

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0419.01 Josh Schultz x5486

SENATE BILL 24-028

SENATE SPONSORSHIP

Cutter and Will, Jaquez Lewis, Ginal

HOUSE SPONSORSHIP

Velasco, Snyder

Senate Committees

Agriculture & Natural Resources

House Committees

A BILL FOR AN ACT

101 CONCERNING A COMPREHENSIVE STUDY ON BIOCHAR, AND, IN
102 CONNECTION THEREWITH, STUDYING THE USE OF BIOCHAR IN
103 WILDFIRE MITIGATION EFFORTS.

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/>.)

Wildfire Matters Review Committee. The bill directs the board of governors of the Colorado state university system (board) to conduct, or cause to be conducted, a comprehensive study on biochar, including its use in wildfire mitigation efforts. The bill specifies minimum topics that the study must include. The board is required to submit a report on the

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.

findings of the study to specified committees of the general assembly.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 23-31-209 as
3 follows:

4 **23-31-209. Comprehensive study on biochar - report -**
5 **definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
6 OTHERWISE REQUIRES:

7 (a) "BIOCHAR" MEANS THE SOLID, CARBON-RICH PRODUCT MADE
8 WHEN BIOMASS UNDERGOES PYROLYSIS IN AN OXYGEN-DEPLETED
9 ATMOSPHERE IN A PROCESS THAT SEQUESTERS CARBON.

10 (b) "BIOMASS" MEANS:

11 (I) NONTOXIC PLANT MATTER CONSISTING OF AGRICULTURAL
12 CROPS OR THEIR BY-PRODUCTS, URBAN WOOD WASTE, MILL RESIDUE,
13 SLASH, OR BRUSH;

14 (II) ANIMAL WASTES AND PRODUCTS OF ANIMAL WASTES; OR

15 (III) METHANE PRODUCED AT LANDFILLS OR AS A BY-PRODUCT OF
16 THE TREATMENT OF WASTEWATER RESIDUALS.

17 (2) (a) THE BOARD SHALL CONDUCT OR CAUSE TO BE CONDUCTED
18 A COMPREHENSIVE STUDY ON BIOCHAR, INCLUDING ITS USE IN WILDFIRE
19 MITIGATION EFFORTS.

20 (b) THE STUDY MUST, AT A MINIMUM:

21 (I) CREATE PARAMETERS AROUND WHAT CONSTITUTES GOOD
22 QUALITY BIOCHAR;

23 (II) EVALUATE BENEFICIAL USES FOR BIOCHAR;

24 (III) EVALUATE THE IMPACT OF BIOMASS AND BIOCHAR ON FOREST
25 HEALTH;

- 1 (IV) IDENTIFY POTENTIAL MARKETS FOR BIOCHAR;
- 2 (V) IDENTIFY POTENTIAL TRANSPORTATION ISSUES THAT COULD
- 3 ARISE IN THE BIOCHAR CREATION PROCESS AND POSSIBLE SOLUTIONS; AND
- 4 (VI) EVALUATE BEST PRACTICES FOR CREATING BIOCHAR IN A
- 5 MANNER THAT OPTIMIZES CARBON SEQUESTRATION.

6 (3) ON OR BEFORE JULY 1, 2026, THE BOARD SHALL SUBMIT A
7 REPORT TO THE WILDFIRE MATTERS REVIEW COMMITTEE CREATED IN
8 SECTION 2-3-1602, OR, IF THE WILDFIRE MATTERS REVIEW COMMITTEE IS
9 REPEALED, TO THE HOUSE OF REPRESENTATIVES ENERGY AND
10 ENVIRONMENT COMMITTEE AND THE SENATE TRANSPORTATION AND
11 ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES. THE REPORT
12 MUST INCLUDE THE STUDY'S RESEARCH, FINDINGS, AND
13 RECOMMENDATIONS, IN ACCORDANCE WITH SUBSECTION (2)(b) OF THIS
14 SECTION.

15 (4) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.

16 **SECTION 2. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly; except
19 that, if a referendum petition is filed pursuant to section 1 (3) of article V
20 of the state constitution against this act or an item, section, or part of this
21 act within such period, then the act, item, section, or part will not take
22 effect unless approved by the people at the general election to be held in
23 November 2024 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.