

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

REENGROSSED

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

LLS NO. 15-0982.02 Thomas Morris x4218

HOUSE BILL 15-1299

HOUSE SPONSORSHIP

Hamner and Nordberg,

SENATE SPONSORSHIP

Scott,

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING USE OF THE PETROLEUM STORAGE TANK FUND FOR**
102 **INCENTIVES FOR SIGNIFICANT OPERATIONAL COMPLIANCE WITH**
103 **REGARD TO PETROLEUM STORAGE TANKS.**

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://www.leg.state.co.us/billsummaries>.)

Current law allows the petroleum storage tank fund to be used for incentives to underground petroleum storage tank owners and operators to upgrade existing systems. The bill authorizes the use of the fund for incentives for significant operational compliance with regard to both aboveground and underground storage tanks. "Significant operational

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
April 7, 2015

HOUSE
2nd Reading Unamended
April 6, 2015

compliance" is defined to mean that an owner or operator of an underground or aboveground storage tank is in full compliance with all of the requirements of the petroleum storage tank law and, through one or more best management practices that are not otherwise required, has prevented or reduced the threat of a release to the environment.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-20.5-103, **amend**
3 (3.5) as follows:

4 **8-20.5-103. Petroleum storage tank fund - petroleum cleanup**
5 **and redevelopment fund - creation - rules - repeal.** (3.5) (a) Moneys
6 in the petroleum storage tank fund may be used as incentives to
7 underground OR ABOVEGROUND storage tank owners and operators FOR
8 SIGNIFICANT OPERATIONAL COMPLIANCE OR to upgrade existing systems.
9 The DIRECTOR OF THE division of oil and public safety shall promulgate
10 rules to implement this subsection (3.5).

11 (b) FOR PURPOSES OF THIS SUBSECTION (3.5), "SIGNIFICANT
12 OPERATIONAL COMPLIANCE" MEANS THAT AN OWNER OR OPERATOR OF AN
13 UNDERGROUND OR ABOVEGROUND STORAGE TANK IS IN FULL COMPLIANCE
14 WITH ALL OF THE REQUIREMENTS OF THIS ARTICLE AND, THROUGH ONE OR
15 MORE BEST MANAGEMENT PRACTICES THAT ARE NOT OTHERWISE
16 REQUIRED, HAS PREVENTED OR REDUCED THE THREAT OF A RELEASE TO
17 THE ENVIRONMENT.

18 **SECTION 2. Act subject to petition - effective date -**
19 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
20 the expiration of the ninety-day period after final adjournment of the
21 general assembly (August 5, 2015, if adjournment sine die is on May 6,
22 2015); except that, if a referendum petition is filed pursuant to section 1
23 (3) of article V of the state constitution against this act or an item, section,

1 or part of this act within such period, then the act, item, section, or part
2 will not take effect unless approved by the people at the general election
3 to be held in November 2016 and, in such case, will take effect on the
4 date of the official declaration of the vote thereon by the governor.

5 (2) This act applies to conduct occurring on or after the applicable
6 effective date of this act.