

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 23-1285

BY REPRESENTATIVE(S) Valdez, Bird, Froelich, Garcia, Gonzales-Gutierrez, Jodeh, Kipp, Lindsay, Lindstedt, Mabrey, Parenti, Ricks, Sharbini, Sirota, Snyder, Titone, Vigil, Woodrow, Amabile, Brown, Duran, Joseph, Marshall, McCormick, McLachlan, Story;  
also SENATOR(S) Priola and Cutter, Gonzales, Jaquez Lewis, Kolker, Mullica.

CONCERNING THE REQUIREMENT THAT A STORE USE FEES COLLECTED FROM SINGLE-USE BAGS TO PURCHASE CERTAIN ITEMS FOR THE STORE.

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

**SECTION 1.** In Colorado Revised Statutes, 25-17-505, **amend** (3)(d)(I) introductory portion; and **add** (3)(d)(III) as follows:

**25-17-505. Carryout bag fee - disposition of money - repeal.**

(3) In providing carryout bags for a fee pursuant to this section, a store shall:

(d) (I) On a quarterly basis, ~~starting April 1, 2024,~~ remit from the total amount of carryout bag fees collected in the previous quarter the amount that is owed to the municipality or county:

*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.*

(III) IF A MUNICIPALITY OR COUNTY HAS NOT ESTABLISHED A PROCESS TO ACCEPT FEES REMITTED PURSUANT TO SUBSECTION (3)(d)(I) OF THIS SECTION, THE STORE SHALL RETAIN AND USE THE PORTION OF THE FEES COLLECTED IN THE PREVIOUS QUARTER THAT WOULD HAVE BEEN REMITTED TO THE MUNICIPALITY OR COUNTY FOR THE PURPOSES LISTED IN SUBSECTIONS (1)(a)(I)(B) AND (2)(a)(I)(B) OF THIS SECTION AND TO PURCHASE REUSABLE BAGS.

**SECTION 2. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Steve Fenberg  
PRESIDENT OF  
THE SENATE

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Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO