

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 09-0254.01 Kate Meyer

HOUSE BILL 09-1167

HOUSE SPONSORSHIP

McKinley, Kerr J., Liston, Looper, Marostica, Sonnenberg, Tipton

SENATE SPONSORSHIP

(None), Lundberg

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROHIBITING THE COLORADO OIL AND GAS**
102 **CONSERVATION COMMISSION FROM PROMULGATING RULES**
103 **PURSUANT TO THE "COLORADO HABITAT STEWARDSHIP ACT OF**
104 **2007" THAT WOULD ADVERSELY AFFECT EXISTING OIL AND GAS**
105 **OPERATIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Prohibits the Colorado oil and gas conservation commission from promulgating any rule pursuant to the "Colorado Habitat Stewardship Act of 2007" that is intended to protect wildlife feeding, breeding, habitation,

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.

or migration, if such rule would have an adverse impact on any producing oil or gas well.

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

2 **SECTION 1.** 34-60-128, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **34-60-128. Habitat stewardship - rules - scope.**

5 (5) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ON
6 AND AFTER SEPTEMBER 1, 2009, THE COMMISSION SHALL NOT
7 PROMULGATE ANY RULE REGARDING WILDLIFE FEEDING, BREEDING,
8 HABITATION, OR MIGRATION, IF SUCH RULE WOULD ADVERSELY IMPACT
9 THE OPERATION, SERVICING, OR MAINTENANCE OF A PRODUCING OIL OR
10 GAS WELL.

11 **SECTION 2. Act subject to petition - effective date.** (1) This
12 act shall take effect September 1, 2009.

13 (2) However, if a referendum petition is filed against this act or
14 an item, section, or part of this act during the ninety-day period after final
15 adjournment of the general assembly that is allowed for submitting a
16 referendum petition pursuant to article V, section 1 (3) of the state
17 constitution, then the act, item, section, or part, shall not take effect unless
18 approved by the people at a biennial regular general election and shall
19 take effect on the date specified in subsection (1) or on the date of the
20 official declaration of the vote thereon by proclamation of the governor,
21 whichever is later.