

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



HOUSE BILL 15-1299

BY REPRESENTATIVE(S) Hamner and Nordberg, Lontine, Mitsch Bush, Priola, Saine, Williams, Young;  
also SENATOR(S) Scott, Sonnenberg.

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

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

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

**8-20.5-103. Petroleum storage tank fund - petroleum cleanup and redevelopment fund - creation - rules - repeal.**

(3.5) (a) Moneys in the petroleum storage tank fund may be used as incentives to underground OR ABOVEGROUND storage tank owners and operators FOR SIGNIFICANT OPERATIONAL COMPLIANCE OR to upgrade existing systems. The DIRECTOR OF THE division of oil and public safety shall promulgate rules to implement this subsection (3.5).

(b) FOR PURPOSES OF THIS SUBSECTION (3.5), "SIGNIFICANT OPERATIONAL COMPLIANCE" MEANS THAT AN OWNER OR OPERATOR OF AN

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

UNDERGROUND OR ABOVEGROUND STORAGE TANK IS IN FULL COMPLIANCE WITH ALL OF THE REQUIREMENTS OF THIS ARTICLE 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.

**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 (August 5, 2015, if adjournment sine die is on May 6, 2015); 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 item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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

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Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Bill L. Cadman  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO