

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation, Housing & Local Government.

HB24-1235 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1. Legislative declaration.** (1) The general
4 assembly finds and declares that:

5 (a) According to the United States environmental protection
6 agency:

7 (I) Aircraft that use leaded aviation gasoline are a leading source
8 of lead emissions in our air;

9 (II) Excessive exposure to lead has many harmful health effects,
10 which can include adverse effects on the nervous system, kidney function,
11 the immune system, reproductive and developmental systems, the
12 cardiovascular system, and the oxygen carrying capacity of blood;

13 (III) Exposure to lead can cause irreversible and life-long harmful
14 health effects in children and pregnant individuals; and

15 (IV) Elevated lead in the environment can result in decreased
16 growth and reproduction in plants and animals and negative neurological
17 effects in vertebrates;

18 (b) According to the United States centers for disease control and
19 prevention, no level of lead exposure is safe for children, and even low
20 levels of lead in their blood are associated with developmental delays,
21 learning difficulties, and behavioral issues;

22 (c) Peer-reviewed research indicates that children who live near
23 airports with significant general aviation activity have elevated levels of
24 lead in their blood and that blood lead levels in children under five
25 increase as levels of atmospheric lead increase;

26 (d) Persistent and loud noise also has harmful health effects,
27 especially for children; and

28 (e) It is therefore necessary, appropriate, and in the best interest
29 of all Coloradans for the state to:

30 (I) Provide financial incentives in the form of an income tax credit
31 and a grant program to reduce the use of leaded aviation gasoline; and

32 (II) Create standards for an airport with significant general
33 aviation activity in an urban or suburban area to follow to notify the
34 surrounding community of its voluntary plans and procedures to reduce
35 the impacts of noise and lead on the community.

36 **SECTION 2.** In Colorado Revised Statutes, **add** 39-22-560 as
37 follows:

38 **39-22-560. Tax credit for certification of aircraft to use**
39 **unleaded aviation gasoline - tax preference performance statement**
40 **- review - legislative declaration - definitions - repeal.** (1) (a) IN

1 ACCORDANCE WITH SECTION 39-21-304 (1), WHICH REQUIRES EACH BILL
2 THAT CREATES A NEW TAX EXPENDITURE TO INCLUDE A TAX PREFERENCE
3 PERFORMANCE STATEMENT AS PART OF A STATUTORY LEGISLATIVE
4 DECLARATION, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE
5 PURPOSE OF THE TAX CREDIT PROVIDED IN THIS SECTION IS TO INDUCE
6 CERTAIN DESIGNATED BEHAVIOR BY TAXPAYERS, SPECIFICALLY THE
7 MODIFICATION OF AIRCRAFT THAT ARE POWERED BY LEADED AVIATION
8 GASOLINE SO THAT SUCH AIRCRAFT CAN BE CERTIFIED TO BE POWERED BY
9 UNLEADED AVIATION GASOLINE AND NO LONGER USE LEADED AVIATION
10 GASOLINE.

11 (b) THE GENERAL ASSEMBLY AND THE STATE AUDITOR SHALL
12 MEASURE THE EFFECTIVENESS OF THE CREDIT IN ACHIEVING THE PURPOSE
13 SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION BASED ON THE NUMBER
14 OF CREDITS CLAIMED.

15 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
16 REQUIRES:

17 (a) "AIRCRAFT" HAS THE SAME MEANING AS SET FORTH IN SECTION
18 43-10-102 (1).

19 (b) "AVIATION GASOLINE" MEANS GASOLINE-BASED FUEL THAT IS
20 USED TO POWER AN AIRCRAFT.

21 (c) "LEADED AVIATION GASOLINE" MEANS ANY AVIATION FUEL
22 CONTAINING TETRAETHYL LEAD ADDITIVES.

23 (d) "QUALIFYING AIRCRAFT" MEANS AN AIRCRAFT THAT HAS BEEN
24 POWERED BY LEADED AVIATION GASOLINE AND FOR WHICH A
25 SUPPLEMENTAL TYPE CERTIFICATE OR ANY OTHER AUTHORIZATION THAT
26 APPROVES THE COMPLETED MODIFICATION OF THE AIRCRAFT TO BE
27 POWERED BY UNLEADED AVIATION GASOLINE HAS BEEN ISSUED.

28 (e) "QUALIFYING EXPENSES" MEANS ANY ACTUAL OUT-OF-POCKET
29 EXPENSES INCURRED AND PAID BY A QUALIFYING TAXPAYER FOR THE
30 PURPOSE OF MODIFYING AN AIRCRAFT REGISTERED WITH THE FEDERAL
31 AVIATION ADMINISTRATION IN THIS STATE SO THAT IT IS A QUALIFYING
32 AIRCRAFT.

33 (f) "QUALIFYING TAXPAYER" MEANS A PERSON SUBJECT TO TAX
34 UNDER THIS ARTICLE 22 WHO IS THE OWNER OF AN AIRCRAFT AS
35 INDICATED ON THE AIRCRAFT REGISTRY MAINTAINED BY THE FEDERAL
36 AVIATION ADMINISTRATION.

37 (g) "SUPPLEMENTAL TYPE CERTIFICATE" MEANS A TYPE
38 CERTIFICATE ISSUED BY THE FEDERAL AVIATION ADMINISTRATION TO AN
39 APPLICANT THAT HAS MODIFIED AN AERONAUTICAL PRODUCT FROM ITS
40 ORIGINAL DESIGN WITH FEDERAL AVIATION ADMINISTRATION APPROVAL.

41 (h) "UNLEADED AVIATION GASOLINE" MEANS AVIATION GASOLINE
42 THAT DOES NOT INCLUDE LEAD.

43 (3) FOR ANY INCOME TAX YEAR COMMENCING ON OR AFTER

1 JANUARY 1, 2025, BUT BEFORE JANUARY 1, 2030, A QUALIFYING
2 TAXPAYER WHO INCURS QUALIFYING EXPENSES IS ALLOWED A CREDIT
3 AGAINST THE INCOME TAXES IMPOSED BY THIS ARTICLE 22 IN THE TAX
4 YEAR IN WHICH THE QUALIFYING AIRCRAFT IS REGISTERED BY THE
5 FEDERAL AVIATION ADMINISTRATION IN THIS STATE IN AN AMOUNT EQUAL
6 TO FIFTY PERCENT OF ALL QUALIFYING EXPENSES INCURRED; EXCEPT THAT
7 THE MAXIMUM AMOUNT OF THE CREDIT THAT MAY BE CLAIMED FOR
8 QUALIFYING EXPENSES INCURRED IN MODIFYING ANY ONE AIRCRAFT IS
9 FIVE HUNDRED DOLLARS.

10 (4) IF THE AMOUNT OF A CREDIT AUTHORIZED BY THIS SECTION
11 EXCEEDS THE AMOUNT OF INCOME TAXES OTHERWISE DUE ON THE INCOME
12 OF THE QUALIFYING TAXPAYER CLAIMING THE CREDIT IN THE INCOME TAX
13 YEAR FOR WHICH THE CREDIT IS BEING CLAIMED, THE AMOUNT OF THE
14 CREDIT NOT USED AS AN OFFSET AGAINST INCOME TAXES IN THAT INCOME
15 TAX YEAR MAY BE CARRIED FORWARD AS A CREDIT AGAINST SUBSEQUENT
16 YEARS' INCOME TAX LIABILITY FOR A PERIOD NOT EXCEEDING FIVE YEARS
17 AND MUST BE APPLIED FIRST TO THE EARLIEST INCOME TAX YEARS
18 POSSIBLE. ANY CREDIT REMAINING AFTER THE PERIOD MAY NOT BE
19 REFUNDED OR CREDITED TO THE QUALIFYING TAXPAYER.

20 (5) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2039.

21 **SECTION 3.** In Colorado Revised Statutes, 43-10-102, **amend**
22 the introductory portion and (3)(a)(VII); and **add** (3)(a)(IX), (3)(a)(X),
23 (3)(a)(XI), and (3)(a)(XII) as follows:

24 **43-10-102. Definitions.** As used in this ~~article~~ ARTICLE 10, unless
25 the context otherwise requires:

26 (3) (a) "Aviation purposes" means any objective that provides
27 direct and indirect benefits to the state aviation system and includes, but
28 is not limited to:

29 (VII) Any acquisition of land, of any interest therein, or of any
30 easement through or other interest in airspace, including land for future
31 airport development, which is necessary to permit any such work or to
32 remove, mitigate, prevent, or limit the establishment of any hazard to the
33 safe operation of aircraft; ~~and~~

34 (IX) DESIGN, ENGINEERING, CONSTRUCTION, INSTALLATION,
35 ACQUISITION, AND INSPECTION OF INFRASTRUCTURE, INCLUDING
36 EQUIPMENT, THAT WILL ALLOW THE SALE OF UNLEADED AVIATION
37 GASOLINE AT A GENERAL AVIATION AIRPORT OR AT A COMMERCIAL
38 AIRPORT AT WHICH THERE IS, AS DETERMINED BY THE DIVISION,
39 SIGNIFICANT GENERAL AVIATION ACTIVITY;

40 (X) SUBSIDIZATION OF UNLEADED AVIATION GASOLINE AT A
41 GENERAL AVIATION AIRPORT OR A COMMERCIAL AIRPORT AT WHICH THERE
42 IS SIGNIFICANT GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE
43 DIVISION;

1 (XI) NOISE MONITORING DEVICES, TECHNOLOGIES, OR SYSTEMS
2 THAT ARE USED TO EVALUATE NOISE LEVELS FROM THE OPERATION OF
3 AIRCRAFT AND OTHER AVIATION ACTIVITIES AT OR NEAR AIRPORTS; AND

4 (XII) THE EVALUATION, PROVISION OF EDUCATION AND
5 TECHNICAL ASSISTANCE TO AIRPORTS ABOUT, PREVENTION, OR
6 MITIGATION OF ADVERSE IMPACTS TO THE HEALTH, SAFETY, AND WELFARE
7 OF INDIVIDUALS WHO RESIDE OR WORK NEAR AN AIRPORT INCLUDING BUT
8 NOT LIMITED TO THE EVALUATION, PROVISION OF EDUCATION AND
9 TECHNICAL ASSISTANCE TO AIRPORTS ABOUT, PREVENTION, OR
10 MITIGATION OF SUCH ADVERSE IMPACTS CONDUCTED BY THE DIVISION AND
11 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO
12 SECTION 43-10-118.

13 **SECTION 4.** In Colorado Revised Statutes, 43-10-103, **amend**
14 (2) introductory portion and (2)(k); and **add** (2)(n) and (2)(o) as follows:

15 **43-10-103. Division of aeronautics created - duties.** (2) The
16 division shall provide support for the Colorado aeronautical board in
17 fulfilling its duties. The duties of the division ~~shall~~ also include, but ARE
18 not ~~be~~ limited to, the following:

19 (k) Publishing information relating to aeronautics in the state; ~~and~~

20 (n) WORKING WITH THE DEPARTMENT OF PUBLIC HEALTH AND
21 ENVIRONMENT TO EVALUATE AND EDUCATE AND PROVIDE TECHNICAL
22 ASSISTANCE TO AIRPORTS ABOUT THE ADVERSE IMPACTS OF AIRCRAFT
23 NOISE AND THE USE OF LEADED AVIATION GASOLINE ON PUBLIC HEALTH,
24 SAFETY, AND WELFARE AS REQUIRED BY SECTION 43-10-118; AND

25 (o) EDUCATING AIRPORTS WITH SIGNIFICANT GENERAL AVIATION
26 ACTIVITY, AS DETERMINED BY THE DIVISION, REGARDING:

27 (I) THE NEED TO EXPEDITE THE TRANSITION FROM LEADED
28 AVIATION GASOLINE TO UNLEADED AVIATION GASOLINE; AND

29 (II) THE PROVISIONS OF THIS ARTICLE 10, AS AMENDED BY HOUSE
30 BILL 24-1235, ENACTED IN 2024, THAT OFFER FUNDING FOR PROJECTS AND
31 UNLEADED AVIATION GASOLINE SUBSIDIES, IF OFFERED BY THE DIVISION,
32 THAT SUPPORT THE TRANSITION FROM LEADED AVIATION GASOLINE TO
33 UNLEADED AVIATION GASOLINE AND IMPOSE REQUIREMENTS FOR
34 ACCESSING THAT FUNDING AND, IF OFFERED, THOSE SUBSIDIES.

35 **SECTION 5.** In Colorado Revised Statutes, 43-10-104, **amend**
36 (1)(b), (1)(f), and (2) as follows:

37 **43-10-104. Colorado aeronautical board - created.** (1) (b) The
38 board consists of ~~seven~~ NINE VOTING members appointed by the governor,
39 with the consent of the senate, for terms of three years; except that the
40 terms ~~shall~~ MUST be staggered so that no more than three members' terms
41 expire in the same year.

42 (f) The board shall not conduct any business unless there are at
43 least ~~four~~ FIVE VOTING members of the board present.

1 (2) (a) ~~The members of the board shall be chosen as follows~~
2 CONSISTS OF THE FOLLOWING MEMBERS:

3 (I) Four members, two from the eastern slope and two from the
4 western slope of the state, representing local governments ~~which~~ THAT
5 operate airports, which members ~~shall be selected by the governor~~ SHALL
6 SELECT from a list of nominees supplied by THOSE local governments;

7 (II) Two MEMBERS WHO ARE RESIDENTS OF COMMUNITIES THAT
8 ARE AFFECTED BY GENERAL AVIATION AIRPORT TRAFFIC OR TRAFFIC AT A
9 COMMERCIAL AIRPORT AT WHICH THERE IS SIGNIFICANT GENERAL
10 AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION. THE INITIAL TERMS
11 OF THE TWO NEW MEMBERS COMMENCE WHEN THE NEXT TERM OF AN
12 EXISTING MEMBER COMMENCES, AND THE NEW MEMBERS' INITIAL TERMS
13 MUST COMPLY WITH THE EXISTING STAGGERING REQUIREMENT. IN
14 APPOINTING THESE MEMBERS, THE GOVERNOR SHALL GIVE PRIORITY TO
15 INDIVIDUALS WHO:

16 (A) ARE NOT TRAINED PILOTS;

17 (B) ARE FAMILIAR WITH AIRPORT INFRASTRUCTURE, AVIATION,
18 AND THE MISSION OF THE BOARD, INCLUDING BUT NOT LIMITED TO THOSE
19 WHO SERVE ON AN AIRPORT COMMUNITY NOISE ROUNDTABLE; AND

20 (C) RESIDE IN A COMMUNITY THAT IS SIGNIFICANTLY IMPACTED BY
21 NOISE OR LEAD EMISSIONS BY A HIGH-TRAFFIC AIRPORT WITH SIGNIFICANT
22 GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION;

23 (III) One member representing a statewide association of airport
24 managers;

25 (IV) One member representing a statewide association of pilots;
26 and

27 (V) One member familiar with and supportive of the state's
28 aviation issues, interests, and concerns; AND

29 (VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
30 HEALTH AND ENVIRONMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE,
31 WHO IS AN EX OFFICIO NONVOTING MEMBER OF THE BOARD.

32 (b) ~~Appointments shall be made~~ IN ADDITION TO SATISFYING THE
33 REQUIREMENTS SET FORTH IN SECTION 24-20-115, THE GOVERNOR SHALL
34 MAKE APPOINTMENTS TO THE BOARD so as to ~~insure~~ ENSURE a balance
35 broadly representative of the activity level of airports throughout the state
36 AND FURTHER ENSURE THAT THE RACIAL, ETHNIC, AND GENDER MAKEUP
37 OF THE BOARD IS REPRESENTATIVE OF COMMUNITIES THAT ARE
38 DISPROPORTIONATELY IMPACTED BY GENERAL AVIATION AIRPORT TRAFFIC
39 OR TRAFFIC AT A COMMERCIAL AIRPORT AT WHICH THERE IS SIGNIFICANT
40 GENERAL AVIATION ACTIVITY, AS DETERMINED BY THE DIVISION.

41 **SECTION 6.** In Colorado Revised Statutes, 43-10-108.5, **amend**
42 (2) as follows:
43 **43-10-108.5. State aviation system grant program.**

1 (2) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(c) OF THIS
2 SECTION, any entity operating an FAA-designated public-use airport may
3 apply to the division for a state aviation system grant to be used solely for
4 aviation purposes. Applications ~~shall~~ MUST contain such information as
5 may be required by the division and shall be filed in accordance with
6 procedures established by the division. In order to be eligible for a grant,
7 the applicant must demonstrate, to the satisfaction of the division, that the
8 grant shall be used solely for aviation purposes as defined in section
9 43-10-102 (3). The division shall evaluate grant applications based upon
10 criteria established by the division, AND CRITERIA SET FORTH IN
11 SUBSECTION (2)(b) OF THIS SECTION, and make recommendations to the
12 board on the awarding of grants. Any grant proposed by the board ~~shall~~
13 MUST be submitted to the governor's office for review and
14 recommendation prior to a final decision. The governor shall accomplish
15 ~~his~~ THE GOVERNOR'S review and recommendation within thirty days of
16 submittal of the grant proposal by the board. The board shall make final
17 decisions on the awarding of grants subject to the availability of ~~moneys~~
18 MONEY in the aviation fund created in section 43-10-109. The board shall
19 establish procedures to ensure that grants awarded pursuant to the
20 provisions of this section are used solely for aviation purposes as required
21 by this subsection (2).

22 (b) THE DIVISION, WHEN EVALUATING GRANT APPLICATIONS AND
23 MAKING RECOMMENDATIONS TO THE BOARD AS TO THE AWARDING OF
24 GRANTS; THE GOVERNOR'S OFFICE, WHEN REVIEWING REQUESTED GRANTS
25 RECOMMENDED BY THE DIVISION MAKING RECOMMENDATIONS REGARDING
26 SUCH REQUESTED GRANTS TO THE BOARD; AND THE BOARD, WHEN
27 AWARDING GRANTS, SHALL DESIGNATE THE LESSER OF TEN PERCENT OF
28 THE AMOUNT AWARDED IN GRANTS PER YEAR OR ONE MILLION FIVE
29 HUNDRED THOUSAND DOLLARS PER YEAR IN GRANTS FOR THE AVIATION
30 PURPOSES OF AIDING AND ACCELERATING THE TRANSITION FROM LEADED
31 AVIATION GASOLINE TO UNLEADED AVIATION GASOLINE. THE BOARD
32 SHALL PRIORITIZE AWARDING GRANTS DESIGNATED TO ADDRESS THE
33 TRANSITION FROM LEADED AVIATION GASOLINE TO UNLEADED AVIATION
34 GASOLINE TO AIRPORTS WITH SIGNIFICANT GENERAL AVIATION TRAFFIC IN
35 URBAN AND SUBURBAN AREAS WHERE SURROUNDING COMMUNITIES MAY
36 BE DISPROPORTIONATELY IMPACTED BY SUCH TRAFFIC. IF THE BOARD DOES
37 NOT RECEIVE GRANT APPLICATIONS EQUALING AT LEAST THE AMOUNT
38 DESIGNATED BY THE BOARD PURSUANT TO THIS SUBSECTION (2)(b) IN ANY
39 GIVEN YEAR, THE BOARD MAY USE THE REMAINDER OF THIS FUNDING FOR
40 OTHER AVIATION PURPOSES.

41 (c) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(g) OF
42 THIS SECTION, MONEY SHALL NOT BE EXPENDED FROM THE FUND FOR A
43 GRANT AWARDED PURSUANT TO THIS SECTION OR OTHERWISE TO AN

1 AIRPORT THAT THE DIVISION HAS IDENTIFIED AS BEING LOCATED IN A
2 DENSELY POPULATED RESIDENTIAL AREA OR AS HAVING A SIGNIFICANT
3 NUMBER OF FLIGHTS OVER A DENSELY POPULATED RESIDENTIAL AREA
4 UNLESS THE AIRPORT OR ENTITY OPERATING THE AIRPORT DEMONSTRATES
5 TO THE SATISFACTION OF THE DIVISION THAT:

6 (I) BY JANUARY 1, 2026, IT HAS ADOPTED A PLAN FOR PHASING
7 OUT SALES OF LEADED AVIATION GASOLINE AT THE AIRPORT BY JANUARY
8 1, 2030, WITH EXECUTION OF THE PLAN IN ACCORDANCE WITH FAA AND
9 FEDERAL ENVIRONMENTAL PROTECTION AGENCY REQUIREMENTS OR
10 OTHER RELEVANT FEDERAL GUIDANCE; AND

11 (II) IT HAS ESTABLISHED, IN CONSULTATION WITH FLIGHT SCHOOLS
12 AND PILOTS THAT REGULARLY USE THE AIRPORT, A VOLUNTARY NOISE
13 ABATEMENT PLAN, WITH EXECUTION OF THE NOISE ABATEMENT PLAN IN
14 ACCORDANCE WITH FAA AND FEDERAL ENVIRONMENTAL PROTECTION
15 AGENCY REQUIREMENTS OR OTHER RELEVANT FEDERAL GUIDANCE, SO
16 THAT AIRCRAFT NOISE IS NOT A SIGNIFICANT PUBLIC NUISANCE AND DOES
17 NOT CAUSE SIGNIFICANT ADVERSE IMPACTS TO THE PUBLIC HEALTH,
18 SAFETY, AND WELFARE OF INDIVIDUALS RESIDING NEAR THE AIRPORT. THE
19 DIVISION SHALL DEVELOP GUIDELINES FOR THE ESTABLISHMENT OF
20 EFFECTIVE VOLUNTARY NOISE ABATEMENT PLANS THAT MUST INCLUDE, AT
21 A MINIMUM:

22 (A) PUBLICATION OF NOISE ABATEMENT PLANS AMONG ALL
23 AIRPORT OPERATORS; AND

24 (B) NOISE ABATEMENT PLAN ELEMENTS, INCLUDING, BUT NOT
25 LIMITED TO, A VOLUNTARY CURFEW ON WHEN FLIGHTS MAY DEPART FROM
26 THE AIRPORT; VOLUNTARY GUIDELINES ON THE NUMBER OF FLIGHTS THAT
27 MAY DEPART FROM THE AIRPORT WITHIN SPECIFIED PERIODS; AND
28 VOLUNTARY GUIDELINES ON THE FREQUENCY OF TOUCH AND GO FLIGHTS
29 DURING WHICH AN AIRCRAFT TOUCHES DOWN ON A RUNWAY AND THEN
30 IMMEDIATELY ACCELERATES AND TAKES OFF AGAIN WITHOUT STOPPING.

31 (d) (I) NOISE ABATEMENT PLANS DEVELOPED IN ACCORDANCE
32 WITH SUBSECTION (2)(c)(II) OF THIS SECTION MUST BE PROPERLY POSTED
33 AT EACH AIRPORT.

34 (II) EACH AIRPORT SHALL CONDUCT MEETINGS WITH THE
35 AIRPORT'S FLIGHT SCHOOLS, FUEL OPERATORS, AND PILOTS WHO
36 COMMONLY FLY OUT OF THE AIRPORT ON A REGULAR BASIS TO INFORM THE
37 PARTIES OF THE NOISE ABATEMENT PROCEDURES AND HOW THEY MIGHT
38 COMPLY WITH SUCH PROCEDURES.

39 (III) EACH AIRPORT SHALL CREATE AND POST ON ITS WEBSITE AN
40 INTERNAL COMMUNICATIONS PLAN DETAILING HOW THEY INTEND TO
41 ENSURE THAT THEIR NOISE ABATEMENT PLAN IS WELL UNDERSTOOD AND
42 AVAILABLE TO ALL AIRPORT OPERATORS.

43 (e) NOISE ABATEMENT PLANS DEVELOPED IN ACCORDANCE WITH

1 SUBSECTION (2)(c)(II) OF THIS SECTION MUST BE SUBMITTED TO THE FAA
2 AND ARE NOT CONTINGENT ON FAA APPROVAL.

3 (f) IF AN AIRPORT OR AN ENTITY OPERATING AN AIRPORT HAS ONE
4 OR MORE AVIGATION EASEMENTS IN PLACE, THE LEGAL STAFF OF THE
5 AIRPORT OR ENTITY MUST CERTIFY IN WRITING FOR EACH GRANT
6 APPLICATION THAT THE AIRPORT OR ENTITY IS IN COMPLIANCE WITH THE
7 ALL THE EASEMENTS.

8 (g) THE LIMITATION ON THE EXPENDITURE OF MONEY FROM THE
9 FUND SET FORTH IN SUBSECTION (2)(c) OF THIS SECTION DOES NOT APPLY
10 TO MONEY EXPENDED FOR AN AVIATION PROJECT THAT IS FOR AN
11 INTERNATIONAL AIRPORT OR THAT IS DETERMINED BY THE DIVISION TO BE
12 DIRECTLY UTILIZED TOWARDS THE TRANSITION FROM LEADED AVIATION
13 GASOLINE TO UNLEADED AVIATION GASOLINE, INCLUDING BUT NOT
14 LIMITED TO IMPROVEMENTS, ADDITIONS, AND MODIFICATIONS DESCRIBED
15 IN SECTION 43-10-102 (3)(a)(IX) TO (3)(a)(XII), FOR THE HEALTH,
16 SAFETY, AND WELFARE OF INDIVIDUALS WHO RESIDE NEAR THE AIRPORT
17 AT WHICH THE AVIATION PROJECT WILL BE COMPLETED.

18 **SECTION 7.** In Colorado Revised Statutes, **add** 43-10-118 as
19 follows:

20 **43-10-118. Adverse impacts - evaluation and provision of**
21 **education, and technical assistance.** (1) (a) THE DIVISION SHALL
22 EVALUATE, AND EDUCATE AND PROVIDE TECHNICAL ASSISTANCE TO
23 AIRPORTS ABOUT, THE ADVERSE IMPACTS OF AIRCRAFT NOISE ON PUBLIC
24 HEALTH, SAFETY, AND WELFARE. THE DIVISION SHALL PRIORITIZE THIS
25 EVALUATION, EDUCATION, AND TECHNICAL ASSISTANCE AT AIRPORTS
26 WITH SIGNIFICANT GENERAL AVIATION ACTIVITY THAT THE DIVISION HAS
27 IDENTIFIED AS BEING LOCATED IN DENSELY POPULATED RESIDENTIAL
28 AREAS OR AS HAVING A SIGNIFICANT NUMBER OF FLIGHTS OVER DENSELY
29 POPULATED RESIDENTIAL AREAS.

30 (b) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
31 SHALL CONTINUE TO ENCOURAGE TESTING IN HIGH-RISK AREAS FOR THE
32 PRESENCE OF LEAD IN THE BLOOD OF INDIVIDUALS WHO RESIDE OR WORK
33 NEAR SUCH AIRPORTS OR CHILDREN WHO ATTEND SCHOOLS OR CHILD CARE
34 FACILITIES NEAR SUCH AIRPORTS.

35 **SECTION 8. Safety clause.** The general assembly finds,
36 determines, and declares that this act is necessary for the immediate
37 preservation of the public peace, health, or safety or for appropriations for
38 the support and maintenance of the departments of the state and state
39 institutions."

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