



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 24-0786	Date:	January 30, 2024
Prime Sponsors:	Sen. Cutter Rep. Kipp; Rutinel	Bill Status:	Senate Business, Labor, & Tech.
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Bill Topic:	PERFLUOROALKYL & POLYFLUOROALKYL CHEMICALS
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Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill accelerates the phase-out of PFAS chemicals in products sold in Colorado. It minimally impacts state and local expenditures beginning in FY 2024-25.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill updates the Perfluoroalkyl and Polyfluoroalkyl (PFAs) Chemicals Consumer Protection Act and other requirements enacted by House Bill 22-1345, as described below.

Firefighting foam. Current law prohibits the sale of class B firefighting foam that includes added PFAS, with several exceptions. The bill repeals exemptions for certain fuel storage and distribution facilities and for chemical plants beginning January 1, 2025.

PFAS in consumer goods. Current law establishes a phase-out timeline for the sale of products that include added PFAS. The bill moves some phase-out deadlines forward; adds additional products to the phase-out, including certain outdoor wear, cleaning products, and artificial turf; and prohibits the sale of any products with added PFAS by January 1, 2032.

Background

PFAS chemicals are synthetic chemicals that were developed to coat products to make them resistant to heat, water, and oil. They are prevalent in a variety of products including nonstick cookware, water-repellant clothing, stain-resistant fabrics, and firefighting foams. PFAS break down very slowly in the environment, and current scientific research suggests that exposure may lead to adverse health outcomes. More information about PFAs can be on the [U.S. Environmental Protection Agency website](#).

State Expenditures

The bill may increase workload in the Department of Public Health and Environment beginning in FY 2024-25 to adjust its workflow for inspecting facilities that store Class B firefighting foam. This does not impact the department's overall workload and no change in appropriations is required.

Local Government

Beginning in FY 2024-25, expenditures may increase for counties that operate airports which are currently exempt from PFAS-added firefighting foam storage requirements.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Counties

Law

Public Health and Environment

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).