

HOUSE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chair of Committee

February 27, 2025  
Date

Committee on Energy & Environment.

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

HB25-1042 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3           **"SECTION 1.** In Colorado Revised Statutes, **add** 25-7-110.9 as  
4 follows:

5           **25-7-110.9. Air quality control rule-making - economic impact**  
6 **analysis procedures - cost-benefit analyses - report - definitions -**  
7 **repeal.** (1) AS USED IN THIS SECTION:

8           (a) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH  
9 AND ENVIRONMENT.

10           (b) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE  
11 MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

12           (c) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF  
13 THE DEPARTMENT.

14           (d) "WORKFORCE IMPACT" MEANS THE IMPACT OF AIR QUALITY  
15 CONTROL RULES PROPOSED BY THE DEPARTMENT, COMMISSION, OR AIR  
16 POLLUTION CONTROL DIVISION ON EMPLOYMENT THAT MAY RESULT IN JOB  
17 LOSS OR GAIN, WORKER DISPLACEMENT, WORKFORCE TRANSITIONS,  
18 EXPANSION OR DOWNSIZING OF BUSINESSES, MAJOR INDUSTRY-WIDE  
19 WORKFORCE CHANGE, DISRUPTION IN OPERATIONS, CHANGES IN  
20 WORKPLACE SAFETY, AN IMPACT ON THE OVERALL HEALTH OF THE  
21 WORKFORCE, OR AN ECONOMIC IMPACT TO THE STATE.

22           (2) THE EXECUTIVE DIRECTOR SHALL CONDUCT AN INTERNAL  
23 REVIEW OF:

24           (a) THE ECONOMIC IMPACT ANALYSIS PROCEDURES USED BY THE  
25 COMMISSION IN THE ADOPTION OF AIR QUALITY CONTROL RULES; AND

26           (b) THE COST-BENEFIT ANALYSES CONDUCTED DURING THE AIR  
27 QUALITY CONTROL RULE-MAKING PROCESS PURSUANT TO SECTION

1 24-4-103 (2.5).

2 (3) THE INTERNAL REVIEW REQUIRED BY SUBSECTION (2) OF THIS  
3 SECTION MUST INCLUDE:

4 (a) A REVIEW OF THE COMMISSION'S AIR QUALITY CONTROL  
5 RULE-MAKING PROCESS IN ORDER TO ASSESS HOW IT IS CURRENTLY  
6 WORKING AND MAY BE IMPROVED;

7 (b) A REPORT ON THE ECONOMIC FACTORS THAT THE COMMISSION  
8 CONSIDERS AND USES IN AN ECONOMIC IMPACT ANALYSIS OR A  
9 COST-BENEFIT ANALYSIS AND HOW THE INFORMATION REGARDING  
10 WORKFORCE IMPACTS IS TYPICALLY CONSIDERED WHEN CONDUCTING THE  
11 ANALYSIS;

12 (c) AN EXPLANATION OF HOW ANALYSES THAT INCLUDE  
13 INFORMATION ON WORKFORCE IMPACTS ARE USED BY THE COMMISSION  
14 DURING THE ADOPTION OF AIR QUALITY CONTROL RULES;

15 (d) A REPORT ON THE EXTENT TO WHICH WORKFORCE IMPACTS ARE  
16 CONSIDERED DURING THE CURRENT AIR QUALITY CONTROL RULE-MAKING  
17 PROCESS AND HOW CONSIDERATION OF WORKFORCE IMPACTS ARE  
18 INCORPORATED INTO EXISTING ECONOMIC ANALYSIS OR COST-BENEFIT  
19 ANALYSIS PROCEDURES;

20 (e) AN EXPLANATION OF THE PARAMETERS AND LIMITATIONS THAT  
21 EXIST IN CURRENT STATE AND FEDERAL LAW;

22 (f) CONSIDERATIONS OR RECOMMENDATIONS FROM THE  
23 DEPARTMENT AS TO WHETHER HAVING A STANDING WORKFORCE  
24 ADVISORY COUNCIL IN THE DEPARTMENT WOULD IMPROVE AND SUPPORT  
25 THE ECONOMIC IMPACT ANALYSIS AND RELATED PROCEDURES AND  
26 WHETHER THE DEPARTMENT HAS ANY RECOMMENDATIONS AS TO HOW  
27 SUCH A WORKFORCE ADVISORY COUNCIL WOULD BE CONFIGURED AND  
28 WHAT WOULD BE INCLUDED IN ITS OVERALL MISSION;

29 (g) SPECIFIC EXAMPLES OF COMPLETED ECONOMIC IMPACT  
30 ANALYSES WHERE WORKFORCE IMPACTS WERE CONSIDERED OR NOT  
31 CONSIDERED IN THE AIR QUALITY CONTROL RULE-MAKING PROCESS AND  
32 THE REASONS EACH ECONOMIC IMPACT ANALYSIS DID OR DID NOT INCLUDE  
33 CONSIDERATION OF WORKFORCE IMPACTS; AND

34 (h) LEGAL AND PROCEDURAL CONSIDERATIONS AND  
35 RECOMMENDATIONS CONCERNING HOW MORE QUALITATIVE AND  
36 QUANTITATIVE DATA RELATED TO WORKFORCE IMPACTS COULD BE ADDED  
37 TO THE ECONOMIC IMPACT ANALYSIS AND COST-BENEFIT ANALYSIS  
38 PROCEDURES IN A MANNER THAT WOULD NOT CONFLICT WITH STATE OR  
39 FEDERAL LAW OR UNDERMINE THE PROCESS OF REGULATING AIR  
40 POLLUTION OR REDUCING GREENHOUSE GAS EMISSIONS IN THIS STATE.

41 (4) THE EXECUTIVE DIRECTOR SHALL PREPARE A DRAFT REPORT OF  
42 THE REVIEW CONTAINING THE ELEMENTS DESCRIBED IN SUBSECTION (3) OF  
43 THIS SECTION AND, UPON COMPLETION OF THE DRAFT REPORT, ENGAGE

1 STAKEHOLDERS TO REVIEW THE REPORT AND PROVIDE INPUT FOR THE  
2 FINAL REPORT THAT THE EXECUTIVE DIRECTOR SHALL SUBMIT TO THE  
3 GENERAL ASSEMBLY. THE DEPARTMENT SHALL SOLICIT INPUT FROM  
4 REGULATED BUSINESSES, BUSINESSES AND PROFESSIONAL ASSOCIATIONS,  
5 ENVIRONMENTAL ORGANIZATIONS, LABOR ORGANIZATIONS,  
6 ORGANIZATIONS THAT REPRESENT DISPROPORTIONATELY IMPACTED  
7 COMMUNITIES, OTHER EXECUTIVE DEPARTMENTS, AND OTHER  
8 ORGANIZATIONS THAT EXPRESS INTEREST IN PROVIDING INPUT. THE  
9 EXECUTIVE DIRECTOR MAY INCLUDE IN THEIR SOLICITATION OF INPUT  
10 SPECIFIC RECOMMENDATIONS FROM STAKEHOLDERS CONCERNING POLICIES  
11 AND PROCEDURES TO EXPAND THE ECONOMIC IMPACT ANALYSES AND THE  
12 COST-BENEFIT ANALYSES.

13 (5) ON OR BEFORE JANUARY 1, 2026, THE EXECUTIVE DIRECTOR  
14 SHALL SUBMIT THE FINAL REPORT DESCRIBED IN SUBSECTION (4) OF THIS  
15 SECTION TO THE HOUSE OF REPRESENTATIVES ENERGY AND ENVIRONMENT  
16 COMMITTEE OR ITS SUCCESSOR COMMITTEE SPECIFYING HOW THE  
17 DEPARTMENT INTENDS TO IMPROVE THE ECONOMIC IMPACT ANALYSES AND  
18 THE COST-BENEFIT ANALYSES FOR THE AIR QUALITY CONTROL  
19 RULE-MAKING PROCEDURES AND INCLUDING ANY ADDITIONAL RESOURCES  
20 NECESSARY TO EFFECT CHANGE, STAFFING CHALLENGES THAT NEED TO BE  
21 ADDRESSED, AND OTHER RECOMMENDATIONS THAT MAY REQUIRE A  
22 CLARIFICATION OR CHANGE IN STATE LAW.

23 (6) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2026.

24 **SECTION 2. Safety clause.** The general assembly finds,  
25 determines, and declares that this act is necessary for the immediate  
26 preservation of the public peace, health, or safety or for appropriations for  
27 the support and maintenance of the departments of the state and state  
28 institutions."

\*\* \*\* \*\* \*\* \*\*