

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

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 25-1036.01 Clare Haffner x6137

SENATE BILL 25-286

SENATE SPONSORSHIP

Hinrichsen and Snyder, Mullica, Rodriguez

HOUSE SPONSORSHIP

Bird,

Senate Committees

Transportation & Energy
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MONEY COLLECTED BY THE STATE IN RELATION TO**
102 **PETROLEUM PRODUCTS.**

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:

- Authorizes the use of money in the petroleum storage tank fund for costs related to relocation or redevelopment of the division of oil and public safety's petroleum laboratory;
- Allows the division of oil and public safety to impose a civil penalty of not more than \$5,000 for a violation of a

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.

SENATE
3rd Reading Unamended
April 30, 2025

SENATE
Amended 2nd Reading
April 29, 2025

- fuel quality standard for reformulated gasoline; and
Reduces the current maximum civil penalty amount for a violation of certain record-keeping requirements by a person that owns or operates a gasoline dispensing facility to \$500 per violation.

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

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SECTION 1. In Colorado Revised Statutes, 8-20-104, **add** (4)(c) as follows:

8-20-104. Enforcement of law - penalties - definitions.

(4) (c) (I) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION, WHEN THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY REQUIRES THE SALE OF REFORMULATED GASOLINE IN A NONATTAINMENT AREA IN THE STATE, THE DIRECTOR OF THE DIVISION OF OIL AND PUBLIC SAFETY MAY IMPOSE A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS PER DAY FOR THE RETAIL _____ DISTRIBUTION OF REFORMULATED GASOLINE THAT VIOLATES THE APPLICABLE FUEL QUALITY SPECIFICATION. IT IS AN AFFIRMATIVE DEFENSE THAT A RETAILER OR LICENSED FUEL DISTRIBUTOR RELIED ON A PRODUCT TRANSFER DOCUMENT THAT CLEARLY DEMONSTRATES A COMPLIANT FUEL SPECIFICATION.

(II) AS USED IN THIS SUBSECTION (4)(c), "NONATTAINMENT AREA" HAS THE MEANING SET FORTH IN SECTION 24-38.5-116 (2)(h).

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SECTION 2. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an

1 item, section, or part of this act within such period, then the act, item,
2 section, or part will not take effect unless approved by the people at the
3 general election to be held in November 2026 and, in such case, will take
4 effect on the date of the official declaration of the vote thereon by the
5 governor.

6 (2) This act applies to violations committed on or after the
7 applicable effective date of this act.