

SENATE COMMITTEE OF REFERENCE REPORT

	March 31, 2025
Chair of Committee	Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

HB25-1165 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 5, after line 17 insert:

2 "SECTION 3. In Colorado Revised Statutes, 34-60-103, **add**
3 (40.5) as follows:

4 **34-60-103. Definitions - rules.** As used in this article 60, unless
5 the context otherwise requires:

6 (40.5) (a) "SITE CLOSURE" MEANS THAT AN OPERATOR OF A
7 GEOLOGIC STORAGE FACILITY HAS DEMONSTRATED, IN ACCORDANCE WITH
8 ALL RULES OF THE COMMISSION, THAT:

9 (I) GEOLOGIC STORAGE OPERATIONS AT THE FACILITY NO LONGER
10 POSE A DANGER TO PUBLIC HEALTH, SAFETY, OR WELFARE OR TO THE
11 ENVIRONMENT, INCLUDING UNDERGROUND SOURCES OF DRINKING WATER
12 AND WILDLIFE RESOURCES; AND

13 (II) THE OPERATOR HAS RECEIVED APPROVAL FROM THE
14 COMMISSION FOR THE FACILITY TO BE CLOSED.

15 (b) "SITE CLOSURE" REQUIRES THAT:

16 (I) ALL WELLS ARE PLUGGED, EQUIPMENT IS REMOVED, AND LAND
17 IS RECLAIMED, UNLESS OTHERWISE REQUIRED FOR LONG-TERM
18 STEWARDSHIP AND MONITORING OR AS DETERMINED BY THE DIRECTOR OF
19 THE COMMISSION; AND

20 (II) MONITORING EQUIPMENT IS INSTALLED IF REQUIRED BY THE
21 POST-INJECTION SITE CARE AND SITE CLOSURE PLAN OR BY RULES OF THE
22 COMMISSION."

23 Renumber succeeding sections accordingly.

24 Page 11, line 6, after "STORAGE," insert "PREFERABLY WITH AN
25 ACTUARIAL SCIENCE BACKGROUND AS RELATED TO EVALUATING THE

- 1 LONG-TERM RISK OF GEOLOGIC STORAGE FACILITIES,".
- 2 Page 14, line 16, strike ""(f)" and substitute "(f)".
- 3 Page 18, line 1, after "**amend**" insert "(9)(c)(II) and".
- 4 Page 18, line 2, strike "(9)(c)(IV)(D.5);" and substitute "(9)(c)(IV)(D.5)
5 and (9)(e)(VI);".
- 6 Page 18, strike line 4 and substitute "**definitions - repeal.**
7 (9) (c) (II) (A) The commission may issue and enforce permits for
8 geologic storage operations and may regulate geologic storage operations
9 after the commission makes the determination and holds the hearing set
10 forth in subsection (9)(c)(I) of this section and the commission and the
11 governor satisfy the requirements set forth in subsection (9)(a) of this
12 section.
- 13 (B) A PERSON THAT WILLFULLY VIOLATES A CLASS VI RULE,
14 REGULATION, PERMIT, OR ORDER OF THE COMMISSION ISSUED PURSUANT
15 TO SUBSECTION (9)(c)(II)(A) OF THIS SECTION COMMITS A MISDEMEANOR
16 AND, UPON CONVICTION BY A COURT OF COMPETENT JURISDICTION, IS
17 SUBJECT TO A FINE OF AT LEAST FIVE THOUSAND DOLLARS AND NO MORE
18 THAN SEVEN THOUSAND FIVE HUNDRED DOLLARS FOR EACH ACT OF
19 VIOLATION AND FOR EACH DAY THAT THE PERSON REMAINS IN VIOLATION.
- 20 (IV) (D) A geologic storage operator shall".
- 21 Page 18, after line 17 insert:
- 22 "(e) As used in this subsection (9), unless the context otherwise
23 requires:
24 (VI) ~~"Site closure" has the meaning set forth in 40 CFR 146.81."~~
- 25 Page 21, after line 10 insert:
- 26 "(g) AS USED IN THIS SUBSECTION (9.4), UNLESS THE CONTEXT
27 OTHERWISE REQUIRES:
28 (I) "REGULATORY LIABILITY" MEANS A GEOLOGIC STORAGE
29 OPERATOR'S OBLIGATION TO COMPLY WITH ANY RULE, REGULATION,
30 PERMIT CONDITION, OR ORDER OF THE COMMISSION ADOPTED OR ISSUED
31 PURSUANT TO SUBSECTION (9)(c)(II) OF THIS SECTION FOR GEOLOGIC
32 STORAGE OPERATIONS.
33 (II) "REGULATORY LIABILITY" INCLUDES A GEOLOGIC STORAGE
34 OPERATOR'S EXPOSURE TO PENALTIES ASSESSED IN ACCORDANCE WITH
35 SECTION 34-60-121 FOR VIOLATIONS OF ANY RULE, REGULATION, PERMIT

1 CONDITION, OR ORDER OF THE COMMISSION ADOPTED OR ISSUED
2 PURSUANT TO SUBSECTION (9)(c)(II) OF THIS SECTION FOR GEOLOGIC
3 STORAGE OPERATIONS.

4 (III) "REGULATORY LIABILITY" DOES NOT INCLUDE A GEOLOGIC
5 STORAGE OPERATOR'S CIVIL, CONTRACTUAL, OR CRIMINAL LIABILITY."

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