

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0791.01 Jery Payne x2157

SENATE BILL 24-095

---

SENATE SPONSORSHIP

Kirkmeyer,

HOUSE SPONSORSHIP

(None),

---

Senate Committees  
Transportation & Energy

House Committees

---

A BILL FOR AN ACT

101 CONCERNING MEASURES TO ADDRESS OZONE LEVELS IN AREAS THAT  
102 DO NOT MEET FEDERAL OZONE NATIONAL AMBIENT AIR QUALITY  
103 STANDARDS.

---

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>.)*

**Sections 1 and 2** of the bill create a high-emitter vehicle program for owners of motor vehicles that are not in compliance with emission standards and that have been issued a certification of emissions waiver (qualified vehicle). If the owner of a qualified vehicle resides in a nonattainment area for ozone and has unsuccessfully attempted to have

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

the motor vehicle repaired to cure the noncompliance, the owner is eligible for a voucher of \$850. The vouchers may be redeemed at qualified repair facilities that will bring the vehicle into compliance. The high-emitter vehicle program is funded by using up to 20% of the money in the AIR account in the highway users tax fund.

The high-emitter vehicle program is administered by the nonattainment area air pollution mitigation enterprise, in coordination with the department of revenue, contractors that provide inspection services, and the clean screen authority. The high-emitter vehicle program repeals when Colorado meets federal ozone national ambient air quality standards (attainment).

**Section 3** requires the air quality control commission (commission) to create, in coordination with the lead agency for air quality planning for the Denver metropolitan area, a garden rebate program to increase the use of small electric motors used for outdoor power equipment. The program must:

- Provide a point-of-purchase rebate of the lesser of \$150 or one-third of the price for each piece of outdoor power equipment purchased by the end user in a nonattainment area for ozone;
- Establish a registration system for qualified retailers; and
- Require the division to publicize the garden rebate program.

The division of administration in the department of public health and environment (division) administers the garden rebate program, and the commission sets standards for qualified retailers to register for the program. If the garden rebate program exceeds its appropriation, the division may pause the program. The garden rebate program repeals January 1, 2030. **Section 4** repeals the current tax credit for buying lawn and garden equipment with an electric motor.

In current law, the clean fleet enterprise (enterprise) incentivizes and supports the use of electric motor vehicles for certain fleet uses, including transportation network companies. **Sections 5 and 6:**

- Expand the program to include light-duty trucks;
- Authorize the clean fleet enterprise to provide grants of up to 80% of a local government's cost of acquiring motor vehicles that emit low levels of nitrogen oxides for the local government to use in its motor vehicle fleet; and
- Require the enterprise to prioritize making grants to local governments.

The grant program authorization and prioritization repeal December 31, 2029.

**Section 7** requires the division to regularly perform, in the nonattainment area for ozone, photochemical modeling studies and data analysis designed to determine ambient air ozone levels and the

effectiveness of policies for lowering ambient air ozone levels. The division is required to publish the results to the division's website and report the results to the commission and at its "SMART Act" hearing. **Section 7** is repealed when Colorado achieves attainment.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 43-4-1304 as  
3 follows:

4 **43-4-1304. High-emitter vehicle program - vouchers - fund -**  
5 **definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
6 OTHERWISE REQUIRES:

7 (a) "ATTAINMENT" MEANS THE ATTAINMENT OF FEDERAL OZONE  
8 NATIONAL AMBIENT AIR QUALITY STANDARDS IN EACH AREA OF THE  
9 STATE, IN CONFORMITY WITH AND AS PROVIDED IN PART D OF THE  
10 FEDERAL "CLEAN AIR ACT", 42 U.S.C. SEC. 7401 ET SEQ., AS AMENDED.

11 (b) "CLEAN SCREEN AUTHORITY" MEANS THE AUTHORITY CREATED  
12 PURSUANT TO SECTION 42-4-307.5.

13 (c) "CLEAN SCREEN PROGRAM" HAS THE MEANING SET FORTH IN  
14 SECTION 42-4-304 (3.5).

15 (d) "CONTRACTOR" HAS THE MEANING SET FORTH IN SECTION  
16 42-4-304 (5).

17 (e) "FUND" MEANS THE HIGH-EMITTER VEHICLE FUND CREATED IN  
18 SUBSECTION (6)(a) OF THIS SECTION.

19 (f) "LIGHT-DUTY TRUCK" MEANS A SELF-PROPELLED TRUCK THAT  
20 IS DESIGNED FOR OPERATION ON THE ROAD AND THAT HAS A GROSS  
21 VEHICLE WEIGHT RATING OF TEN THOUSAND POUNDS OR LESS.

22 (g) "PASSENGER VEHICLE" MEANS A SELF-PROPELLED VEHICLE  
23 THAT IS DESIGNED FOR OPERATION ON THE ROAD AND THAT IS DESIGNED

1 TO CARRY TWELVE OR FEWER PASSENGERS.

2 (h) "PROGRAM" MEANS THE HIGH-EMITTER VEHICLE PROGRAM  
3 CREATED IN THIS SECTION.

4 (i) "QUALIFIED VEHICLE" MEANS A VEHICLE THAT IS QUALIFIED  
5 FOR A VOUCHER IN ACCORDANCE WITH SUBSECTION (5) OF THIS SECTION.

6 (j) "REGISTERED REPAIR FACILITY OR TECHNICIAN" HAS THE  
7 MEANING SET FORTH IN SECTION 42-4-304 (21).

8 (2) BY JANUARY 1, 2025, THE ENTERPRISE SHALL DEVELOP A  
9 HIGH-EMITTER VEHICLE PROGRAM THAT PROVIDES INCENTIVES FOR AN  
10 OWNER TO VOLUNTARILY REPAIR A QUALIFIED VEHICLE IN ORDER TO  
11 REDUCE OZONE EMISSIONS. IN ADMINISTERING THE PROGRAM, THE  
12 ENTERPRISE MUST:

13 (a) PROVIDE A VOUCHER OF UP TO EIGHT HUNDRED FIFTY DOLLARS  
14 TO EACH OWNER OF A QUALIFIED VEHICLE TO BE REDEEMED BY A  
15 REGISTERED REPAIR FACILITY OR TECHNICIAN IN ORDER TO BRING THE  
16 QUALIFIED VEHICLE INTO COMPLIANCE WITH EMISSION STANDARDS;

17 (b) IDENTIFY QUALIFIED VEHICLES AND EACH QUALIFIED VEHICLE'S  
18 OWNER AND PROVIDE THE OWNER WITH A VOUCHER AND INFORMATION  
19 ABOUT REGISTERED REPAIR FACILITIES AND TECHNICIANS;

20 (c) COORDINATE WITH THE DEPARTMENT OF REVENUE, EACH  
21 CONTRACTOR, AND THE CLEAN SCREEN AUTHORITY TO IDENTIFY  
22 QUALIFIED VEHICLES AND TO PROVIDE A VOUCHER TO EACH QUALIFIED  
23 VEHICLE'S OWNER UPON A QUALIFIED VEHICLE BEING ISSUED A  
24 CERTIFICATION OF EMISSIONS WAIVER UNDER PART 3 OF ARTICLE 4 OF  
25 TITLE 42; AND

26 (d) HOST EVENTS WHERE RESIDENTS CAN BRING A MOTOR VEHICLE  
27 TO RECEIVE AN EMISSIONS TEST USING THE CLEAN SCREEN PROGRAM.

1           (3) THE DEPARTMENT OF REVENUE, EACH CONTRACTOR, AND THE  
2 CLEAN SCREEN AUTHORITY SHALL COORDINATE WITH THE ENTERPRISE TO:

3           (a) PROVIDE REGISTERED REPAIR FACILITY AND TECHNICIAN  
4 INFORMATION TO THE ENTERPRISE AND FACILITATE THE REDEMPTION OF  
5 VOUCHERS THROUGH THE PROGRAM;

6           (b) PROVIDE APPROPRIATE INFORMATION ABOUT QUALIFIED  
7 VEHICLES AND THEIR OWNERS TO THE ENTERPRISE WHILE PROTECTING THE  
8 VEHICLE OWNERS' PERSONAL IDENTIFYING INFORMATION; AND

9           (c) TAKE ACTIONS NECESSARY TO IMPLEMENT THIS SECTION.

10          (4) THE ENTERPRISE MAY INCREASE THE AMOUNT OF THE VOUCHER  
11 DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION BASED ON THE RATE OF  
12 INFLATION.

13          (5) TO QUALIFY FOR A VOUCHER, A VEHICLE MUST:

14           (a) BE A PASSENGER CAR OR LIGHT-DUTY TRUCK;

15           (b) BE OWNED BY A PERSON WHO RESIDES OR IS PERMANENTLY  
16 LOCATED IN A NONATTAINMENT AREA FOR OZONE;

17           (c) (I) HAVE FAILED TO PASS EMISSIONS TESTING IN ACCORDANCE  
18 WITH PART 3 OF ARTICLE 4 OF TITLE 42; OR

19           (II) HAVE BEEN IDENTIFIED AS HAVING ELEVATED OZONE  
20 EMISSIONS BY THE CLEAN SCREEN PROGRAM;

21           (d) HAVE BEEN REPAIRED IN ACCORDANCE WITH PART 3 OF  
22 ARTICLE 4 OF TITLE 42, BUT THE REPAIR DID NOT CURE THE FAILURE  
23 DESCRIBED IN SUBSECTION (5)(c) OF THIS SECTION; AND

24           (e) HAVE BEEN ISSUED A CERTIFICATION OF EMISSIONS WAIVER IN  
25 ACCORDANCE WITH PART 3 OF ARTICLE 4 OF TITLE 42.

26          (6) (a) THE HIGH-EMITTER VEHICLE FUND IS CREATED IN THE STATE  
27 TREASURY. THE FUND CONSISTS OF MONEY TRANSFERRED TO THE FUND

1 PURSUANT TO SECTION 42-3-304 (18)(e).

2 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
3 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
4 FUND TO THE FUND.

5 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
6 ENTERPRISE TO IMPLEMENT THIS SECTION.

7 (d) ON THE LAST DAY OF THE MONTH, THE ENTERPRISE SHALL  
8 NOTIFY THE STATE TREASURER OF THE MONTH'S REVENUES CREDITED TO  
9 THE FUND. IF THE LAST DAY OF THE MONTH FALLS ON A WEEKEND DAY OR  
10 HOLIDAY, THE ENTERPRISE NEED NOT SEND THE NOTICE UNTIL THE NEXT  
11 DAY THAT IS NOT A WEEKEND DAY OR HOLIDAY.

12 (e) UPON RECEIVING THE NOTICE DESCRIBED IN SUBSECTION (7)(a)  
13 OF THIS SECTION, THE STATE TREASURER SHALL TRANSFER ALL  
14 UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND TO THE AIR  
15 ACCOUNT CREATED IN SECTION 42-3-304 (18)(a).

16 (7)(a) WHEN COLORADO ACHIEVES ATTAINMENT, THE EXECUTIVE  
17 DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
18 SHALL NOTIFY THE ENTERPRISE AND THE STATE TREASURER IN WRITING.

19 (b) THIS SECTION WILL BE REPEALED IF COLORADO ACHIEVES  
20 ATTAINMENT. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
21 HEALTH AND ENVIRONMENT SHALL NOTIFY THE REVISOR OF STATUTES IN  
22 WRITING OF THE DATE WHEN THE CONDITION SPECIFIED IN THIS  
23 SUBSECTION (7)(b) HAS OCCURRED BY E-MAILING THE NOTICE TO  
24 REVISOROFSTATUTES.GA@COLEG.GOV. THIS SECTION IS REPEALED,  
25 EFFECTIVE UPON THE DATE IDENTIFIED IN THE NOTICE THAT COLORADO  
26 HAS ACHIEVED ATTAINMENT OR, IF THE NOTICE DOES NOT SPECIFY THAT  
27 DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.

1           **SECTION 2.** In Colorado Revised Statutes, 42-3-304, **add**  
2 (18)(e) as follows:

3           **42-3-304. Registration fees - passenger-mile taxes - clean**  
4 **screen fund - pilot program - report - rules - definitions - repeal.**

5 (18) (e) (I) NOTWITHSTANDING SUBSECTIONS (18)(a), (18)(b), AND  
6 (18)(c) OF THIS SECTION, THE STATE TREASURER, UPON RECEIVING THE  
7 MONTHLY NOTICE DESCRIBED IN SECTION 43-4-1304 (6)(d), SHALL  
8 TRANSFER FROM THE AIR ACCOUNT, CREATED IN SUBSECTION (18)(a) OF  
9 THIS SECTION, TO THE HIGH-EMITTER VEHICLE FUND, CREATED IN SECTION  
10 43-4-1304 (6)(a), AN AMOUNT OF MONEY IN THE AIR ACCOUNT THAT IS  
11 THE LESSER OF:

12           (A) TWENTY PERCENT OF THE TOTAL AMOUNT IN THE AIR  
13 ACCOUNT; OR

14           (B) THE TOTAL OF TEN PERCENT OF THE NONATTAINMENT AREA  
15 AIR POLLUTION MITIGATION ENTERPRISE'S REVENUES COLLECTED UNDER  
16 SECTION 43-4-1303 FOR THE MONTH OR, IF THE NOTICE IS FOR THE  
17 PREVIOUS MONTH, THE ENTERPRISE'S OTHER REVENUES FOR THE PREVIOUS  
18 MONTH, MINUS ANY GIFTS, GRANTS, OR DONATIONS RECEIVED UNDER  
19 SECTION 43-4-1303 (6)(e) DURING THE SAME MONTH.

20           (II) THIS SUBSECTION (18)(e) WILL BE REPEALED IF COLORADO  
21 ACHIEVES ATTAINMENT, AS DEFINED IN SECTION 42-4-1304 (1)(a). THE  
22 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND  
23 ENVIRONMENT SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF  
24 THE DATE WHEN THE CONDITION SPECIFIED IN THIS SUBSECTION (18)(e)  
25 HAS OCCURRED BY E-MAILING THE NOTICE TO  
26 REVISOROFSTATUTES.GA@COLEG.GOV. THIS SECTION IS REPEALED,  
27 EFFECTIVE UPON THE DATE IDENTIFIED IN THE NOTICE THAT COLORADO

1 HAS ACHIEVED ATTAINMENT OR, IF THE NOTICE DOES NOT SPECIFY THAT  
2 DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.

3 **SECTION 3.** In Colorado Revised Statutes, **add 25-7-146** as  
4 follows:

5 **25-7-146. Garden rebate program - qualified retailers -**  
6 **registration - definitions - appropriation - repeal.** (1) AS USED IN THIS  
7 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

8 (a) "ATTAINMENT" MEANS ATTAINMENT OF FEDERAL OZONE  
9 NATIONAL AMBIENT AIR QUALITY STANDARDS.

10 (b) "NONATTAINMENT AREA" MEANS AN AREA THAT IS NOT IN  
11 ATTAINMENT.

12 (c) "OUTDOOR POWER EQUIPMENT" MEANS A LAWN MOWER, LEAF  
13 BLOWER, HEDGE TRIMMER, STRING TRIMMER, GARDEN TILLER, CHAINSAW,  
14 OR SNOWBLOWER.

15 (d) "PROGRAM" MEANS THE GARDEN REBATE PROGRAM CREATED  
16 BY THE COMMISSION PURSUANT TO SUBSECTION (2) OF THIS SECTION.

17 (e) "QUALIFIED RETAILER" MEANS A RETAILER THAT MEETS THE  
18 STANDARDS DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

19 (2) BY JANUARY 1, 2025, THE COMMISSION SHALL CREATE, IN  
20 COORDINATION WITH THE LEAD AGENCY FOR AIR QUALITY PLANNING FOR  
21 THE DENVER METROPOLITAN AREA, A PROGRAM TO INCREASE THE USE OF  
22 SMALL ELECTRIC MOTORS USED FOR OUTDOOR POWER EQUIPMENT. THE  
23 PROGRAM IS ADMINISTERED BY THE DIVISION. THE PROGRAM MUST:

24 (a) ESTABLISH A REGISTRATION SYSTEM FOR QUALIFIED  
25 RETAILERS;

26 (b) FOR EACH PIECE OF OUTDOOR POWER EQUIPMENT PURCHASED  
27 BY AN END USER FROM A REGISTERED AND QUALIFIED RETAILER, PROVIDE



1 A POINT-OF-PURCHASE REBATE IN AN AMOUNT THAT IS THE LESSER OF ONE  
2 HUNDRED FIFTY DOLLARS OR ONE-THIRD OF THE PURCHASE PRICE; AND

3 (c) REQUIRE THE DIVISION TO PUBLICIZE THE PROGRAM TO  
4 QUALIFIED RETAILERS.

5 (3) TO OFFER OR PROVIDE REBATES UNDER THE PROGRAM, A  
6 QUALIFIED RETAILER MUST:

7 (a) SELL OUTDOOR POWER EQUIPMENT IN A NONATTAINMENT  
8 AREA; AND

9 (b) BE REGISTERED WITH THE DIVISION.

10 (4) IF THE DIVISION DETERMINES THAT THE TOTAL AMOUNT OF  
11 REBATES PROVIDED UNDER THE PROGRAM WILL EXCEED THE AMOUNT OF  
12 MONEY APPROPRIATED FOR THE PROGRAM, THE DIVISION MAY  
13 TEMPORARILY CEASE PROVIDING THE REBATES UNTIL A NEW  
14 APPROPRIATION PROVIDES MONEY TO OFFER MORE REBATES. THE DIVISION  
15 MUST NOTIFY THE QUALIFIED RETAILERS AT LEAST FORTY-EIGHT HOURS  
16 BEFORE THE DIVISION CEASES PROVIDING THE REBATES.

17 (5) THE GENERAL ASSEMBLY SHALL MAKE AN APPROPRIATION TO  
18 IMPLEMENT THIS SECTION.

19 (6) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2030.

20 **SECTION 4.** In Colorado Revised Statutes, **repeal** 39-22-550.

21 **SECTION 5.** In Colorado Revised Statutes, 25-7.5-102, **amend**  
22 (16); and **add** (13.4) and (13.6) as follows:

23 **25-7.5-102. Definitions.** As used in this article 7.5, unless the  
24 context otherwise requires:

25 (13.4) "LIGHT-DUTY TRUCK" MEANS A TRUCK WITH A GROSS  
26 VEHICLE WEIGHT RATING, AS DEFINED IN SECTION 42-2-402 (6), OF TEN  
27 THOUSAND POUNDS OR LESS.

1 (13.6) "LOCAL GOVERNMENT" MEANS A CITY OR COUNTY.

2 (16) "Motor vehicle fleet" means a group of motor vehicles that  
3 is owned or operated:

4 (a) By a governmental entity for a public purpose, including ~~but~~  
5 ~~not limited to~~ public school transportation or law enforcement; or

6 (b) By a business entity for a business if:

7 (I) The group of motor vehicles is composed primarily of  
8 LIGHT-DUTY TRUCKS, heavy-duty motor vehicles, medium-duty motor  
9 vehicles, or refrigerated trailer units; or

10 (II) The group of motor vehicles is:

11 (A) Owned or operated by a company that rents motor vehicles in  
12 the fleet to transportation network company drivers for use in providing  
13 transportation network company services; or ~~is~~

14 (B) Owned and operated directly, or indirectly through  
15 independent contractors who own or lease individual motor vehicles in  
16 the group, by a transportation network company or by a retailer for the  
17 purpose of making retail deliveries.

18 **SECTION 6.** In Colorado Revised Statutes, 25-7.5-103, **amend**  
19 (6)(d); and **add** (12) as follows:

20 **25-7.5-103. Clean fleet enterprise - creation - board - powers**  
21 **and duties - fees - fund - repeal.** (6) In addition to any other powers and  
22 duties specified in this section, the board has the following general  
23 powers and duties:

24 (d) To contract with any public or private entity, including state  
25 agencies, consultants, and the attorney general's office, for professional  
26 and technical assistance, office space, and administrative services, advice,  
27 and other services related to the conduct of the affairs of the enterprise.

1 The enterprise is encouraged to issue grants on a STREAMLINED AND  
2 competitive basis based on written criteria established by the enterprise  
3 in advance of any deadlines for the submission of grant applications. The  
4 board shall generally avoid using sole-source contracts.

5 (12) (a) THE ENTERPRISE MAY PROVIDE FUNDING THROUGH A  
6 GRANT PROGRAM TO PROVIDE UP TO EIGHTY PERCENT OF A LOCAL  
7 GOVERNMENT'S COST OF ACQUIRING MOTOR VEHICLES THAT EMIT LOW  
8 LEVELS OF NITROGEN OXIDES FOR THE LOCAL GOVERNMENT TO USE IN ITS  
9 MOTOR VEHICLE FLEET.

10 (b) IN IMPLEMENTING SUBSECTION (9) OF THIS SECTION AND THIS  
11 SUBSECTION (12), THE BOARD SHALL PRIORITIZE MAKING GRANTS TO  
12 LOCAL GOVERNMENTS.

13 (c) THIS SUBSECTION (12) IS REPEALED, EFFECTIVE DECEMBER 31,  
14 2029.

15 **SECTION 7.** In Colorado Revised Statutes, **add 25-7-147** as  
16 follows:

17 **25-7-147. Ozone studies required - reports - definition - repeal.**

18 (1) AS USED IN THIS SECTION, "STUDY" MEANS THE STUDY DESCRIBED IN  
19 SUBSECTION (2) OF THIS SECTION.

20 (2) BEGINNING IN JANUARY 2025, THE DIVISION SHALL REGULARLY  
21 PERFORM, IN EACH NONATTAINMENT AREA FOR OZONE, PHOTOCHEMICAL  
22 MODELING STUDIES AND DATA ANALYSIS DESIGNED TO DETERMINE:

23 (a) THE OZONE LEVELS OF AMBIENT AIR; AND

24 (b) THE EFFECTIVENESS OF POLICIES FOR LOWERING AMBIENT AIR  
25 OZONE LEVELS.

26 (3) THE COMMISSION SHALL DETERMINE THE FREQUENCY OF THE  
27 STUDIES, BUT THE DIVISION SHALL PERFORM AND COMPLETE A STUDY AT

1 LEAST ONCE EACH CALENDAR YEAR.

2 (4) THE DIVISION SHALL:

3 (a) PUBLISH THE RESULTS OF EACH STUDY TO THE DIVISION'S  
4 WEBSITE WITHIN THIRTY DAYS AFTER THE STUDY IS COMPLETED; AND

5 (b) REPORT THE RESULTS TO THE COMMISSION AT THE  
6 COMMISSION'S NEXT SCHEDULED MEETING.

7 (5) BEGINNING IN JANUARY 2026, AND IN JANUARY EVERY YEAR  
8 THEREAFTER, THE DEPARTMENT SHALL INCLUDE, AS PART OF ITS  
9 PRESENTATION DURING ITS "SMART ACT" HEARING REQUIRED BY  
10 SECTION 2-7-203, INFORMATION CONCERNING THE TYPE AND RESULTS OF  
11 EACH STUDY PERFORMED DURING THE PREVIOUS YEAR.

12 (6) THIS SECTION WILL BE REPEALED IF COLORADO ACHIEVES  
13 ATTAINMENT OF FEDERAL OZONE NATIONAL AMBIENT AIR QUALITY  
14 STANDARDS UNDER THE FEDERAL ACT. THE EXECUTIVE DIRECTOR OF THE  
15 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL NOTIFY THE  
16 REVISOR OF STATUTES IN WRITING OF THE DATE WHEN THE CONDITION  
17 SPECIFIED IN THIS SUBSECTION (6) HAS OCCURRED BY E-MAILING THE  
18 NOTICE TO REVISOROFSTATUTES.GA@COLEG.GOV. THIS SECTION IS  
19 REPEALED, EFFECTIVE UPON THE DATE IDENTIFIED IN THE NOTICE THAT  
20 COLORADO HAS ACHIEVED ATTAINMENT OF FEDERAL OZONE NATIONAL  
21 AMBIENT AIR QUALITY STANDARDS OR, IF THE NOTICE DOES NOT SPECIFY  
22 THAT DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.

23 **SECTION 8. Act subject to petition - effective date -**  
24 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
25 the expiration of the ninety-day period after final adjournment of the  
26 general assembly; except that, if a referendum petition is filed pursuant  
27 to section 1 (3) of article V of the state constitution against this act or an

1 item, section, or part of this act within such period, then the act, item,  
2 section, or part will not take effect unless approved by the people at the  
3 general election to be held in November 2024 and, in such case, will take  
4 effect on the date of the official declaration of the vote thereon by the  
5 governor.

6 (2) This act applies to taxable actions occurring on or after the  
7 applicable effective date of this act.