

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-1036.01 Clare Haffner x6137

SENATE BILL 25-286

SENATE SPONSORSHIP

Hinrichsen and Snyder,

HOUSE SPONSORSHIP

(None),

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.

- 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.