

An Act

SENATE BILL 22-179

BY SENATOR(S) Ginal and Liston, Buckner, Danielson, Donovan, Gonzales, Hansen, Hinrichsen, Holbert, Jaquez Lewis, Moreno, Pettersen, Priola, Scott, Story, Zenzinger;
also REPRESENTATIVE(S) Lontine, Amabile, Benavidez, Bernett, Bird, Boesenecker, Caraveo, Cutter, Hooton, Jodeh, Lindsay, McCormick, Michaelson Jenet, Ricks, Sirota, Titone, Valdez A., Woodrow.

CONCERNING MEASURES TO ADDRESS TAMPERING WITH A MOTOR VEHICLE'S
EMISSION CONTROL SYSTEM.

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

SECTION 1. In Colorado Revised Statutes, 24-31-101, **amend** (1)(p) and (1)(q); and **add** (1)(t) as follows:

24-31-101. Powers and duties of attorney general. (1) The attorney general:

(p) May bring a civil action to enforce ~~the provisions of~~ section 24-31-113; ~~and~~

(q) May bring a civil action to enforce ~~the provisions of~~ section

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

24-31-307 (2) or a criminal action to enforce ~~the provisions of~~ section 24-31-307 (3);

(t) MAY BRING A CIVIL ACTION TO ENFORCE SECTION 25-7-144.

SECTION 2. In Colorado Revised Statutes, 24-33.5-230, as added by House Bill 22-1217, add (5.5) as follows:

24-33.5-230. Catalytic converter identification and theft prevention grant program - cash fund - creation - repeal. (5.5) (a) THE CATALYTIC CONVERTER IDENTIFICATION AND THEFT PREVENTION GRANT PROGRAM CASH FUND, REFERRED TO IN THIS SUBSECTION (5.5) AS THE "FUND", IS CREATED IN THE STATE TREASURY. MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE COLORADO STATE PATROL, WHICH SHALL ADMINISTER THE FUND TO IMPLEMENT THE CATALYTIC CONVERTER IDENTIFICATION AND THEFT PREVENTION GRANT PROGRAM CREATED IN SUBSECTION (1) OF THIS SECTION.

(b) THE FUND CONSISTS OF MONEY CREDITED TO THE FUND PURSUANT TO SECTION 25-7-122 (1)(j)(III) AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(c) THE STATE TREASURER SHALL TRANSFER ANY UNEXPENDED OR UNENCUMBERED MONEY RECEIVED FROM THE CIVIL PENALTIES COLLECTED UNDER SECTION 25-7-122 (1)(j) AND REMAINING IN THE FUND ON JUNE 30, 2025, TO THE AIR ACCOUNT IN THE HIGHWAY USERS TAX FUND, WHICH ACCOUNT IS CREATED IN SECTION 42-3-304 (18)(a).

SECTION 3. In Colorado Revised Statutes, 25-7-122, add (1)(j) as follows:

25-7-122. Civil penalties - rules - definitions. (1) Upon application of the division, the division may collect penalties as determined under this article 7 by instituting an action in the district court for the district in which the air pollution source affected is located, in accordance with the following provisions:

(j) (I) A PERSON WHO VIOLATES SECTION 25-7-144 IS SUBJECT TO A CIVIL PENALTY IN THE FOLLOWING AMOUNT:

(A) FOR EACH MOTOR VEHICLE FOR WHICH THE VIOLATION WAS COMMITTED, A PERSON WHO OWNS OR OPERATES TEN OR MORE MOTOR VEHICLES AS PART OF THE PERSON'S BUSINESS OR COMMERCIAL ACTIVITIES IS SUBJECT TO A PENALTY OF UP TO ONE THOUSAND DOLLARS FOR A FIRST VIOLATION, UP TO SEVENTHOUSAND FIVE HUNDRED DOLLARS FOR A SECOND VIOLATION, AND UP TO FIFTEEN THOUSAND DOLLARS FOR A THIRD OR SUBSEQUENT VIOLATION; OR

(B) FOR EACH MOTOR VEHICLE FOR WHICH THE VIOLATION WAS COMMITTED, A PERSON WHO OWNS OR OPERATES NINE OR FEWER MOTOR VEHICLES IS SUBJECT TO A PENALTY OF UP TO TWO HUNDRED DOLLARS FOR THE FIRST VIOLATION, UP TO FIVE HUNDRED DOLLARS FOR THE SECOND VIOLATION, AND UP TO ONE THOUSAND TWO HUNDRED DOLLARS FOR A THIRD OR SUBSEQUENT VIOLATION.

(II) NOTWITHSTANDING SUBSECTION (1)(j)(I)(B) OF THIS SECTION, A PERSON WHO VIOLATES SECTION 25-7-144 BY TAMPERING WITH, OR ASSISTING ANOTHER PERSON IN TAMPERING WITH, AN EMISSION CONTROL SYSTEM FOR PROFIT IS SUBJECT TO A PENALTY UNDER SUBSECTION (1)(j)(I)(A) OF THIS SECTION REGARDLESS OF THE NUMBER OF MOTOR VEHICLES OWNED OR OPERATED.

(III) NOTWITHSTANDING SECTION 25-7-129, THE DIVISION SHALL TRANSMIT CIVIL PENALTIES COLLECTED PURSUANT TO THIS SUBSECTION (1)(j) TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY:

(A) ON OR BEFORE JUNE 30, 2025, TO THE CATALYTIC CONVERTER IDENTIFICATION AND THEFT PREVENTION GRANT PROGRAM CASH FUND CREATED IN SECTION 24-33.5-230 (5.5). THE COLORADO STATE PATROL SHALL USE THE MONEY CREDITED TO THE FUND TO IMPLEMENT THE CATALYTIC CONVERTER IDENTIFICATION AND THEFT PREVENTION GRANT PROGRAM CREATED IN SECTION 24-33.5-230 (1).

(B) ON OR AFTER JULY 1, 2025, TO THE AIR ACCOUNT IN THE HIGHWAY USERS TAX FUND, WHICH ACCOUNT IS CREATED IN SECTION 42-3-304 (18)(a).

SECTION 4. In Colorado Revised Statutes, 25-7-122, **add** (1)(j) as follows:

25-7-122. Civil penalties - rules - definitions. (1) Upon application of the division, the division may collect penalties as determined under this article 7 by instituting an action in the district court for the district in which the air pollution source affected is located, in accordance with the following provisions:

(j) (I) A PERSON WHO VIOLATES SECTION 25-7-144 IS SUBJECT TO A CIVIL PENALTY IN THE FOLLOWING AMOUNT:

(A) FOR EACH MOTOR VEHICLE FOR WHICH THE VIOLATION WAS COMMITTED, A PERSON WHO OWNS OR OPERATES TEN OR MORE MOTOR VEHICLES AS PART OF THE PERSON'S BUSINESS OR COMMERCIAL ACTIVITIES IS SUBJECT TO A PENALTY OF UP TO ONE THOUSAND DOLLARS FOR A FIRST VIOLATION, UP TO SEVEN THOUSAND FIVE HUNDRED DOLLARS FOR A SECOND VIOLATION, AND UP TO FIFTEEN THOUSAND DOLLARS FOR A THIRD OR SUBSEQUENT VIOLATION; OR

(B) FOR EACH MOTOR VEHICLE FOR WHICH THE VIOLATION WAS COMMITTED, A PERSON WHO OWNS OR OPERATES NINE OR FEWER MOTOR VEHICLES IS SUBJECT TO A PENALTY OF UP TO TWO HUNDRED DOLLARS FOR THE FIRST VIOLATION, UP TO FIVE HUNDRED DOLLARS FOR THE SECOND VIOLATION, AND UP TO ONE THOUSAND TWO HUNDRED DOLLARS FOR A THIRD OR SUBSEQUENT VIOLATION.

(II) NOTWITHSTANDING SUBSECTION (1)(j)(I)(B) OF THIS SECTION, A PERSON WHO VIOLATES SECTION 25-7-144 BY TAMPERING WITH, OR ASSISTING ANOTHER PERSON IN TAMPERING WITH, AN EMISSION CONTROL SYSTEM FOR PROFIT IS SUBJECT TO A PENALTY UNDER SUBSECTION (1)(j)(I)(A) OF THIS SECTION REGARDLESS OF THE NUMBER OF MOTOR VEHICLES OWNED OR OPERATED.

(III) NOTWITHSTANDING SECTION 25-7-129, THE DIVISION SHALL TRANSMIT CIVIL PENALTIES COLLECTED PURSUANT TO THIS SUBSECTION (1)(j) TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE AIR ACCOUNT IN THE HIGHWAY USERS TAX FUND, WHICH ACCOUNT IS CREATED IN SECTION 42-3-304 (18)(a). THE DIVISION AND THE DEPARTMENT OF REVENUE SHALL USE THE MONEY CREDITED TO THE ACCOUNT FOR THEIR JOINT ADMINISTRATION OF THE AUTOMOBILE INSPECTION AND READJUSTMENT PROGRAM DEFINED IN SECTION 42-4-304 (1).

SECTION 5. In Colorado Revised Statutes, add 25-7-144 as follows:

25-7-144. Tampering with motor vehicle emission control systems - violations - exceptions - rules - reporting - definitions. (1) ON OR AFTER JANUARY 1, 2024, EXCEPT AS PROVIDED OTHERWISE IN THIS SECTION, A PERSON SHALL NOT:

(a) TAMPER WITH ANY EMISSION CONTROL SYSTEM;

(b) SELL, OFFER FOR SALE, OR POSSESS FOR SALE TO AN END USER; ADVERTISE; MANUFACTURE; INSTALL; OR USE ANY PART OR COMPONENT THAT IS INTENDED FOR USE WITH, OR AS PART OF, ANY MOTOR VEHICLE IF THE PRIMARY EFFECT OF USING THE PART OR COMPONENT WITH THE MOTOR VEHICLE IS TO BYPASS, DEFEAT, OR RENDER INOPERATIVE, IN WHOLE OR IN PART, THE EMISSION CONTROL SYSTEM; OR

(c) EXCEPT WITH RESPECT TO A MOTOR VEHICLE SOLD AT WHOLESALE OR FOR WHICH THE ASSOCIATED OWNERSHIP DOCUMENT IS A SALVAGE CERTIFICATE OF TITLE, A NONREPAIRABLE TITLE, OR, IF ISSUED BY ANOTHER STATE, A SIMILAR DOCUMENT:

(I) SELL, LEASE, OR RENT A MOTOR VEHICLE WITH AN EMISSION CONTROL SYSTEM THAT HAS BEEN TAMPERED WITH;

(II) OFFER TO SELL, LEASE, OR RENT A MOTOR VEHICLE WITH AN EMISSION CONTROL SYSTEM THAT HAS BEEN TAMPERED WITH; OR

(III) TRANSFER OR OFFER TO TRANSFER TITLE TO, OR THE RIGHT TO POSSESS, A MOTOR VEHICLE WITH AN EMISSION CONTROL SYSTEM THAT HAS BEEN TAMPERED WITH.

(2) (a) EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OF THIS SECTION, ON OR AFTER JANUARY 1, 2024, A PERSON SHALL NOT OPERATE A MOTOR VEHICLE WITH AN EMISSION CONTROL SYSTEM THAT HAS BEEN TAMPERED WITH IF:

(I) THE MOTOR VEHICLE OR ITS ENGINE HAS BEEN GRANTED A CERTIFICATE OF CONFORMITY UNDER THE FEDERAL ACT AS MEETING THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY'S MOTOR VEHICLE EMISSION

STANDARDS OR, UNDER 42 U.S.C. SEC. 7507, ALSO KNOWN AS "SECTION 177" OF THE FEDERAL ACT, CALIFORNIA'S MOTOR VEHICLE EMISSION STANDARDS; AND

(II) THE PERSON KNEW OR, THROUGH THE EXERCISE OF REASONABLE CARE, SHOULD HAVE KNOWN THAT THE EMISSION CONTROL SYSTEM WAS TAMPERED WITH.

(b) A PERSON DOES NOT OPERATE A MOTOR VEHICLE IN VIOLATION OF THIS SUBSECTION (2) IF ANOTHER PERSON TAMPERED WITH THE EMISSION CONTROL SYSTEM IN RELATION TO, OR AFTER COMMITTING, THEFT OF THE MOTOR VEHICLE, AND THE PERSON OPERATING THE MOTOR VEHICLE IS NEITHER A COMPLICITOR OF NOR AN ACCESSORY TO THE THEFT.

(c) IF A COMPLAINT ALLEGING A VIOLATION OF THIS SUBSECTION (2) IS FILED AGAINST A PERSON WHO HAS ALREADY BEEN FOUND TO HAVE VIOLATED THIS SUBSECTION (2) ON A PREVIOUS OCCASION, THE PERSON IS STRICTLY LIABLE, AND EVIDENCE DEMONSTRATING THE MENTAL STATE REQUIRED IN SUBSECTION (2)(a)(II) OF THIS SECTION NEED NOT BE SHOWN TO PROVE A SUBSEQUENT VIOLATION.

(3) THE FOLLOWING ACTIVITIES CONSTITUTE SEPARATE OFFENSES UNDER THIS SECTION:

(a) SELLING, OFFERING FOR SALE, OR POSSESSING FOR SALE TO AN END USER; ADVERTISING; MANUFACTURING; INSTALLING; OR USING A PART OR COMPONENT OF A MOTOR VEHICLE IN VIOLATION OF SUBSECTION (1)(b) OF THIS SECTION; AND

(b) SELLING, LEASING, OR RENTING A MOTOR VEHICLE; OFFERING TO SELL, LEASE, OR RENT A MOTOR VEHICLE; OR TRANSFERRING OR OFFERING TO TRANSFER A TITLE OR A RIGHT TO POSSESS A MOTOR VEHICLE IN VIOLATION OF SUBSECTION (1)(c) OF THIS SECTION.

(4) A PERSON DOES NOT VIOLATE SUBSECTION (1)(b) OR (1)(c) OF THIS SECTION IF THE PERSON ENGAGES IN THE CONDUCT FOR THE PURPOSE OF:

(a) HAVING THE MOTOR VEHICLE'S EMISSION CONTROL SYSTEM, OR AN ELEMENT OR DEVICE OF AN EMISSION CONTROL SYSTEM, REPAIRED,

REPLACED, REMOVED FOR REPAIR, OR REMOVED FOR REPLACEMENT TO BRING THE MOTOR VEHICLE IN COMPLIANCE WITH EMISSION CONTROL STANDARDS UNDER THE FEDERAL ACT OR STATE LAW; OR

(b) DISMANTLING A MOTOR VEHICLE FOR PARTS TO BE SOLD FOR REPAIR OR REPLACEMENT PURPOSES.

(5) (a) ON AND AFTER JULY 1, 2025, A PERSON IS NOT SUBJECT TO PENALTIES OR AN ENFORCEMENT ACTION FOR A VIOLATION OF THIS SECTION WITH RESPECT TO ANY MOTOR VEHICLE FOR WHICH THE PERSON SELF-REPORTS TO THE DIVISION THAT THE PERSON IS NOT IN COMPLIANCE WITH THIS SECTION. IF A COMPLAINT HAS BEEN FILED AGAINST THE PERSON WITH RESPECT TO ONE OR MORE MOTOR VEHICLES, THE PERSON IS NOT SUBJECT TO PENALTIES OR AN ENFORCEMENT ACTION FOR A VIOLATION OF THIS SECTION WITH RESPECT TO ANY ADDITIONAL MOTOR VEHICLES FOR WHICH THE PERSON SELF-REPORTS THAT THE PERSON IS NOT IN COMPLIANCE WITH THIS SECTION.

(b) THE COMMISSION MAY DETERMINE BY RULE THE FORM, MANNER, AND SUBSTANCE OF INFORMATION REQUIRED FOR SELF-REPORTING UNDER THIS SUBSECTION (5).

(c) NOTWITHSTANDING SUBSECTION (5)(a) OF THIS SECTION, IF A PERSON SELF-REPORTS PURSUANT TO THIS SUBSECTION (5) THAT THE PERSON IS NOT IN COMPLIANCE WITH THIS SECTION WITH RESPECT TO A MOTOR VEHICLE, BUT THE PERSON DOES NOT BECOME COMPLIANT WITH THIS SECTION WITHIN TWELVE MONTHS AFTER THE DATE OF SELF-REPORTING WITH REGARD TO THE MOTOR VEHICLE:

(I) THE PERSON IS SUBJECT TO PENALTIES OR AN ENFORCEMENT ACTION FOR A VIOLATION OF THIS SECTION WITH RESPECT TO THAT MOTOR VEHICLE; AND

(II) A CERTIFICATION OF EMISSIONS CONTROL REQUIRED PURSUANT TO SECTION 42-4-310 SHALL NOT BE ISSUED UNTIL THE MOTOR VEHICLE IS BROUGHT INTO COMPLIANCE WITH THE STANDARDS DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS SECTION.

(d) NOTHING IN THIS SUBSECTION (5) PREVENTS A DIRECTIVE TO REPAIR ISSUED PURSUANT TO THIS SECTION FROM REQUIRING COMPLIANCE

WITH THE STANDARDS DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS SECTION.

(6) THE COMMISSION MAY ADOPT RULES AS NECESSARY TO IMPLEMENT THIS SECTION.

(7) (a) ON OR BEFORE JANUARY 1, 2025, AND ON OR BEFORE JANUARY 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT MAY:

(I) PREPARE AN ANNUAL REPORT SUMMARIZING THE COMPLAINTS FILED PURSUANT TO THIS SECTION AND ANY ENFORCEMENT ACTIONS TAKEN AND PENALTY AMOUNTS ASSESSED PURSUANT TO SECTION 25-7-122 (1)(j); AND

(II) SUBMIT THE REPORT TO THE HOUSE OF REPRESENTATIVES ENERGY AND ENVIRONMENT COMMITTEE AND THE SENATE TRANSPORTATION AND ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

(b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING AUTHORIZATION SET FORTH IN SUBSECTION (7)(a) OF THIS SECTION CONTINUES INDEFINITELY.

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

(a) (I) "EMISSION CONTROL SYSTEM" MEANS A DEVICE OR ELEMENT OF DESIGN THAT:

(A) THE ORIGINAL MANUFACTURER INSTALLS ON OR IN A MOTOR VEHICLE OR A MOTOR VEHICLE ENGINE; AND

(B) IS CERTIFIED TO COMPLY WITH EMISSION CONTROL STANDARDS UNDER THE FEDERAL ACT OR STATE LAW.

(II) "EMISSION CONTROL SYSTEM" INCLUDES A CATALYTIC CONVERTER AND ALL COMPONENTS REQUIRED TO OPERATE SELECTIVE CATALYTIC REDUCTION AS PART OF A DIESEL EMISSIONS CONTROL SYSTEM.

(b) "MANUFACTURER" MEANS ANY PERSON THAT MANUFACTURES OR ASSEMBLES NEW AND UNUSED MOTOR VEHICLES OF A TYPE REQUIRED TO BE

REGISTERED PURSUANT TO SECTION 42-3-103.

(c) "MOTORCYCLE" MEANS AN AUTOCYCLE OR A MOTOR VEHICLE THAT USES HANDLEBARS OR ANY OTHER DEVICE CONNECTED TO THE FRONT WHEEL TO STEER AND THAT IS DESIGNED TO TRAVEL ON NOT MORE THAN THREE WHEELS IN CONTACT WITH THE GROUND; EXCEPT THAT THE TERM DOES NOT INCLUDE A FARM TRACTOR, LOW-SPEED ELECTRIC VEHICLE, OR LOW-POWER SCOOTER.

(d) "MOTOR VEHICLE" HAS THE MEANING SET FORTH IN SECTION 42-1-102 (58); EXCEPT THAT THE TERM DOES NOT INCLUDE A MOTORCYCLE.

(e) "TAMPER" MEANS TO DEACTIVATE, DISMANTLE, DEFEAT, BYPASS, ALTER, MODIFY, REMOVE, OR OTHERWISE RENDER INOPERABLE, IN WHOLE OR IN PART, MECHANICAL OR ELECTRICAL PARTS OR COMPONENTS OF AN EMISSION CONTROL SYSTEM.

SECTION 6. In Colorado Revised Statutes, 42-1-102, **amend** (58) as follows:

42-1-102. Definitions. As used in articles 1 to 4 of this title 42, unless the context otherwise requires:

(58) "Motor vehicle":

(a) Means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; except that the term does not include electrical assisted bicycles, electric scooters, low-power scooters EXCEPT AS PROVIDED IN SUBSECTION (58)(b) OF THIS SECTION, wheelchairs, or vehicles moved solely by human power; For

(b) INCLUDES A LOW-POWER SCOOTER FOR THE PURPOSES OF SECTIONS 42-2-127, 42-2-127.7, 42-2-128, 42-2-138, 42-2-206, 42-4-1301, AND 42-4-1301.1; AND

(c) DOES NOT INCLUDE A FARM TRACTOR OR AN OFF-HIGHWAY VEHICLE, EXCEPT FOR the purposes of the offenses described in sections 42-2-128, 42-4-1301, 42-4-1301.1, and 42-4-1401, ~~for farm tractors and~~

~~off-highway vehicles, as defined in section 33-14.5-101(3); WHEN operated on streets and highways. "motor vehicle" includes a farm tractor or an off-highway vehicle that is not otherwise classified as a motor vehicle. For the purposes of sections 42-2-127, 42-2-127.7, 42-2-128, 42-2-138, 42-2-206, 42-4-1301, and 42-4-1301.1, "motor vehicle" includes a low-power scooter.~~

SECTION 7. In Colorado Revised Statutes, 42-4-309, **amend** (6)(b) as follows:

42-4-309. Vehicle fleet owners - motor vehicle dealers - authority to conduct inspections - fleet inspection stations - motor vehicle dealer test facilities - contracts with licensed inspection-only entities. (6) (b) If a vehicle inspected with a voucher as authorized in this paragraph (b) SUBSECTION (6)(b) fails a test at an enhanced inspection center and is returned TO THE DEALER within ~~three~~ FIVE business days after its purchase, the dealer, at its option, shall repair the motor vehicle to pass the emissions test, pay the consumer to obtain ~~such~~ FROM A THIRD PARTY ANY repairs NEEDED to pass the emissions test, ~~from a third party~~; or repurchase the vehicle at the vehicle's purchase price. After such payment, repair, or repurchase, a dealer ~~shall have no further liability~~ IS NO LONGER LIABLE to the consumer for compliance with the requirements of the enhanced emissions program.

SECTION 8. In Colorado Revised Statutes, 44-20-121, **add** (3)(s) as follows:

44-20-121. Licenses - grounds for denial, suspension, or revocation. (3) A motor vehicle dealer's, wholesale motor vehicle auction dealer's, wholesaler's, buyer agent's, or used motor vehicle dealer's license may be denied, suspended, or revoked on the following grounds:

(s) SELLING TO A RETAIL CUSTOMER A MOTOR VEHICLE THAT IS NOT EQUIPPED WITH A PROPERLY FUNCTIONING EMISSION CONTROL SYSTEM, AS DETERMINED BASED ON AN ENFORCEMENT ACTION TAKEN PURSUANT TO SECTIONS 25-7-122 (1)(j) AND 25-7-144, UNLESS THE OWNERSHIP DOCUMENT ASSOCIATED WITH THE MOTOR VEHICLE IS A SALVAGE CERTIFICATE OF TITLE, A NONREPAIRABLE TITLE, OR, IF ISSUED BY ANOTHER STATE, A SIMILAR DOCUMENT.

SECTION 9. Act subject to petition - effective date - applicability. (1) Except as otherwise provided in subsections (2) and (3) of this section, this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Sections 2 and 3 of this act take effect only if House Bill 22-1217 becomes law, in which case sections 2 and 3 take effect in accordance with subsection (1) of this section.

(3) Section 4 of this act takes effect only if House Bill 22-1217 does not become law, in which case section 4 takes effect in accordance with subsection (1) of this section.

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



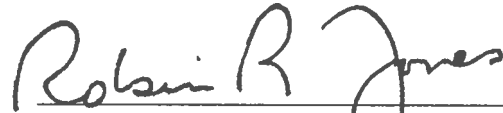
Steve Fenberg
PRESIDENT OF
THE SENATE



Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE

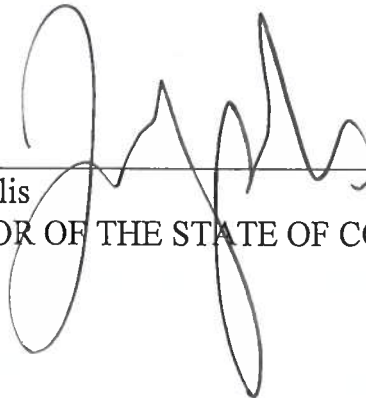


Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED

June 8th at 1:35_{p.m.}

(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO