A PROPULSION BATTERY
6 THAT HAS BEEN REMOVED FROM A VEHICLE;
7 (II) CONFIRMATION THAT, TO THE BEST OF THE SECONDARY
8 HANDLER'S KNOWLEDGE, THE PROPULSION BATTERY HAS NOT BEEN
9 MODIFIED OR TAKEN APART;
10 (III) CONFIRMATION THAT THE PROPULSION BATTERY IS FULLY
11 OWNED BY THE SECONDARY HANDLER WITH NO KNOWN PENDING CLAIMS
12 FOR LOSS OR DAMAGES BY AN INSURANCE PROVIDER;
13 (IV) THE MAKE, MODEL, AND YEAR OF THE VEHICLE FROM WHICH
14 THE PROPULSION BATTERY CAME, IF AVAILABLE;
15 (V) THE DIMENSIONS AND WEIGHT OF THE PROPULSION BATTERY,
16 IF AVAILABLE;
17 (VI) A PHOTOGRAPH OF THE PROPULSION BATTERY AND A
18 PHOTOGRAPH OF THE LABEL ON THE PROPULSION BATTERY;
19 (VII) AN ASSESSMENT AS TO WHETHER, TO THE BEST OF THE
20 SECONDARY HANDLER'S KNOWLEDGE, THE PROPULSION BATTERY IS
21 DAMAGED OR DEFECTIVE;
22 (VIII) A COPY OF THE SECONDARY HANDLER'S FEDERAL
23 DEPARTMENT OF TRANSPORTATION HAZMAT TRANSPORTATION SHIPPING
24 CERTIFICATION, IF AVAILABLE; AND
25 (IX) SECONDARY HANDLER REGISTRATION INFORMATION, IF
26 AVAILABLE; AND
27 (d) DESCRIBE HOW SECONDARY HANDLERS AND FIRST RESPONDERS

1 CAN ACCESS EMERGENCY RESPONSE GUIDES FOR ELECTRIC VEHICLES.

2 (3) ON AND AFTER OCTOBER 1, 2028, A PROPULSION BATTERY
3 PROVIDER SHALL NOT SELL, MAKE AVAILABLE FOR SALE, OR DISTRIBUTE
4 A PROPULSION BATTERY IN OR INTO THE STATE UNLESS THE PROPULSION
5 BATTERY PROVIDER HAS SUBMITTED AN EDUCATION AND OUTREACH PLAN
6 TO THE EXECUTIVE DIRECTOR IN ACCORDANCE WITH SUBSECTION (2) OF
7 THIS SECTION.

8 (4) A PROPULSION BATTERY PROVIDER SHALL DEVELOP AND
9 MAINTAIN ONE OR MORE WEBSITES OR EQUIVALENT MEANS, AVAILABLE IN
10 BOTH ENGLISH AND SPANISH, THAT INCLUDE THE INFORMATION IN THE
11 PROPULSION BATTERY PROVIDER'S EDUCATION AND OUTREACH PLAN. AT
12 LEAST ONE WEBSITE MUST INCLUDE THE FOLLOWING:

13 (a) A LINK TO THE PROPULSION BATTERY PROVIDER'S EMERGENCY
14 RESPONSE GUIDES FOR ELECTRIC VEHICLES;

15 (b) THE PROPULSION BATTERY PROVIDER'S CONTACT INFORMATION
16 FOR SECONDARY HANDLERS; AND

17 (c) INSTRUCTIONS FOR HOW SECONDARY HANDLERS CAN PROVIDE
18 THE INFORMATION DESCRIBED IN SUBSECTION (2)(a)(III) OF THIS SECTION
19 FOR A PROPULSION BATTERY PROVIDER TO DETERMINE THE ELIGIBILITY OF
20 AN UNWANTED PROPULSION BATTERY.

21 (5) A PROPULSION BATTERY PROVIDER SHALL:

22 (a) EXCEPT AS PROVIDED IN SUBSECTION (5)(c) OF THIS SECTION,
23 UPON RECEIVING NOTIFICATION IN ACCORDANCE WITH THE NOTIFICATION
24 PROCESS OUTLINED IN SUBSECTION (2)(a)(III) OF THIS SECTION THAT AN
25 UNWANTED PROPULSION BATTERY NEEDS COLLECTION, RETRIEVE THE
26 BATTERY AND ENSURE RESPONSIBLE PROPULSION BATTERY MANAGEMENT.
27 THE PROPULSION BATTERY PROVIDER SHALL RETRIEVE AN UNWANTED

1 PROPULSION BATTERY:

2 (I) WITHIN SIXTY DAYS AFTER RECEIVING NOTIFICATION FROM A

3 SECONDARY HANDLER, UNLESS MUTUALLY AGREEABLE TERMS FOR A

4 LONGER COLLECTION TIMELINE ARE MADE WITH A SECONDARY HANDLER

5 OR THERE IS AN UNEXPECTED DELAY DUE TO CIRCUMSTANCES FORCE

6 MAJEURE; AND

7 (II) WITHIN THIRTY DAYS AFTER RECEIVING NOTIFICATION FROM

8 A SOLID WASTE DISPOSAL SITE AND FACILITY;

9 (b) ENSURE THE RESPONSIBLE PROPULSION BATTERY

10 MANAGEMENT OF ALL PROPULSION BATTERIES WITHIN THE POSSESSION OF

11 THE PROPULSION BATTERY PROVIDER IN ACCORDANCE WITH THE BATTERY

12 MANAGEMENT HIERARCHY;

13 (c) FULLY FUND THE COSTS OF THE COLLECTION OF AN UNWANTED

14 PROPULSION BATTERY OFFERED BY A SECONDARY HANDLER; EXCEPT THAT

15 A PROPULSION BATTERY PROVIDER IS NOT RESPONSIBLE FOR THE

16 COLLECTION OF A PROPULSION BATTERY THAT:

17 (I) HAS BEEN REMANUFACTURED BY A REMANUFACTURER, UNLESS

18 THE REMANUFACTURER IS IN A CONTRACTUAL RELATIONSHIP WITH THE

19 PROPULSION BATTERY PROVIDER AND THE CONTRACT PROVIDES THAT THE

20 PROPULSION BATTERY PROVIDER RETAINS RESPONSIBILITY FOR

21 RESPONSIBLE PROPULSION BATTERY MANAGEMENT;

22 (II) HAS BEEN REPURPOSED BY A REPURPOSER, UNLESS THE

23 REPURPOSER IS IN A CONTRACTUAL RELATIONSHIP WITH THE PROPULSION

24 BATTERY PROVIDER AND THE CONTRACT PROVIDES THAT THE PROPULSION

25 BATTERY PROVIDER RETAINS RESPONSIBILITY FOR RESPONSIBLE

26 PROPULSION BATTERY MANAGEMENT;

27 (III) HAS BEEN DISASSEMBLED INTO MODULES OR CELLS; OR

1 (IV) IS CONTAINED WITHIN A VEHICLE OR PRODUCT THAT IS
2 DIRECTLY OWNED OR CONTROLLED BY AN INSURANCE COMPANY; AND

3 (d) PROVIDE THE STATE OF HEALTH OF A PROPULSION BATTERY
4 EMBEDDED IN A VEHICLE THROUGH THE VEHICLE'S IN-VEHICLE DISPLAY OR
5 THROUGH A NONPROPRIETARY ON-BOARD DIAGNOSTIC SCAN TOOL, FOR A
6 VEHICLE THAT IS MODEL YEAR 2028 OR LATER. A PROPULSION BATTERY
7 PROVIDER MAY, BUT IS NOT REQUIRED TO, SUPPLY STATE OF HEALTH
8 INFORMATION FOR A PROPULSION BATTERY THAT HAS BEEN REMOVED
9 FROM OR IS OUTSIDE OF A VEHICLE.

10 (6) ON AND AFTER OCTOBER 1, 2028, A PROPULSION BATTERY
11 PROVIDER SHALL NOT SELL, OFFER FOR SALE, OR DISTRIBUTE IN OR INTO
12 THE STATE A PROPULSION BATTERY UNLESS THE PROPULSION BATTERY
13 PROVIDER:

14 (a) (I) APPLIES A LABEL TO THE PROPULSION BATTERY THAT
15 INCLUDES THE NAME OF THE PROPULSION BATTERY PROVIDER
16 RESPONSIBLE FOR THE PROPULSION BATTERY, ITS DATE OF MANUFACTURE,
17 AND THE FOLLOWING:

18 (A) AN IDENTIFICATION OF THE CHEMISTRY OF THE PROPULSION
19 BATTERY, INCLUDING THE CATHODE TYPE AND ANODE TYPE, IN
20 ACCORDANCE WITH SAE INTERNATIONAL J2984 STANDARD, "CHEMICAL
21 IDENTIFICATION OF TRANSPORTATION BATTERIES FOR RECYCLING";

22 (B) THE RATED CAPACITY OR ENERGY AS MEASURED BY SAE
23 INTERNATIONAL J2288 STANDARD, "LIFE CYCLE TESTING OF ELECTRIC
24 VEHICLE BATTERY MODULES";

25 (C) THE HAZARDOUS SUBSTANCES CONTAINED IN THE PROPULSION
26 BATTERY;

27 (D) PRODUCT SAFETY AND RECALL INFORMATION; AND

1 (E) SAFE DISPOSAL INFORMATION.

2 (II) A PROPULSION BATTERY PROVIDER THAT APPLIES A LABEL
3 SHALL ATTACH THE LABEL TO THE EXTERIOR OF THE PROPULSION BATTERY
4 SO THAT THE LABEL IS VISIBLE AND ACCESSIBLE WHEN THE PROPULSION
5 BATTERY IS REMOVED FROM THE VEHICLE IN ACCORDANCE WITH THE
6 MANUFACTURER'S RECOMMENDED PROCEDURES FOR BATTERY REMOVAL.
7 THE LABEL MUST REMAIN LEGIBLE, ADHERED, AND FUNCTIONALLY INTACT
8 UNDER EXPECTED ENVIRONMENTAL AND LIFE-CYCLE CONDITIONS WITHIN
9 THE VEHICLE.

10 (b) (I) TO COMPLY WITH SUBSECTION (6)(a)(I) OF THIS SECTION, A
11 PROPULSION BATTERY PROVIDER MAY APPLY A QUICK RESPONSE (QR)
12 CODE TO THE PROPULSION BATTERY THAT LINKS TO A DATA REPOSITORY
13 WEBSITE.

14 (II) THE DATA REPOSITORY WEBSITE MAY INCLUDE INFORMATION
15 THAT COVERS A PERIOD OF TIME REPRESENTING MULTIPLE DATES OF
16 MANUFACTURE IF THE REST OF THE LABEL INFORMATION REQUIRED BY
17 THIS SUBSECTION (6) IS CONSISTENT ACROSS THE MULTIPLE DATES OF
18 MANUFACTURE AND THE DATA REPOSITORY WEBSITE ENTRY INCLUDES THE
19 APPLICABLE RANGE OF DATES OF MANUFACTURE.

20 (7) ON AND AFTER OCTOBER 1, 2028, A REMANUFACTURER
21 SELLING PROPULSION BATTERIES IN THE STATE:

22 (a) SHALL RELABEL A PROPULSION BATTERY TO ENSURE THAT THE
23 REMANUFACTURER'S BRAND IS CLEARLY MARKED ON THE LABEL. IF THE
24 ORIGINAL LABEL REMAINS, THE REMANUFACTURER SHALL PLACE THE NEW
25 LABEL ADJACENT TO THE ORIGINAL LABEL AND CLEARLY IDENTIFY THE
26 ORIGINAL LABEL AS OBSOLETE. IF THE REMANUFACTURER ALTERS THE
27 PROPULSION BATTERY'S COMPOSITION OR CHEMISTRY, THE

1 REMANUFACTURER SHALL UPDATE THE LABEL OR PROVIDE A NEW DATA
2 REPOSITORY WEBSITE LINK OR QUICK RESPONSE (QR) CODE TO REFLECT
3 THE NEW COMPOSITION.

4 (b) SHALL ENSURE RESPONSIBLE PROPULSION BATTERY
5 MANAGEMENT WHEN:

6 (I) A PROPULSION BATTERY THAT THE REMANUFACTURER
7 DISASSEMBLES OR REMANUFACTURES IS ULTIMATELY NOT SOLD FOR USE
8 IN A VEHICLE; AND

9 (II) AN UNWANTED PROPULSION BATTERY THAT HAS BEEN
10 REMOVED FROM A VEHICLE BY A SECONDARY HANDLER IN THE STATE IS
11 COLLECTED BY THE REMANUFACTURER;

12 (c) SHALL FULLY FUND THE COSTS OF THE COLLECTION OF AN
13 UNWANTED PROPULSION BATTERY THAT THE REMANUFACTURER HAS
14 REMANUFACTURED IF OFFERED BY A SECONDARY HANDLER;

15 (d) IS NOT RESPONSIBLE FOR COLLECTING A REMANUFACTURED
16 PROPULSION BATTERY IF:

17 (I) THE REMANUFACTURED PROPULSION BATTERY HAS BEEN
18 REPURPOSED BY A REPURPOSER, UNLESS THE REPURPOSER IS IN A
19 CONTRACTUAL RELATIONSHIP WITH THE REMANUFACTURER AND THE
20 CONTRACT PROVIDES THAT THE REMANUFACTURER RETAINS
21 RESPONSIBILITY FOR RESPONSIBLE PROPULSION BATTERY MANAGEMENT;

22 (II) THE REMANUFACTURED PROPULSION BATTERY IS CONTAINED
23 WITHIN A VEHICLE OR PRODUCT THAT IS DIRECTLY OWNED OR
24 CONTROLLED BY AN INSURANCE COMPANY;

25 (III) THE REMANUFACTURER IS IN A CONTRACTUAL RELATIONSHIP
26 WITH THE PROPULSION BATTERY PROVIDER AND THE CONTRACT PROVIDES
27 THAT THE PROPULSION BATTERY PROVIDER RETAINS RESPONSIBILITY FOR

1 THE DISPOSITIONING AND MANAGEMENT OF THE PROPULSION BATTERY; OR

2 (IV) THE REMANUFACTURED PROPULSION BATTERY HAS BEEN
3 DISASSEMBLED INTO MODULES OR CELLS;

4 (e) EXCEPT AS PROVIDED IN SUBSECTION (7)(d) OF THIS SECTION,
5 UPON RECEIVING NOTIFICATION THAT AN UNWANTED PROPULSION
6 BATTERY NEEDS COLLECTION IN ACCORDANCE WITH THE NOTIFICATION
7 PROCESS OUTLINED IN SUBSECTION (7)(f) OF THIS SECTION, SHALL
8 RETRIEVE THE BATTERY:

9 (I) WITHIN SIXTY DAYS AFTER RECEIVING NOTIFICATION FROM A
10 SECONDARY HANDLER, UNLESS MUTUALLY AGREEABLE TERMS FOR A
11 LONGER COLLECTION TIMELINE ARE MADE WITH A SECONDARY HANDLER
12 OR THERE IS AN UNEXPECTED DELAY DUE TO CIRCUMSTANCES FORCE
13 MAJEURE; AND

14 (II) WITHIN THIRTY DAYS AFTER RECEIVING NOTIFICATION FROM
15 A SOLID WASTE DISPOSAL SITE AND FACILITY; AND

16 (f) SHALL ESTABLISH A PROCESS FOR A SECONDARY HANDLER TO
17 NOTIFY THE REMANUFACTURER THAT AN UNWANTED PROPULSION
18 BATTERY NEEDS COLLECTION. THE PROCESS MUST INCLUDE THE
19 FOLLOWING:

20 (I) AN EDUCATION AND OUTREACH PROGRAM FOR SECONDARY
21 HANDLERS;

22 (II) THE REMANUFACTURER'S CONTACT INFORMATION FOR
23 SECONDARY HANDLERS; AND

24 (III) INFORMATION THAT THE REMANUFACTURER REQUIRES TO
25 DETERMINE THE ELIGIBILITY OF A PROPULSION BATTERY THAT NEEDS
26 COLLECTION, INCLUDING:

27 (A) CONFIRMATION THAT THE BATTERY IS A PROPULSION BATTERY

- 1 THAT HAS BEEN REMOVED FROM A VEHICLE;
- 2 (B) CONFIRMATION THAT, TO THE BEST OF THE SECONDARY
3 HANDLER'S KNOWLEDGE, THE PROPULSION BATTERY HAS NOT BEEN
4 MODIFIED OR TAKEN APART BY ANYONE OTHER THAN THE PROPULSION
5 BATTERY PROVIDER OR REMANUFACTURER;
- 6 (C) CONFIRMATION THAT, TO THE BEST OF THE SECONDARY
7 HANDLER'S KNOWLEDGE, THE PROPULSION BATTERY IS FULLY OWNED BY
8 THE SECONDARY HANDLER WITH NO KNOWN PENDING CLAIMS FOR LOSS OR
9 DAMAGES BY AN INSURANCE PROVIDER;
- 10 (D) THE MAKE, MODEL, AND YEAR OF THE VEHICLE FROM WHICH
11 THE PROPULSION BATTERY CAME, IF AVAILABLE;
- 12 (E) THE DIMENSIONS AND WEIGHT OF THE PROPULSION BATTERY,
13 IF AVAILABLE;
- 14 (F) A PHOTOGRAPH OF THE PROPULSION BATTERY AND A
15 PHOTOGRAPH OF THE LABEL ON THE PROPULSION BATTERY;
- 16 (G) AN ASSESSMENT AS TO WHETHER, TO THE BEST OF THE
17 SECONDARY HANDLER'S KNOWLEDGE, THE PROPULSION BATTERY IS
18 DAMAGED OR DEFECTIVE;
- 19 (H) A COPY OF THE SECONDARY HANDLER'S FEDERAL DEPARTMENT
20 OF TRANSPORTATION HAZMAT TRANSPORTATION SHIPPING CERTIFICATION,
21 IF AVAILABLE; AND
- 22 (I) SECONDARY HANDLER REGISTRATION INFORMATION, IF
23 AVAILABLE.
- 24 (8) (a) A PROPULSION BATTERY PROVIDER OR REMANUFACTURER
25 SHALL NOT RECOVER THE COSTS OF COMPLIANCE WITH THIS PART 10 BY
26 IMPOSING A FEE OR OTHER CHARGE ON A FRANCHISED MOTOR VEHICLE
27 DEALER.

1 (b) A PROPULSION BATTERY PROVIDER OR REMANUFACTURER MAY
2 CONTRACT WITH A THIRD PARTY TO MANAGE PROPULSION BATTERIES TO
3 SATISFY THE REQUIREMENTS OF THIS SECTION.

4 (9) (a) ON OR BEFORE JULY 1, 2030, AND ON OR BEFORE EACH JULY
5 1 THEREAFTER, A PROPULSION BATTERY PROVIDER AND A
6 REMANUFACTURER SHALL SUBMIT AN ANNUAL REPORT TO THE EXECUTIVE
7 DIRECTOR COVERING THE PRECEDING CALENDAR YEAR OF THE
8 RESPONSIBLE PROPULSION BATTERY MANAGEMENT OF THE PROPULSION
9 BATTERIES COLLECTED BY THE PROPULSION BATTERY PROVIDER OR
10 REMANUFACTURER PURSUANT TO THIS SECTION. THE REPORT MUST
11 INCLUDE THE FOLLOWING:

12 (I) ANY UPDATES TO EDUCATION AND OUTREACH MATERIALS FOR
13 SECONDARY HANDLERS AND HOW THE UPDATES WERE COMMUNICATED;

14 (II) THE NUMBER OF UNWANTED PROPULSION BATTERIES THAT
15 WERE OFFERED FROM A SECONDARY HANDLER AND THE NUMBER OF
16 UNWANTED PROPULSION BATTERIES COLLECTED, BY CHEMISTRY;

17 (III) FOR EACH REQUEST RECEIVED TO COLLECT AN UNWANTED
18 PROPULSION BATTERY:

19 (A) THE DATE THAT THE SECONDARY HANDLER OFFERED THE
20 UNWANTED PROPULSION BATTERY, ALONG WITH THE ELIGIBILITY
21 INFORMATION DESCRIBED IN SUBSECTIONS (2)(c) AND (7)(f)(III) OF THIS
22 SECTION, TO THE PROPULSION BATTERY PROVIDER OR REMANUFACTURER;

23 (B) THE DATE A PLAN WAS COMMUNICATED TO THE SECONDARY
24 HANDLER FOR COLLECTING THE UNWANTED PROPULSION BATTERY; AND

25 (C) THE DATE THE UNWANTED PROPULSION BATTERY WAS
26 COLLECTED OR, IF APPLICABLE, THE REASONS THAT THE UNWANTED
27 PROPULSION BATTERY WAS NOT COLLECTED, INCLUDING SUPPORTING

1 INFORMATION SUCH AS PHOTOGRAPHS;

2 (IV) THE NUMBER OF PROPULSION BATTERIES, SEPARATED BY
3 CHEMISTRY, SENT FOR REUSE, REMANUFACTURING, REPURPOSING, AND
4 PROPULSION BATTERY RECYCLING, RESPECTIVELY;

5 (V) THE PROPULSION BATTERY RECYCLERS USED IN THE
6 PROPULSION BATTERY RECYCLING PROCESS, INCLUDING IDENTIFICATION
7 OF A RECYCLER'S LOCATION;

8 (VI) A DESCRIPTION OF THE GENERAL PROCESSES USED BY
9 PROPULSION BATTERY RECYCLERS TO ACHIEVE REQUIRED RECOVERY
10 RATES; AND

11 (VII) FOR EACH PROPULSION BATTERY RECYCLER USED:

12 (A) THE RECOVERY RATE OF LITHIUM, COBALT, AND NICKEL
13 PRESENT IN THE PROPULSION BATTERY FEEDSTOCK, USING THE
14 CALCULATIONS DESCRIBED IN THIS SUBSECTION (9). THE TARGETED
15 CRITICAL MINERALS AND SPECIFIC RATIOS MUST BE LISTED SEPARATELY.
16 A MINERAL THAT IS NOT TARGETED IN THE RECOVERY PROCESS MAY BE
17 LISTED AS A PERCENT OR IT CAN BE STATED THAT THE MINERAL IS NOT
18 TARGETED AND RECOVERED BY THE PROPULSION BATTERY RECYCLER.

19 (B) THE FORM OF THE MAJORITY OF RECOVERED BATTERY
20 MATERIAL MUST BE IDENTIFIED AS ELEMENTAL, COMPOUND, OR
21 INTERMEDIATE, CONSISTENT WITH THE RECOVERY DEFINITION IN SECTION
22 25-17-1003 (24.5).

23 (b) A PROPULSION BATTERY RECYCLER SHALL RECOVER THE
24 FOLLOWING CRITICAL MINERALS IN THE ELEMENTAL, COMPOUND, OR
25 INTERMEDIATE FORM AT THE FOLLOWING MINIMUM RATES, WHICH RATES
26 ARE CALCULATED BASED ON EACH PROPULSION BATTERY RECYCLER'S
27 FACILITY-LEVEL YEARLY AVERAGE:

- 1 (I) BY 2031:
- 2 (A) NINETY PERCENT OF COBALT;
- 3 (B) NINETY PERCENT OF NICKEL; AND
- 4 (C) FIFTY PERCENT OF LITHIUM; AND

- 5 (II) BY 2035:
- 6 (A) NINETY PERCENT OF COBALT;
- 7 (B) NINETY PERCENT OF NICKEL; AND
- 8 (C) EIGHTY PERCENT OF LITHIUM.

9 (c) THE RECOVERY RATE FOR EACH TARGET CRITICAL MINERAL
10 MUST BE CALCULATED ON AN ANNUAL BASIS FOR EACH PROPULSION
11 BATTERY RECYCLER USING A MASS BALANCE APPROACH. THE
12 CALCULATION MUST ACCOUNT FOR THE MASS OF THE TARGET CRITICAL
13 MINERAL CONTAINED IN MATERIALS ENTERING THE RECYCLING PROCESS,
14 INCLUDING WASTE PROPULSION BATTERIES OR INTERMEDIATE MATERIALS,
15 AND THE MASS OF THE TARGET CRITICAL MINERAL RECOVERED IN
16 MATERIALS LEAVING THE RECYCLING PROCESS THAT MEET THE DEFINITION
17 OF "RECOVERY" AS DEFINED IN SECTION 25-17-1003 (24.5).

18 (d) THE RECOVERY RATE OF A TARGET CRITICAL MINERAL EQUALS
19 THE MASS OF TARGET CRITICAL MINERAL RECOVERED IN MATERIALS
20 LEAVING THE RECYCLING PROCESS DIVIDED BY THE MASS OF TARGET
21 CRITICAL MINERAL PRESENT IN MATERIALS ENTERING THE RECYCLING
22 PROCESS. THE MASS OF TARGET CRITICAL MINERALS ENTERING AND
23 LEAVING THE RECYCLING PROCESS SHALL BE DETERMINED BASED ON THEIR
24 CHEMICAL COMPOSITION, USING ANALYTICAL METHODS AND SAMPLING
25 PROCEDURES THAT ARE REPRESENTATIVE OF THE MATERIAL FLOWS.

26 (e) A PROPULSION BATTERY RECYCLER SHALL DETERMINE THE
27 PROPORTION OF DIFFERENT BATTERY CHEMISTRIES PRESENT IN MATERIALS

1 ENTERING THE RECYCLING PROCESS BY MEANS OF A SORTING ANALYSIS
2 BASED ON CONTINUOUS SAMPLING OR REPRESENTATIVE SAMPLING
3 METHODS CONSISTENT WITH GENERALLY ACCEPTED INDUSTRY
4 STANDARDS.

5 (f) (I) THE EXECUTIVE DIRECTOR SHALL KEEP PROPRIETARY
6 INFORMATION, AS MARKED BY A PROPULSION BATTERY PROVIDER,
7 REMANUFACTURER, OR PROPULSION BATTERY RECYCLER, CONFIDENTIAL
8 AND MAKE NONPROPRIETARY INFORMATION AVAILABLE UPON REQUEST.

9 (II) THE INFORMATION DESCRIBED IN SUBSECTIONS (9)(a)(I),
10 (9)(a)(II), (9)(a)(IV), (9)(a)(VI), AND (9)(a)(VII) OF THIS SECTION AND
11 AGGREGATED INFORMATION FROM SUBSECTIONS (9)(a)(III) AND (9)(a)(V)
12 OF THIS SECTION IS NOT PROPRIETARY.

13 (III) ANY INFORMATION MADE PUBLICLY AVAILABLE MUST BE
14 AGGREGATED SO THAT NO INDIVIDUAL PROPULSION BATTERY PROVIDER,
15 REMANUFACTURER, OR PROPULSION BATTERY RECYCLER IS IDENTIFIABLE.

16 (IV) AN ANNUAL REPORT SUBMITTED PURSUANT TO THIS
17 SUBSECTION (9) MAY BE UNIQUE TO COLORADO OR INCLUDE INFORMATION
18 FOR MULTIPLE STATES.

19 (V) A PROPULSION BATTERY PROVIDER THAT IS ALSO A
20 REMANUFACTURER MAY SUBMIT ONE ANNUAL REPORT.

21 (10) (a) ON AND AFTER OCTOBER 1, 2028:

22 (I) A SECONDARY HANDLER SHALL MANAGE A PROPULSION
23 BATTERY BY ENSURING RESPONSIBLE PROPULSION BATTERY
24 MANAGEMENT;

25 (II) IF A SECONDARY HANDLER DETERMINES THAT A PROPULSION
26 BATTERY IS AN UNWANTED PROPULSION BATTERY, THE SECONDARY
27 HANDLER SHALL NOTIFY THE APPROPRIATE PROPULSION BATTERY

1 PROVIDER OR REMANUFACTURER OR ANY ENTITY THAT THE PROPULSION
2 BATTERY PROVIDER OR REMANUFACTURER HAS DESIGNATED TO
3 FACILITATE THE COLLECTION OF UNWANTED PROPULSION BATTERIES;

4 (III) A SECONDARY HANDLER MANAGING PROPULSION BATTERIES
5 SHALL MAINTAIN RECORDS FOR THREE YEARS DETAILING THE PROPULSION
6 BATTERIES SOLD OR TRANSFERRED BY THE SECONDARY HANDLER AND THE
7 PERSON THE BATTERIES WERE SOLD OR TRANSFERRED TO;

8 (IV) WHEN SHIPPING A PROPULSION BATTERY, A SECONDARY
9 HANDLER IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH PROPER
10 PERSONNEL TRAINING REQUIREMENTS FOR SHIPPING UNDER 49 CFR
11 172.700 TO 172.704;

12 (V) WHEN REMOVING A PROPULSION BATTERY FROM A VEHICLE,
13 A SECONDARY HANDLER SHALL RECORD THE LAST KNOWN STATE OF
14 HEALTH AND STATE OF CHARGE, IF AVAILABLE, AND DISCLOSE THESE
15 VALUES AT THE TIME OF SALE OR TRANSFER OF THE PROPULSION BATTERY
16 TO ANOTHER PERSON;

17 (VI) IN ORDER TO PROMOTE THE BATTERY MANAGEMENT
18 HIERARCHY, A SECONDARY HANDLER SHALL STORE PROPULSION
19 BATTERIES NOT SUSPECTED OF DAMAGE OR INSTABILITY IN A COVERED
20 AREA, MINIMIZING EXPOSURE TO PRECIPITATION AND EXTREME HEAT OR
21 COLD. A SECONDARY HANDLER SHALL STORE PROPULSION BATTERIES
22 THAT ARE VISIBLY DAMAGED OR OTHERWISE SUSPECTED TO HAVE THE
23 POTENTIAL FOR THERMAL RUNAWAY IN AN ISOLATED AREA AWAY FROM
24 FLAMMABLE MATERIALS.

25 (VII) A SECONDARY HANDLER WORKING WITH PROPULSION
26 BATTERIES SHALL OBTAIN RELEVANT SAFETY TRAINING TO ASSIST WITH
27 THE SAFE HANDLING AND STORAGE OF PROPULSION BATTERIES.

1 (b) SUBSECTIONS (10)(a)(III), (10)(a)(V), (10)(a)(VI), AND
2 (10)(a)(VII) OF THIS SECTION DO NOT APPLY TO A SOLID WASTE DISPOSAL
3 SITE AND FACILITY.

4 (c) NOTWITHSTANDING SECTION 25-17-1018, THE COMMISSION
5 SHALL NOT ADOPT RULES FOR THE PURPOSES OF IMPLEMENTING
6 SUBSECTIONS (10)(a)(VI) AND (10)(a)(VII) OF THIS SECTION.

7 (11) (a) ON AND AFTER OCTOBER 1, 2028, A REPURPOSER SHALL:

8 (I) RELABEL A PROPULSION BATTERY THAT IS REPURPOSED IN THE
9 STATE TO ENSURE THAT THE REPURPOSER'S BRAND IS CLEARLY MARKED
10 ON THE LABEL. IF THE ORIGINAL LABEL REMAINS, THE REPURPOSER SHALL
11 PLACE THE NEW LABEL ADJACENT TO THE ORIGINAL LABEL AND CLEARLY
12 IDENTIFY THE ORIGINAL LABEL AS OBSOLETE.

13 (II) ENSURE THE PROPULSION BATTERY RECYCLING OF
14 PROPULSION BATTERIES THAT ARE WITHIN THE REPURPOSER'S POSSESSION
15 AND THAT CAN NO LONGER BE REPURPOSED UNLESS THE PROPULSION
16 BATTERY PROVIDER OR REMANUFACTURER AGREES TO ACCEPT
17 CONTINUED RESPONSIBILITY FOR THE PROPULSION BATTERY BY
18 CONTRACT.

19 (b) (I) ON OR BEFORE JULY 1, 2030, AND ON OR BEFORE EACH JULY
20 1 THEREAFTER, A REGISTERED REPURPOSER SHALL SUBMIT AN ANNUAL
21 REPORT TO THE EXECUTIVE DIRECTOR COVERING THE PRECEDING
22 CALENDAR YEAR OF THE REPURPOSER'S RESPONSIBLE PROPULSION
23 BATTERY MANAGEMENT. THE REPORT MUST INCLUDE THE FOLLOWING:

24 (A) THE NUMBER OF PROPULSION BATTERIES THAT THE
25 REPURPOSER REPURPOSED FROM COLORADO; AND

26 (B) THE NAME AND ADDRESS OF WHERE THE REPURPOSED
27 BATTERIES WERE SOLD OR TRANSFERRED, INCLUDING FOR BATTERIES SENT

1 FOR USE IN A SECONDARY APPLICATION AND THOSE SENT FOR PROPULSION
2 BATTERY RECYCLING.

3 (II) THE ANNUAL REPORT SUBMITTED PURSUANT TO THIS
4 SUBSECTION (11) MAY BE UNIQUE TO COLORADO OR MAY INCLUDE
5 INFORMATION FOR MULTIPLE STATES.

6 (III) A REPURPOSER THAT IS ALSO A REMANUFACTURER MAY
7 SUBMIT ONE ANNUAL REPORT.

8 (12) ON AND AFTER OCTOBER 1, 2028:

9 (a) PROPULSION BATTERIES THAT ARE HAZARDOUS WASTE AS
10 DEFINED UNDER FEDERAL OR STATE HAZARDOUS OR SOLID WASTE LAWS
11 MUST BE MANAGED IN A MANNER CONSISTENT WITH THOSE LAWS;

12 (b) A PERSON SHALL NOT DISPOSE OF A PROPULSION BATTERY BY
13 TAKING THE PROPULSION BATTERY TO A SOLID WASTE DISPOSAL SITE AND
14 FACILITY; AND

15 (c) A PERSON NOT IDENTIFIED IN THIS SECTION IS RESPONSIBLE FOR
16 ENSURING THE RESPONSIBLE PROPULSION BATTERY MANAGEMENT OF
17 PROPULSION BATTERIES BY WORKING WITH A SECONDARY HANDLER,
18 PROPULSION BATTERY PROVIDER, REMANUFACTURER, REPURPOSER, OR
19 PROPULSION BATTERY RECYCLER.

20 **25-17-1020. Applicability.**

21 A VEHICLE CONTAINING A PROPULSION BATTERY ORIGINALLY SOLD
22 IN THE STATE IS NOT SUBJECT TO THIS PART 10 WHEN THE VEHICLE IS
23 RETIRED OUT OF STATE.

24 **SECTION 7. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2026 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.