After consideration on the merits, the Committee recommends the following:

HB20-1119 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1. Amend printed bill, page 2, line 3, strike "(4) and (5)" and substitute "(4), (5), and (6)".

2. Page 2, line 5, strike "definitions." and substitute "definitions - repeal."
3. and strike "ANY" and substitute "AS OF AUGUST 2, 2019, ANY".

4. Page 2, line 12, after "COLORADO;" add "AND".

5. Page 2, strike lines 13 and 14.

6. Renumber succeeding subparagraph accordingly.


8. Page 3, line 15, strike "OR" and substitute "OF".

9. Page 3, after line 17 insert:
10. "(6) SUBSECTIONS (4) AND (5) OF THIS SECTION ARE REPEALED, EFFECTIVE JANUARY 1, 2023.".

11. Page 3, strike lines 18 through 27.
Page 4, strike lines 1 through 10.

Renumber succeeding sections accordingly.

Page 4, strike lines 15 and 16 and substitute "COMMISSION SHALL PROMULGATE RULES ESTABLISHING A CERTIFICATE OF REGISTRATION FOR ANY FACILITY, FIRE DEPARTMENT, OR LESSEE THAT USES OR STORES".

Page 4, line 17, strike "SUBSTANCES," and insert "SUBSTANCES IN ITS OPERATIONS,"

Page 4, line 22, after "SUBSTANCES," add "THE COMMISSION SHALL TAKE INTO ACCOUNT COSTS, TECHNOLOGICAL FEASIBILITY, AND THE POSSIBILITY OF EMERGENCY SITUATIONS FOR ANY RULES IT PROMULGATES.".

Page 4, line 23, strike "POSSESSES" and substitute "USES OR STORES".

Page 4, line 24, after "SUBSTANCES" insert "IN ITS OPERATIONS".

Page 5, after line 7 insert:

"(d) NO FACILITY, FIRE DEPARTMENT, OR LESSEE SUBJECT TO FEDERAL RULES AND REGULATIONS THAT POSSESSES PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES SHALL BE SUBJECT TO ANY PENALTIES UNDER THIS SECTION FOR NOT OBTAINING A CERTIFICATE OF REGISTRATION UNLESS THERE HAS BEEN A SUFFICIENT OPPORTUNITY TO APPLY FOR AND RECEIVE A CERTIFICATE OF REGISTRATION.".

Page 5, strike line 8 and substitute:

"(e) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(I) "PERFLUOROALKYL AND"

Page 5, lines 9 and 10, strike "FIREFIGHTING AGENTS AND EQUIPMENT" and substitute "CLASS B FIREFIGHTING FOAM, AS DEFINED IN SECTION 25-5-1302 (2),".

Page 5, after line 11 insert:

"(II) "USES OR STORES" MEANS ACTUAL AND INTENTIONAL OWNERSHIP OR CONTROL OF PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES. "USES OR STORES" DOES NOT MEAN THE INTERCEPTION OR ACCUMULATION OF PERFLUOROALKYL AND POLYFLUOROALKYL
SUBSTANCES IN WATER TREATMENT FACILITIES AND DOMESTIC WASTEWATER FACILITIES.

SECTION 3. In Colorado Revised Statutes, add 25-5-1309 as follows:

25-5-1309. Restriction on the use of certain firefighting foam at certain airports - definitions. (1) Beginning January 1, 2023, the use of class B firefighting foam that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances shall be prohibited at structures used for the storage or maintenance of aircraft where the structure is located in an airport that:

(a) has been certified by the Federal Aviation Administration in accordance with 14 CFR 139; and

(b) is within the state of Colorado.

(2) As used in this section, "class B firefighting foam" and "perfluoroalkyl and polyfluoroalkyl substances" have the same meaning as they are defined in section 25-5-1302."

Renumber succeeding section accordingly.

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