

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

**PREAMENDED**

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

LLS NO. 20-0275.01 Thomas Morris x4218

**HOUSE BILL 20-1143**

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**HOUSE SPONSORSHIP**

**Jackson and Gonzales-Gutierrez**, Arndt, Caraveo, Coleman, Cutter, Exum, Herod, Hooton, Jaquez Lewis, Kipp, McLachlan, Melton, Singer, Sirota, Snyder, Titone, Valdez A.

**SENATE SPONSORSHIP**

Winter,

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**House Committees**

Energy & Environment  
Finance

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING ADDITIONAL PUBLIC HEALTH PROTECTIONS REGARDING**  
102               **ALLEGED ENVIRONMENTAL VIOLATIONS, AND, IN CONNECTION**  
103               **THEREWITH, RAISING THE MAXIMUM FINES FOR AIR QUALITY**  
104               **AND WATER QUALITY VIOLATIONS AND ALLOCATING THE FINES**  
105               **TO ENVIRONMENTAL MITIGATION PROJECTS.**

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**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>.)*

Current state law sets the maximum civil fine for most air quality violations at \$15,000 per day and most water quality violations at \$10,000

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

per day, but federal law allows the federal environmental protection agency to assess a maximum daily fine per violation of \$47,357 for these violations. **Sections 2 and 4** of the bill raise the maximum fine to \$47,357 per day and direct the air quality control commission and the water quality control commission in the department of public health and environment (department) to annually adjust the maximum fine based on changes in the consumer price index.

Current law allocates all water quality fines to the water quality improvement fund; **section 4** authorizes the use of money in that fund to pay for projects addressing impacts to environmental justice communities. Section 4 also extends the repeal date for the water quality improvement fund to September 1, 2025.

Current law allocates all air quality fines to the general fund; **section 3** allocates them to the newly created community impact cash fund. Section 3 also:

- ! Specifies that the department is to use money in the community impact cash fund for environmental mitigation projects (EMPs);
- ! Defines an EMP as a project that avoids, minimizes, or mitigates the adverse effects of a violation or alleged violation of the air quality or water quality laws;
- ! Creates the environmental justice advisory board to recommend EMPs in response to violations or alleged violations that affect environmental justice communities; and
- ! Creates an environmental justice ombudsperson position within the department, who serves as chief staff to the advisory board and advocates for environmental justice communities.

Section 3 also requires the department to post proposed EMPs on the department's website in a format that allows the public to submit comments on the proposed EMP, not approve an EMP until at least 45 days after the EMP has been posted on its website, and include a description of all approved EMPs in its departmental SMART Act presentations.

**Section 1** sunsets the advisory board on September 1, 2025.

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

2 **SECTION 1.** In Colorado Revised Statutes, 2-3-1203, **add**  
3 (16)(a)(VI) as follows:

4 **2-3-1203. Sunset review of advisory committees - legislative**

1 **declaration - definition - repeal.** (16) (a) The following statutory  
2 authorizations for the designated advisory committees will repeal on  
3 September 1, 2025:

4 (VI) THE ENVIRONMENTAL JUSTICE ADVISORY BOARD CREATED IN  
5 SECTION 25-7-129 (3).

6 **SECTION 2.** In Colorado Revised Statutes, 25-7-122, **amend** (1)  
7 introductory portion, (1)(b), and (1)(d) as follows:

8 **25-7-122. Civil penalties - rules.** (1) Upon application of the  
9 division, penalties as determined under this ~~article~~ ARTICLE 7 may be  
10 collected by the division by action instituted in the district court for the  
11 district in which is located the air pollution source affected in accordance  
12 with the following provisions:

13 (b) Any person who violates any requirement or prohibition of an  
14 applicable emission control regulation of the commission, the state  
15 implementation plan, a construction permit, any provision for the  
16 prevention of significant deterioration under part 2 of this ~~article~~ ARTICLE  
17 7, any provision related to attainment under part 3 of this ~~article~~ ARTICLE  
18 7, or any provision of section 25-7-105, 25-7-106, 25-7-106.3,  
19 25-7-106.8, ~~25-7-106.9~~, 25-7-108, 25-7-109, 25-7-111, 25-7-112,  
20 25-7-113, 25-7-114.2, 25-7-114.5, 25-7-118, 25-7-206, 25-7-403,  
21 25-7-404, 25-7-405, 25-7-407, 42-4-403, 42-4-404, 42-4-405, 42-4-406,  
22 42-4-407, 42-4-409, 42-4-410, or 42-4-414, ~~C.R.S., shall be~~ IS subject to  
23 a civil penalty of not more than ~~fifteen~~ FORTY-SEVEN thousand THREE  
24 HUNDRED FIFTY-SEVEN dollars per day for each day of such violation;  
25 except that:

26 (I) BEGINNING IN 2021, THE COMMISSION SHALL, BY RULE,  
27 ANNUALLY ADJUST THE AMOUNT OF THE MAXIMUM CIVIL PENALTY BASED

1 ON THE PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF  
2 LABOR'S BUREAU OF LABOR STATISTICS DENVER-AURORA-LAKEWOOD  
3 CONSUMER PRICE INDEX FOR ALL ITEMS AND ALL URBAN CONSUMERS, OR  
4 ITS SUCCESSOR INDEX; AND

5 (II) ~~There shall be no~~ Civil penalties SHALL NOT BE assessed or  
6 collected against persons who violate emission regulations promulgated  
7 by the commission for the control of odor until a compliance order issued  
8 pursuant to section 25-7-115 and ordering compliance with the odor  
9 regulation has been violated.

10 (d) Any person who violates any requirement, prohibition, or  
11 order respecting an operating permit issued pursuant to section  
12 25-7-114.3, including ~~but not limited to~~ failure to obtain such a permit,  
13 ~~or to operate in compliance with any term or condition thereof~~ OF THE  
14 PERMIT, or to pay the permit fee required under section 25-7-114.7 (2), or  
15 commits a violation of section 25-7-109.6 ~~shall be~~ IS subject to a civil  
16 penalty of not more than ~~fifteen~~ FORTY-SEVEN thousand THREE HUNDRED  
17 FIFTY-SEVEN dollars per day for each violation; EXCEPT THAT, BEGINNING  
18 IN 2021, THE COMMISSION SHALL, BY RULE, ANNUALLY ADJUST THE  
19 AMOUNT OF THE MAXIMUM CIVIL PENALTY BASED ON THE PERCENTAGE  
20 CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF  
21 LABOR STATISTICS CONSUMER PRICE INDEX FOR  
22 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS AND ALL URBAN  
23 CONSUMERS, OR ITS SUCCESSOR INDEX.

24 **SECTION 3.** In Colorado Revised Statutes, **amend** 25-7-129 as  
25 follows:

26 **25-7-129. Disposition of fines - community impact cash fund**  
27 **- environmental justice ombudsperson - environmental justice**

1 **advisory board - environmental mitigation projects - definitions -**  
2 **repeal. (1) Community impact cash fund.** (a) All receipts from  
3 penalties or fines collected under ~~the provisions of~~ sections 25-7-115,  
4 25-7-122, and 25-7-123 shall be credited to the ~~general fund of the state~~  
5 COMMUNITY IMPACT CASH FUND, WHICH IS HEREBY CREATED IN THE STATE  
6 TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE FUND  
7 PURSUANT TO THIS SUBSECTION (1) AND ANY OTHER MONEY THAT THE  
8 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE  
9 STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED  
10 FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE  
11 FUND. **FOR ACCOUNTING PURPOSES, EACH PENALTY AND FINE CREDITED TO**  
12 **THE FUND PURSUANT TO THIS SECTION IS A DAMAGE AWARD.**

13 (b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
14 ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR  
15 ITS DIRECT AND INDIRECT COSTS IN IMPLEMENTING ENVIRONMENTAL  
16 MITIGATION PROJECTS AS SPECIFIED IN THIS SECTION, INCLUDING COSTS  
17 ASSOCIATED WITH THE ENVIRONMENTAL JUSTICE OMBUDSPERSON  
18 POSITION CREATED IN SUBSECTION (2) OF THIS SECTION AND THE  
19 ENVIRONMENTAL JUSTICE ADVISORY BOARD CREATED IN SUBSECTION (3)  
20 OF THIS SECTION.

21 (2) **Environmental justice ombudsperson.** THERE IS HEREBY  
22 CREATED IN THE DEPARTMENT AN ENVIRONMENTAL JUSTICE  
23 OMBUDSPERSON. THE OMBUDSPERSON SHALL ADVOCATE WITHIN THE  
24 DEPARTMENT FOR ENVIRONMENTAL JUSTICE COMMUNITIES AND SERVE AS  
25 CHIEF STAFF TO THE BOARD AND A CENTRALIZED POINT OF CONTACT FOR  
26 ENVIRONMENTAL JUSTICE COMMUNITIES.

27 (3) **Environmental justice advisory board.** (a) THERE IS

1       HEREBY CREATED IN THE DEPARTMENT THE ENVIRONMENTAL JUSTICE  
2       ADVISORY BOARD.

3               (b) (I) THE BOARD CONSISTS OF THE OMBUDSPERSON, WHO SERVES  
4       EX OFFICIO AS A NONVOTING MEMBER OF THE BOARD, FIVE MEMBERS  
5       APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, OF WHOM  
6       AT LEAST THREE MUST BE A RESIDENT OF AN ENVIRONMENTAL JUSTICE  
7       COMMUNITY AND ONE MUST BE FROM A NONGOVERNMENTAL  
8       ORGANIZATION THAT REPRESENTS STATEWIDE INTERESTS TO ADVANCE  
9       ENVIRONMENTAL PROTECTIONS, AND FOUR MEMBERS APPOINTED AS  
10      FOLLOWS:

11              (A) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF  
12      REPRESENTATIVES;

13              (B) ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE  
14      HOUSE OF REPRESENTATIVES;

15              (C) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE;  
16      AND

17              (D) ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE  
18      SENATE.

19              (II) THE APPOINTING AUTHORITIES SHALL MAKE THE INITIAL  
20      APPOINTMENTS TO THE BOARD NO LATER THAN JANUARY 1, 2021. WHEN  
21      MAKING APPOINTMENTS, THE APPOINTING AUTHORITIES SHALL CONSIDER  
22      GUIDANCE ISSUED BY THE ADMINISTRATOR REGARDING ENVIRONMENTAL  
23      JUSTICE.

24              (c) EACH APPOINTED MEMBER OF THE BOARD SERVES AT THE  
25      PLEASURE OF THE APPLICABLE APPOINTING AUTHORITY. THE TERM OF  
26      APPOINTMENT IS FOUR YEARS; EXCEPT THAT THE INITIAL TERM OF EACH  
27      MEMBER APPOINTED PURSUANT TO SUBSECTIONS (3)(b)(I)(C) AND

1 (3)(b)(I)(D) OF THIS SECTION AND ONE MEMBER APPOINTED BY THE  
2 EXECUTIVE DIRECTOR IS TWO YEARS.

3 (d) EACH APPOINTED MEMBER OF THE BOARD IS ENTITLED TO  
4 RECEIVE PAYMENT OF PER DIEM AND REIMBURSEMENT FOR ACTUAL AND  
5 NECESSARY EXPENSES AT THE RATES SPECIFIED PURSUANT TO SECTION  
6 2-2-326 (1)(b) AS THOUGH THE MEMBER WERE A LEGISLATOR; EXCEPT  
7 THAT THE SOURCE OF THE MONEY IS THE FUND.

8 (e) THE OMBUDSPERSON SHALL CALL THE FIRST MEETING OF THE  
9 BOARD BY JANUARY 1, 2021. THE BOARD SHALL ELECT A CHAIRPERSON  
10 FROM AMONG ITS MEMBERS AT LEAST EVERY TWO YEARS. THE BOARD  
11 SHALL MEET AT LEAST ONCE EVERY QUARTER. THE CHAIRPERSON MAY  
12 CALL SUCH ADDITIONAL MEETINGS AS ARE NECESSARY FOR THE BOARD TO  
13 COMPLETE ITS DUTIES.

14 [REDACTED]

15 [REDACTED]

16 (4) **Powers and duties of the board.** (a) THE BOARD HAS THE  
17 FOLLOWING POWERS AND DUTIES:

18 (I) TO ADVISE THE DEPARTMENT ON THE IDENTIFICATION OF  
19 ENVIRONMENTAL JUSTICE COMMUNITIES;

20 (II) TO RECOMMEND TO THE DEPARTMENT EMPs IN RESPONSE TO  
21 VIOLATIONS THAT OCCUR IN, OR DIRECTLY AFFECT RESIDENTS OR  
22 WORKERS IN, ENVIRONMENTAL JUSTICE COMMUNITIES;

23 (III) TO DEVELOP PROCEDURES FOR SOLICITING FOR, EVALUATING,  
24 AND RECOMMENDING EMPs THAT ADDRESS ENVIRONMENTAL VIOLATIONS  
25 IN ENVIRONMENTAL JUSTICE COMMUNITIES, INCLUDING ELIGIBILITY  
26 REQUIREMENTS. THE PROCEDURES MUST:

27 (A) SPECIFY EMP CRITERIA IN ACCORDANCE WITH SUBSECTION

1 (5)(d) OF THIS SECTION, INCLUDING FOR WHEN IT MAY BE APPROPRIATE TO  
2 COMBINE PENALTIES FROM MULTIPLE CASE SETTLEMENTS INTO ONE  
3 SOLICITATION;

4 (B) INCLUDE PROCESSES FOR: NOTIFYING EACH ENVIRONMENTAL  
5 JUSTICE COMMUNITY THAT WAS AFFECTED BY THE VIOLATION OR WILL BE  
6 AFFECTED BY THE PROPOSED EMP; SOLICITING FEEDBACK FROM  
7 RESIDENTS OF, WORKERS IN, AND REPRESENTATIVES OF THOSE  
8 COMMUNITIES; AND HOLDING A PUBLIC HEARING AT WHICH THE PUBLIC  
9 HAS AN OPPORTUNITY TO COMMENT ON THE PROPOSED EMP; AND

10 (C) INCLUDE PUBLIC ENGAGEMENT BEST PRACTICES AND  
11 CONSIDERATION OF COMMUNITY INPUT RECEIVED AND A PROCESS FOR  
12 COLLABORATING WITH IMPACTED COMMUNITIES WHEN SOLICITING FOR  
13 EMP PROPOSALS;

14 (IV) TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION WITH A  
15 SUMMARY OF THE BOARD'S ACTIONS, INCLUDING A DESCRIPTION OF ALL  
16 EMPs RECOMMENDED DURING THE PREVIOUS YEAR; AND

17 (V) TO MAKE RECOMMENDATIONS, AS REQUESTED BY THE  
18 OMBUDSPERSON, TO ADVANCE THE DEPARTMENT'S EFFORTS IN  
19 INCORPORATING PRINCIPLES OF ENVIRONMENTAL JUSTICE.

20 (b) (I) THE BOARD SHALL NOT BE INVOLVED IN AN ENFORCEMENT  
21 MATTER UNTIL THE DEPARTMENT NOTIFIES THE BOARD THAT THE  
22 DEPARTMENT HAS RESOLVED THE MATTER.

23 (II) THE BOARD SHALL USE ITS BEST EFFORTS TO RECOMMEND  
24 EMPs WITHIN ONE HUNDRED EIGHTY DAYS AFTER NOTIFICATION BY THE  
25 DEPARTMENT THAT AN ENFORCEMENT MATTER HAS BEEN RESOLVED WITH  
26 FINES THAT WILL BE PAID INTO THE FUND.

27 (c) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1,



1 2025. BEFORE THE REPEAL, THE FUNCTIONS OF THE BOARD ARE  
2 SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.

3 (5) **Environmental mitigation projects.** (a) THE DEPARTMENT  
4 SHALL USE MONEY IN THE FUND TO PAY FOR EMPs.

5 (b) FOR VIOLATIONS THAT OCCURRED IN OR DIRECTLY AFFECTED  
6 AN ENVIRONMENTAL JUSTICE COMMUNITY, THE DEPARTMENT SHALL  
7 CONSIDER EMPs RECOMMENDED BY THE BOARD THAT BENEFIT THE  
8 IMPACTED COMMUNITY.

9 (c) FOR VIOLATIONS THAT DID NOT OCCUR IN OR DIRECTLY AFFECT  
10 AN ENVIRONMENTAL JUSTICE COMMUNITY, THE DEPARTMENT SHALL  
11 AWARD EMPs IN ACCORDANCE WITH SUBSECTION (5)(d) OF THIS SECTION  
12 AND SHALL:

13 (I) (A) SEEK PUBLIC COMMENT ON AN EMP THAT THE  
14 DEPARTMENT INTENDS TO AWARD BY POSTING A SUMMARY OF THE EMP  
15 ON THE DEPARTMENT'S WEBSITE IN A FORMAT THAT ALLOWS THE PUBLIC  
16 TO SUBMIT COMMENTS; AND

17 (B) NOT APPROVE AN EMP UNTIL AT LEAST THIRTY DAYS AFTER  
18 THE EMP HAS BEEN POSTED ON THE DEPARTMENT'S WEBSITE; AND

19 (II) PREPARE AN ANNUAL REPORT TO THE COMMISSION REGARDING  
20 THE DEPARTMENT'S USE OF THE FUND THAT INCLUDES A DESCRIPTION OF  
21 ALL DEPARTMENT-APPROVED EMPs.

22 (d) IN CONSULTATION WITH THE BOARD, THE DEPARTMENT SHALL  
23 DEVELOP CRITERIA TO GUIDE IT IN MAKING DECISIONS CONCERNING THE  
24 AWARDING OF EMPs. THE CRITERIA MAY INCLUDE:

25 (I) THE NEEDS OF THE COMMUNITY WHERE THE VIOLATION  
26 OCCURRED;

27 (II) COMMUNITY SUPPORT FOR THE PROPOSED EMP;

1 (III) THE FEASIBILITY OF SUCCESSFUL IMPLEMENTATION OF THE  
2 PROPOSED EMP;

3 (IV) THE NEXUS OF THE EMP TO THE VIOLATION; AND

4 (V) THE ENVIRONMENTAL AND PUBLIC HEALTH BENEFITS  
5 RESULTING FROM THE IMPLEMENTATION OF THE EMP.

6 (6) **Definitions.** AS USED IN THIS SECTION:

7 (a) "BOARD" MEANS THE ENVIRONMENTAL JUSTICE ADVISORY  
8 BOARD CREATED IN SUBSECTION (3) OF THIS SECTION.

9 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH  
10 AND ENVIRONMENT, CREATED IN SECTION 25-1-102.

11 (c) "ENVIRONMENTAL JUSTICE COMMUNITY" MEANS A COMMUNITY  
12 WHERE RESIDENTS:

13 (I) ARE PREDOMINANTLY MINORITIES OR HAVE LOW INCOME;

14 (II) HAVE BEEN EXCLUDED FROM THE ENVIRONMENTAL  
15 POLICY-SETTING OR DECISION-MAKING PROCESSES;

16 (III) ARE SUBJECT TO A DISPROPORTIONATE IMPACT FROM ONE OR  
17 MORE ENVIRONMENTAL HAZARDS; OR

18 (IV) EXPERIENCE DISPARATE IMPLEMENTATION OF  
19 ENVIRONMENTAL REGULATIONS, REQUIREMENTS, PRACTICES, AND  
20 ACTIVITIES.

21 (d) "ENVIRONMENTAL MITIGATION PROJECT" OR "EMP" MEANS A  
22 PROJECT THAT AVOIDS, MINIMIZES, OR MITIGATES THE ADVERSE EFFECTS  
23 OF A VIOLATION OR OTHER CUMULATIVE ENVIRONMENTAL IMPACTS IN AN  
24 ENVIRONMENTAL JUSTICE COMMUNITY.

25 (e) "FUND" MEANS THE COMMUNITY IMPACT CASH FUND CREATED  
26 IN SUBSECTION (1) OF THIS SECTION.

27 (f) "OMBUDSPERSON" MEANS THE ENVIRONMENTAL JUSTICE

1 OMBUDSPERSON POSITION CREATED IN SUBSECTION (2) OF THIS SECTION.

2 (g) "VIOLATION" MEANS A VIOLATION OR ALLEGED VIOLATION OF  
3 THIS ARTICLE 7 OR ARTICLE 8 OF THIS TITLE 25.

4 **SECTION 4.** In Colorado Revised Statutes, 25-8-608, **amend** (1)  
5 introductory portion, (1.7)(a) introductory portion, (1.7)(a)(III),  
6 (1.7)(a)(IV), (1.7)(c), and (1.7)(d)(II); and **add** (1.7)(a)(V) as follows:

7 **25-8-608. Civil penalties - rules - fund created - temporary**  
8 **moratorium on penalties for minor violations - definitions - repeal.**

9 ~~(1) Except as otherwise provided in subsection (3) of this section, any~~ A  
10 person who violates ~~any provision of this article or of any~~ THIS ARTICLE  
11 8, A permit issued under this ~~article, or any~~ ARTICLE 8, A control  
12 regulation promulgated pursuant to this ~~article~~ ARTICLE 8, or ~~any~~ A final  
13 cease-and-desist order or clean-up order ~~shall be~~ IS subject to a civil  
14 penalty of not more than ~~ten~~ FORTY-SEVEN thousand THREE HUNDRED  
15 FIFTY-SEVEN dollars per day for each day during which ~~such~~ THE violation  
16 occurs; EXCEPT THAT, BEGINNING IN 2021, THE COMMISSION SHALL, BY  
17 RULE, ANNUALLY ADJUST THE AMOUNT OF THE MAXIMUM CIVIL PENALTY  
18 BASED ON THE PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT  
19 OF LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR  
20 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS AND ALL URBAN  
21 CONSUMERS, OR ITS SUCCESSOR INDEX. In determining the amount of a  
22 penalty under this part 6, the following factors shall be considered:

23 (1.7) (a) The department OF PUBLIC HEALTH AND ENVIRONMENT  
24 shall expend ~~moneys~~ MONEY in the water quality improvement fund for  
25 the following purposes:

26 (III) Providing the nonfederal match funding for nonpoint source  
27 projects under 33 U.S.C. sec. 1329; ~~or~~

1 (IV) Providing grants for storm water management training and  
2 best practices training to prevent or reduce the pollution of state waters;  
3 OR

4 (V) ENVIRONMENTAL MITIGATION PROJECTS FOR VIOLATIONS OF  
5 THIS ARTICLE 8 THAT HAVE BEEN APPROVED BY THE ENVIRONMENTAL  
6 JUSTICE ADVISORY BOARD CREATED IN SECTION 25-7-129 (3) AND BY THE  
7 DEPARTMENT PURSUANT TO THE CRITERIA SPECIFIED IN SECTION 25-7-129  
8 (5).

9 (c) The commission shall promulgate rules as may be necessary  
10 to administer this subsection (1.7), including ~~but not limited to~~, rules  
11 defining who is eligible for grants and what criteria shall be used in  
12 awarding grants; EXCEPT THAT THE COMMISSION NEED NOT PROMULGATE  
13 RULES TO ADMINISTER SUBSECTION (1.7)(a)(V) OF THIS SECTION. Any  
14 rules shall be promulgated in accordance with article 4 of title 24. ~~C.R.S.~~

15 (d) (II) This subsection (1.7)(d) is repealed, effective September  
16 1, ~~2021~~ 2025.

17 **SECTION 5. Applicability.** This act applies to fines assessed on  
18 or after the effective date of this act.

19 **SECTION 6. Safety clause.** The general assembly hereby finds,  
20 determines, and declares that this act is necessary for the immediate  
21 preservation of the public peace, health, or safety.