

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 5, 2025
Date

Committee on Energy & Environment.

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

HB25-1241 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, strike lines 15 through 27.

2 Page 4, strike line 1 and substitute:

3 **"25-7-109.7. Emissions records - public accessibility - civil**
4 **penalties. (1) Public accessibility of emissions records. (a) BEGINNING**
5 **JANUARY 1, 2027, AN OWNER OR OPERATOR SHALL MAKE ALL EMISSIONS**
6 **RECORDS THAT THE OWNER OR OPERATOR IS REQUIRED BY STATE OR**
7 **FEDERAL LAW TO MAINTAIN".**

8 Page 4, strike line 7 and substitute "TO SUBSECTION (1)(a) OF THIS
9 SECTION FOLLOWING THE SAME SCHEDULE AS THE RECORDS ARE MADE
10 AVAILABLE TO THE STATE; EXCEPT THAT, ANY RECORDS PROVIDED TO THE
11 STATE MORE OFTEN THAN ONCE MONTHLY MAY BE UPLOADED TO THE
12 OWNER OR OPERATOR'S PUBLIC WEBSITE ON A MONTHLY BASIS. FOR
13 RECORDS THAT ARE PROVIDED TO THE STATE ON A QUARTERLY BASIS OR
14 LESS OFTEN, THE OWNER OR OPERATOR SHALL UPDATE SUCH RECORDS ON
15 THE OWNER OR OPERATOR'S PUBLIC WEBSITE ON OR BEFORE THE FIRST DAY
16 OF THE MONTH FOLLOWING WHEN THE RECORDS ARE MADE AVAILABLE TO
17 THE STATE."

18 Page 4, strike lines 10 through 13 and substitute:

19 "(d) (I) THIS SECTION APPLIES TO RECORDS THAT ARE GENERATED
20 ON OR AFTER DECEMBER 1, 2026.

21 (II) NOTHING IN THIS SECTION REQUIRES AN OWNER OR OPERATOR
22 TO INCLUDE RECORDS THAT WERE GENERATED BEFORE DECEMBER 1,
23 2026, ON THE OWNER OR OPERATOR'S PUBLIC WEBSITE."

1 Page 4, after line 13 insert:

2 **"(2) Civil penalties.** CIVIL PENALTIES ASSESSED AND COLLECTED
3 FOR VIOLATIONS OF THIS SECTION PURSUANT TO SECTION 25-7-122 MUST
4 BE CREDITED TO THE AIR QUALITY ENTERPRISE CASH FUND CREATED IN
5 SECTION 25-7-103.5 (4)."

6 Page 5, after line 7 insert:

7 **"SECTION 4.** In Colorado Revised Statutes, 25-7-103.5, **amend**
8 (1) introductory portion, (1)(f), (4)(a), and (4)(c)(III) as follows:

9 **25-7-103.5. Air quality enterprise - legislative declaration -**
10 **fund - definitions - gifts, grants, or donations - rules - report - repeal.**

11 (1) **Legislative declaration.** The general assembly ~~hereby~~ finds and
12 declares that:

13 (f) Effective engagement with local communities often requires
14 trusted third-party data and verification regarding emissions and
15 environmental performance, AND MAKING EMISSIONS DATA AVAILABLE
16 AND ACCESSIBLE TO THE PUBLIC INCREASES TRUST AMONG, AND
17 EFFECTIVE ENGAGEMENT WITH, LOCAL COMMUNITIES;

18 (4) **Fund - enterprise fees and other revenue.** (a) There is
19 ~~hereby~~ created in the state treasury the air quality enterprise cash fund.
20 The fund consists of money credited to the fund pursuant to this
21 subsection (4), payments for other purposes as authorized under
22 subsection (3)(c)(VIII) of this section, CIVIL PENALTIES CREDITED TO THE
23 FUND PURSUANT TO SECTION 25-7-109.7, and any other money that the
24 general assembly may appropriate or transfer to the fund. The state
25 treasurer shall credit all interest and income derived from the deposit and
26 investment of money in the fund to the fund.

27 (c) Money in the fund is continuously appropriated to the
28 enterprise to accomplish the purposes set forth in subsection (3)(c) of this
29 section, including to:

30 (III) Provide PUBLICLY AVAILABLE AND ACCESSIBLE, high-quality,
31 independent, and trusted data regarding pollutant emissions from
32 stationary sources and concentrations to reduce waste of valuable
33 products and resource streams, enhance cost-effective regulatory
34 compliance, ALLOW FOR COMMUNITY ENGAGEMENT AND TRANSPARENCY
35 REGARDING POLLUTANT EMISSIONS AND STATIONARY SOURCE PROCESSES,
36 and support corporate environmental, social, and governance objectives;".

37 Renumber succeeding section accordingly.

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