

**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. 25-0256.03 Kristen Forrestal x4217

HOUSE BILL 25-1042

HOUSE SPONSORSHIP

Bird,

SENATE SPONSORSHIP

Daugherty,

House Committees

Energy & Environment
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ESTABLISHMENT OF A WORKFORCE ADVISORY**
102 **COUNCIL TO CONSIDER AIR QUALITY CONTROL RULES THAT**
103 **IMPACT WORKFORCE ISSUES IN AFFECTED INDUSTRIES.**

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 requires the executive director of the department of public health and environment (department) to establish a workforce advisory council (council) on or before August 1, 2025, for the purposes of:

- Discussing recommendations concerning the incorporation of workforce impact analyses into the rule-making

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.

- procedures for rules that impact air quality;
- Recommending standard procedures for the department and the air quality control commission (commission) to follow when conducting workforce impact analyses for inclusion in rule-making procedures; and
- Determining if the establishment of a full-time workforce advocate position would add value to the air quality control rule-making process.

The bill requires the department to report the council's recommendations to the general assembly on or before January 15, 2026.

After January 15, 2026, the council is required to:

- Meet at least 4 times per year;
- Continue to advise the department on the impact of proposed air quality control rules on matters related to employment; and
- Make ongoing recommendations to the governor, the department, and the commission on legislative and regulatory air quality control policies that impact employment matters.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 25-7-110.9** as
3 follows:

4 **25-7-110.9. Air quality control rule-making - economic impact**
5 **analysis procedures - cost-benefit analyses - report - definitions -**
6 **repeal.** (1) AS USED IN THIS SECTION:

7 (a) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
8 AND ENVIRONMENT.

9 (b) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE
10 MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

11 (c) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
12 THE DEPARTMENT.

13 (d) "WORKFORCE IMPACT" MEANS THE IMPACT OF AIR QUALITY
14 CONTROL RULES PROPOSED BY THE DEPARTMENT, COMMISSION, OR AIR

1 POLLUTION CONTROL DIVISION ON EMPLOYMENT THAT MAY RESULT IN JOB
2 LOSS OR GAIN, WORKER DISPLACEMENT, WORKFORCE TRANSITIONS,
3 EXPANSION OR DOWNSIZING OF BUSINESSES, MAJOR INDUSTRY-WIDE
4 WORKFORCE CHANGE, DISRUPTION IN OPERATIONS, CHANGES IN
5 WORKPLACE SAFETY, AN IMPACT ON THE OVERALL HEALTH OF THE
6 WORKFORCE, OR AN ECONOMIC IMPACT TO THE STATE.

7 (2) THE EXECUTIVE DIRECTOR SHALL CONDUCT AN INTERNAL
8 REVIEW OF:

9 (a) THE ECONOMIC IMPACT ANALYSIS PROCEDURES USED BY THE
10 COMMISSION IN THE ADOPTION OF AIR QUALITY CONTROL RULES; AND

11 (b) THE COST-BENEFIT ANALYSES CONDUCTED DURING THE AIR
12 QUALITY CONTROL RULE-MAKING PROCESS PURSUANT TO SECTION
13 24-4-103 (2.5).

14 (3) THE INTERNAL REVIEW REQUIRED BY SUBSECTION (2) OF THIS
15 SECTION MUST INCLUDE:

16 (a) A REVIEW OF THE COMMISSION'S AIR QUALITY CONTROL
17 RULE-MAKING PROCESS IN ORDER TO ASSESS HOW IT IS CURRENTLY
18 WORKING AND MAY BE IMPROVED;

19 (b) A REPORT ON THE ECONOMIC FACTORS THAT THE COMMISSION
20 CONSIDERS AND USES IN AN ECONOMIC IMPACT ANALYSIS OR A
21 COST-BENEFIT ANALYSIS AND HOW THE INFORMATION REGARDING
22 WORKFORCE IMPACTS IS TYPICALLY CONSIDERED WHEN CONDUCTING THE
23 ANALYSIS;

24 (c) AN EXPLANATION OF HOW ANALYSES THAT INCLUDE
25 INFORMATION ON WORKFORCE IMPACTS ARE USED BY THE COMMISSION
26 DURING THE ADOPTION OF AIR QUALITY CONTROL RULES;

27 (d) A REPORT ON THE EXTENT TO WHICH WORKFORCE IMPACTS ARE

1 CONSIDERED DURING THE CURRENT AIR QUALITY CONTROL RULE-MAKING
2 PROCESS AND HOW CONSIDERATION OF WORKFORCE IMPACTS ARE
3 INCORPORATED INTO EXISTING ECONOMIC ANALYSIS OR COST-BENEFIT
4 ANALYSIS PROCEDURES;

5 (e) AN EXPLANATION OF THE PARAMETERS AND LIMITATIONS THAT
6 EXIST IN CURRENT STATE AND FEDERAL LAW;

7 (f) CONSIDERATIONS OR RECOMMENDATIONS FROM THE
8 DEPARTMENT AS TO WHETHER HAVING A STANDING WORKFORCE
9 ADVISORY COUNCIL IN THE DEPARTMENT WOULD IMPROVE AND SUPPORT
10 THE ECONOMIC IMPACT ANALYSIS AND RELATED PROCEDURES AND
11 WHETHER THE DEPARTMENT HAS ANY RECOMMENDATIONS AS TO HOW
12 SUCH A WORKFORCE ADVISORY COUNCIL WOULD BE CONFIGURED AND
13 WHAT WOULD BE INCLUDED IN ITS OVERALL MISSION;

14 (g) SPECIFIC EXAMPLES OF COMPLETED ECONOMIC IMPACT
15 ANALYSES WHERE WORKFORCE IMPACTS WERE CONSIDERED OR NOT
16 CONSIDERED IN THE AIR QUALITY CONTROL RULE-MAKING PROCESS AND
17 THE REASONS EACH ECONOMIC IMPACT ANALYSIS DID OR DID NOT INCLUDE
18 CONSIDERATION OF WORKFORCE IMPACTS; AND

19 (h) LEGAL AND PROCEDURAL CONSIDERATIONS AND
20 RECOMMENDATIONS CONCERNING HOW MORE QUALITATIVE AND
21 QUANTITATIVE DATA RELATED TO WORKFORCE IMPACTS COULD BE ADDED
22 TO THE ECONOMIC IMPACT ANALYSIS AND COST-BENEFIT ANALYSIS
23 PROCEDURES IN A MANNER THAT WOULD NOT CONFLICT WITH STATE OR
24 FEDERAL LAW OR UNDERMINE THE PROCESS OF REGULATING AIR
25 POLLUTION OR REDUCING GREENHOUSE GAS EMISSIONS IN THIS STATE.

26 (4) THE EXECUTIVE DIRECTOR SHALL PREPARE A DRAFT REPORT OF
27 THE REVIEW CONTAINING THE ELEMENTS DESCRIBED IN SUBSECTION (3) OF

1 THIS SECTION AND, UPON COMPLETION OF THE DRAFT REPORT, ENGAGE
2 STAKEHOLDERS TO REVIEW THE REPORT AND PROVIDE INPUT FOR THE
3 FINAL REPORT THAT THE EXECUTIVE DIRECTOR SHALL SUBMIT TO THE
4 GENERAL ASSEMBLY. THE DEPARTMENT SHALL SOLICIT INPUT FROM
5 REGULATED BUSINESSES, BUSINESSES AND PROFESSIONAL ASSOCIATIONS,
6 ENVIRONMENTAL ORGANIZATIONS, LABOR ORGANIZATIONS,
7 ORGANIZATIONS THAT REPRESENT DISPROPORTIONATELY IMPACTED
8 COMMUNITIES, OTHER EXECUTIVE DEPARTMENTS, AND OTHER
9 ORGANIZATIONS THAT EXPRESS INTEREST IN PROVIDING INPUT. THE
10 EXECUTIVE DIRECTOR MAY INCLUDE IN THEIR SOLICITATION OF INPUT
11 SPECIFIC RECOMMENDATIONS FROM STAKEHOLDERS CONCERNING POLICIES
12 AND PROCEDURES TO EXPAND THE ECONOMIC IMPACT ANALYSES AND THE
13 COST-BENEFIT ANALYSES.

14 (5) ON OR BEFORE JANUARY 1, 2026, THE EXECUTIVE DIRECTOR
15 SHALL SUBMIT THE FINAL REPORT DESCRIBED IN SUBSECTION (4) OF THIS
16 SECTION TO THE HOUSE OF REPRESENTATIVES ENERGY AND ENVIRONMENT
17 COMMITTEE OR ITS SUCCESSOR COMMITTEE SPECIFYING HOW THE
18 DEPARTMENT INTENDS TO IMPROVE THE ECONOMIC IMPACT ANALYSES AND
19 THE COST-BENEFIT ANALYSES FOR THE AIR QUALITY CONTROL
20 RULE-MAKING PROCEDURES AND INCLUDING ANY ADDITIONAL RESOURCES
21 NECESSARY TO EFFECT CHANGE, STAFFING CHALLENGES THAT NEED TO BE
22 ADDRESSED, AND OTHER RECOMMENDATIONS THAT MAY REQUIRE A
23 CLARIFICATION OR CHANGE IN STATE LAW.

24 (6) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2026.

25 **SECTION 2. Safety clause.** The general assembly finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, or safety or for appropriations for

- 1 the support and maintenance of the departments of the state and state
- 2 institutions.