

CHAPTER 304

**HEALTH AND ENVIRONMENT**

**HOUSE BILL 02-1411**

BY REPRESENTATIVE(S) Johnson, Bacon, Hoppe, Jahn, Mitchell, Scott, and Williams S.;  
also SENATOR(S) Reeves, Hernandez, and Phillips.

**AN ACT**

**CONCERNING THE AIR QUALITY CONTROL COMMISSION'S AUTHORITY TO SUBMIT A REDESIGNATION REQUEST TO THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY REGARDING FORT COLLINS' COMPLIANCE WITH THE CARBON MONOXIDE NATIONAL AMBIENT AIR QUALITY STANDARD WITHOUT FIRST UNDERGOING LEGISLATIVE REVIEW.**

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

**SECTION 1.** 25-7-133 (1), Colorado Revised Statutes, is amended, and the said 25-7-133 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**25-7-133. Legislative review and approval of state implementation plans and rules - repeal.** (1) Notwithstanding any other provision of law BUT SUBJECT TO SUBSECTION (7) OF THIS SECTION, by January 15 of each year the commission shall certify in a report to the chairperson of the legislative council in summary form any additions or changes to elements of the state implementation plan adopted during the prior year that are to be submitted to the administrator for purposes of federal enforceability. Such report shall be written in plain, nontechnical language using words with common and everyday meaning that are understandable to the average reader. Copies of such report shall be available to the public and shall be made available to each member of the general assembly. The provisions of this section shall not apply to control measures and strategies that have been adopted and implemented by the enacting jurisdiction of a local unit of government if such measures and strategies do not result in mandatory direct costs upon any entity other than the enacting jurisdiction.

(7) THE COMMISSION MAY SUBMIT A REQUEST TO REDESIGNATE FORT COLLINS TO ATTAINMENT STATUS FOR THE AIR POLLUTANT CARBON MONOXIDE AND MAY SUBMIT AN ASSOCIATED MAINTENANCE PLAN FOR SUCH AREA TO THE FEDERAL

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

ENVIRONMENTAL PROTECTION AGENCY FOR APPROVAL AND INCORPORATION INTO THE STATE IMPLEMENTATION PLAN. SUCH REDESIGNATION REQUEST AND MAINTENANCE PLAN SHALL NOT BE SUBJECT TO FURTHER REVIEW PURSUANT TO THIS SECTION.

**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, and safety.

Approved: June 4, 2002