

## CHAPTER 375

---

**HEALTH AND ENVIRONMENT**

---

**HOUSE BILL 04-1428**

BY REPRESENTATIVE(S) Spradley, King, Butcher, Jahn, Madden, McFadyen, Merrifield, Plant, and Williams S.;  
also SENATOR(S) May R.

**AN ACT**

**CONCERNING A MORATORIUM ON THE GRANTING OF PERMITS TO CREATE A LANDFILL IN WHICH TO DISPOSE ONLY OF TIRES.**

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

**SECTION 1.** Part 1 of article 20 of title 30, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**30-20-121. Moratorium on monofill for tires - repeal.** (1) ON AND AFTER JULY 1, 2004, TO AND INCLUDING JUNE 30, 2014, A GOVERNING BODY HAVING JURISDICTION SHALL NOT GRANT AN APPLICATION FOR A LANDFILL DESIGNATED ONLY FOR THE DISPOSAL OF TIRES. NOTHING IN THIS SECTION SHALL LIMIT MODIFICATIONS TO EXISTING LANDFILLS THAT ACCEPT WASTE TIRES.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.

**SECTION 2.** Part 2 of article 17 of title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**25-17-202.7. Reports - repeal.** (1) ON AND AFTER JULY 1, 2005, AND EACH JULY 1 THEREAFTER, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL REPORT TO THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE, CREATED IN SECTION 43-2-145, C.R.S., THE TOTAL NUMBER OF WASTE TIRES RECYCLED IN THIS STATE ACCORDING TO THE INFORMATION SUBMITTED TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO SECTION 30-20-109, C.R.S.

(2) THE PROVISIONS OF SECTION 24-1-136, C.R.S., SHALL NOT APPLY TO REPORTS GENERATED PURSUANT TO THIS SECTION.

---

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

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.

**SECTION 3. Effective date.** This act shall take effect July 1, 2004.

**SECTION 4. 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, 2004