

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0418.01 Richard Sweetman x4333

HOUSE BILL 25-1119

HOUSE SPONSORSHIP

Rutinel,

SENATE SPONSORSHIP

(None),

House Committees
Energy & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIRING CERTAIN ENTITIES TO DISCLOSE**
102 **INFORMATION CONCERNING GREENHOUSE GAS EMISSIONS.**

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>.)

The bill requires each entity that does business in Colorado and has total revenues exceeding \$1 billion in the preceding calendar year (reporting entity) to publicly disclose its total greenhouse gas emissions during the preceding calendar year. For scope 1 and scope 2 emissions, the reporting requirements begin January 1, 2028. For scope 3 emissions, the initial reporting requirements begin January 1, 2029, and are updated

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.*

on January 1 each year thereafter. A reporting entity must have each of its disclosures independently verified by a third-party auditor.

A district attorney or the attorney general may bring a civil action against a reporting entity for failing to comply with the disclosure requirements. A court may require a noncompliant reporting entity to pay a civil penalty in an amount not to exceed \$100,000 for each day of noncompliance.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 25-7-148** as
3 follows:

4 **25-7-148. Greenhouse gas emissions data disclosures required**
5 **- deadlines - independent audit and verification of data required -**
6 **enforcement - penalties - definitions - rules.** (1) AS USED IN THIS
7 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

8 (a) "GREENHOUSE GAS" HAS THE MEANING SET FORTH IN SECTION
9 2-2-322.3 (1)(a).

10 (b) "REPORTING ENTITY" MEANS AN ENTITY THAT DOES BUSINESS
11 IN COLORADO AND HAS TOTAL REVENUES EXCEEDING ONE BILLION
12 DOLLARS IN THE PRECEDING CALENDAR YEAR, INCLUDING REVENUES
13 RECEIVED BY ALL OF THE BUSINESS ENTITY'S SUBSIDIARIES THAT DO
14 BUSINESS IN COLORADO.

15 (c) "SCOPE 1 EMISSIONS" MEANS GREENHOUSE GAS EMISSIONS
16 FROM SOURCES THAT A REPORTING ENTITY OWNS OR DIRECTLY CONTROLS,
17 REGARDLESS OF LOCATION, INCLUDING GREENHOUSE GAS EMISSIONS FROM
18 FUEL COMBUSTION ACTIVITIES.

19 (d) "SCOPE 2 EMISSIONS" MEANS GREENHOUSE GAS EMISSIONS
20 FROM ELECTRICITY THAT IS PURCHASED AND USED BY A REPORTING
21 ENTITY, REGARDLESS OF LOCATION.

22 (e) "SCOPE 3 EMISSIONS" MEANS GREENHOUSE GAS EMISSIONS,

1 OTHER THAN SCOPE 2 EMISSIONS, THAT ARE FROM SOURCES THAT A
2 REPORTING ENTITY DOES NOT OWN OR DIRECTLY CONTROL. "SCOPE 3
3 EMISSIONS" MAY INCLUDE EMISSIONS ASSOCIATED WITH A REPORTING
4 ENTITY'S SUPPLY CHAIN, BUSINESS TRAVEL, EMPLOYEE COMMUTES,
5 PROCUREMENT, WASTE, AND WATER USAGE, REGARDLESS OF LOCATION.

6 (2) (a) ON OR BEFORE JANUARY 1, 2028, AND ON OR BEFORE EACH
7 JANUARY 1 THEREAFTER, EACH REPORTING ENTITY SHALL PUBLICLY
8 DISCLOSE ITS TOTAL SCOPE 1 EMISSIONS AND SCOPE 2 EMISSIONS DURING
9 THE PRECEDING CALENDAR YEAR.

10 (b) EACH REPORTING ENTITY SHALL PUBLICLY DISCLOSE ITS TOTAL
11 SCOPE 3 EMISSIONS DURING THE PRECEDING CALENDAR YEAR AS FOLLOWS:

12 (I) ON OR BEFORE JANUARY 1, 2029, AND ON OR BEFORE EACH
13 JANUARY 1 THEREAFTER, EACH REPORTING ENTITY SHALL PUBLICLY
14 DISCLOSE ITS TOTAL SCOPE 3 EMISSIONS FROM THE FOLLOWING SOURCES:

15 (A) PURCHASED GOODS AND SERVICES;

16 (B) CAPITAL GOODS; AND

17 (C) THE USE OF SOLD PRODUCTS;

18 (II) ON OR BEFORE JANUARY 1, 2030, AND ON OR BEFORE EACH
19 JANUARY 1 THEREAFTER, EACH REPORTING ENTITY SHALL PUBLICLY
20 DISCLOSE ITS TOTAL SCOPE 3 EMISSIONS FROM THE SOURCES DESCRIBED IN
21 SUBSECTION (2)(b)(I) OF THIS SECTION AND FROM THE FOLLOWING
22 SOURCES:

23 (A) EMISSIONS FROM FUEL AND ENERGY ACTIVITIES, WHICH
24 EMISSIONS ARE NOT CLASSIFIED AS SCOPE 1 EMISSIONS OR SCOPE 2
25 EMISSIONS;

26 (B) WASTE GENERATED IN OPERATIONS;

27 (C) PROCESSING OF SOLD PRODUCTS; AND

1 (D) THE END-OF-LIFE OF SOLD PRODUCTS; AND
2 (III) ON OR BEFORE JANUARY 1, 2031, AND ON OR BEFORE EACH
3 JANUARY 1 THEREAFTER, EACH REPORTING ENTITY SHALL PUBLICLY
4 DISCLOSE ITS TOTAL SCOPE 3 EMISSIONS FROM THE SOURCES DESCRIBED IN
5 SUBSECTIONS (2)(b)(I) AND (2)(b)(II) OF THIS SECTION AND FROM THE
6 FOLLOWING SOURCES:

7 (A) UPSTREAM TRANSPORTATION AND DISTRIBUTION;

8 (B) BUSINESS TRAVEL;

9 (C) EMPLOYEE COMMUTING;

10 (D) UPSTREAM LEASED ASSETS;

11 (E) DOWNSTREAM TRANSPORTATION AND DISTRIBUTION;

12 (F) DOWNSTREAM LEASED ASSETS; AND

13 (G) FRANCHISES.

14 (c) IN CALCULATING ITS EMISSIONS DATA, A REPORTING ENTITY
15 SHALL USE THE GREENHOUSE GAS PROTOCOL CORPORATE ACCOUNTING
16 AND REPORTING STANDARD AND THE GREENHOUSE GAS PROTOCOL
17 CORPORATE VALUE CHAIN (SCOPE 3) ACCOUNTING AND REPORTING
18 STANDARD DEVELOPED BY THE WORLD RESOURCES INSTITUTE AND THE
19 WORLD BUSINESS COUNCIL FOR SUSTAINABLE DEVELOPMENT.

20 (3) WITH EACH EMISSIONS DATA DISCLOSURE, A REPORTING
21 ENTITY SHALL INCLUDE THE REPORTING ENTITY'S LEGAL NAME AND ANY
22 FICTITIOUS NAMES, TRADE NAMES, ASSUMED NAMES, SUBSIDIARIES, AND
23 LOGOS USED BY THE REPORTING ENTITY.

24 (4) A REPORTING ENTITY SHALL HAVE EACH OF ITS EMISSIONS
25 DATA DISCLOSURES INDEPENDENTLY VERIFIED BY A THIRD-PARTY
26 AUDITOR. THE REPORTING ENTITY SHALL INCLUDE THE NAME OF THE
27 AUDITOR WITH EACH EMISSIONS DATA DISCLOSURE.

1 (5) A DISTRICT ATTORNEY OR THE ATTORNEY GENERAL MAY BRING
2 A CIVIL ACTION AGAINST A REPORTING ENTITY FOR A FAILURE TO COMPLY
3 WITH A DISCLOSURE REQUIREMENT DESCRIBED IN SUBSECTION (2) OF THIS
4 SECTION. IF A COURT FINDS THAT A DISTRICT ATTORNEY OR THE ATTORNEY
5 GENERAL HAS PREVAILED IN SUCH AN ACTION, THE COURT MAY REQUIRE
6 THE REPORTING ENTITY TO PAY A CIVIL PENALTY IN AN AMOUNT NOT TO
7 EXCEED ONE HUNDRED THOUSAND DOLLARS FOR EACH DAY OF
8 NONCOMPLIANCE. THE STATE TREASURER SHALL CREDIT MONEY RECEIVED
9 AS PENALTIES PURSUANT TO THIS SUBSECTION (5) TO THE GENERAL FUND.

10 (6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO
11 THE CONTRARY, NOTHING IN THIS SECTION REQUIRES A REPORTING ENTITY
12 TO DISCLOSE ANY INFORMATION IN VIOLATION OF ITS FREEDOM OF SPEECH,
13 INCLUDING ANY FREEDOM FROM COMPELLED SPEECH, THAT MAY BE
14 GUARANTEED BY THE FIRST AMENDMENT TO THE UNITED STATES
15 CONSTITUTION OR BY SECTION 10 OF ARTICLE II OF THE STATE
16 CONSTITUTION.

17 (b) A REPORTING ENTITY THAT DECLINES TO DISCLOSE ANY
18 INFORMATION PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION SHALL,
19 AT LEAST THIRTY DAYS BEFORE THE DATE UPON WHICH THE DISCLOSURE
20 IS REQUIRED, SUBMIT A STATEMENT TO THE ATTORNEY GENERAL. IN ITS
21 STATEMENT, THE REPORTING ENTITY SHALL DESCRIBE THE GENERAL
22 NATURE OF ANY INFORMATION THAT THE REPORTING ENTITY IS
23 WITHHOLDING PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION,
24 INCLUDING THE JUSTIFICATION FOR THE WITHHOLDING. IF THE ATTORNEY
25 GENERAL IS NOT SATISFIED BY THE JUSTIFICATION PROVIDED, AND, IF
26 AFTER FURTHER CONSULTATIONS, THE DEPARTMENT OF PUBLIC HEALTH
27 AND ENVIRONMENT AND THE REPORTING ENTITY ARE NOT ABLE TO REACH

1 AGREEMENT, THE ATTORNEY GENERAL MAY ORDER THE REPORTING
2 ENTITY TO DISCLOSE THE CONTESTED INFORMATION.

3 (7) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
4 CONTRARY, A REPORTING ENTITY IS DEEMED TO BE IN COMPLIANCE WITH
5 THE REQUIREMENTS OF THIS SECTION IF THE REPORTING ENTITY IS IN
6 COMPLIANCE WITH THE REQUIREMENTS OF ANOTHER STATE OR COUNTRY,
7 WHICH REQUIREMENTS ARE AS STRINGENT AS OR MORE STRINGENT THAN
8 THE REQUIREMENTS OF THIS SECTION.

9 (8) THE COMMISSION MAY ADOPT RULES AS NECESSARY TO
10 IMPLEMENT THIS SECTION, INCLUDING RULES TO ADJUST THE REPORTING
11 DEADLINES DESCRIBED IN SUBSECTIONS (2)(a) AND (2)(b) OF THIS
12 SECTION.

13 **SECTION 2. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly; except
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V
17 of the state constitution against this act or an item, section, or part of this
18 act within such period, then the act, item, section, or part will not take
19 effect unless approved by the people at the general election to be held in
20 November 2026 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.