

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 13-0899.01 Jennifer Berman x3286

HOUSE BILL 13-1278

HOUSE SPONSORSHIP

Mitsch Bush,

SENATE SPONSORSHIP

Todd and Jahn,

House Committees

Transportation & Energy
Appropriations

Senate Committees

Transportation
Appropriations

A BILL FOR AN ACT

101 CONCERNING THE REPORTING OF OIL SPILLS, AND, IN CONNECTION
102 THEREWITH, MAKING AN APPROPRIATION.

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>.)

The bill requires an oil and gas operator to report a spill of one barrel or more, or the equivalent of one barrel or more, of oil or exploration and production waste within 24 hours after the discovery of the spill. The operator is required to make the report to the oil and gas conservation commission; and to the entity with jurisdiction over

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.*

SENATE
2nd Reading Unamended
May 3, 2013

HOUSE
3rd Reading Unamended
April 19, 2013

HOUSE
Amended 2nd Reading
April 18, 2013

emergency response within the local municipality, if the spill occurred within a municipality, or the local county if the spill did not occur within a municipality; to the surface owner; and to the owners of land adjacent to the spill. The operator's report of the spill must include information concerning the constituent compounds involved in the spill. The bill authorizes the commission to promulgate rules to implement these requirements.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 34-60-130 as
3 follows:

4 **34-60-130. Reporting of spills - rules.** (1) IF ONE BARREL OR
5 MORE OF OIL OR EXPLORATION AND PRODUCTION WASTE IS SPILLED
6 OUTSIDE OF BERMS OR OTHER SECONDARY CONTAINMENT, THE SPILL
7 SHALL BE REPORTED WITHIN TWENTY-FOUR HOURS AFTER THE DISCOVERY
8 OF THE SPILL, TO:

- 9 (a) THE COMMISSION; AND
10 (b) THE ENTITY WITH JURISDICTION OVER EMERGENCY RESPONSE
11 WITHIN THE LOCAL MUNICIPALITY, IF THE SPILL OCCURRED WITHIN A
12 MUNICIPALITY, OR THE LOCAL COUNTY IF THE SPILL DID NOT OCCUR
13 WITHIN A MUNICIPALITY.

14 (2) THE SPILL REPORT MUST INCLUDE ANY AVAILABLE
15 INFORMATION CONCERNING THE TYPE OF WASTE INVOLVED IN THE SPILL.

16 (3) THE COMMISSION MAY PROMULGATE RULES TO IMPLEMENT
17 THIS SECTION.

18 **SECTION 2. Appropriation.** In addition to any other
19 appropriation, there is hereby appropriated, out of any moneys in the oil
20 and gas conservation and environmental response fund created in section
21 34-60-122 (5), Colorado Revised Statutes, not otherwise appropriated, to
22

1 the department of natural resources, for the fiscal year beginning July 1,
2 2013, the sum of \$10,417, or so much thereof as may be necessary, for
3 allocation to the oil and gas conservation commission for program costs
4 related to the implementation of this act.

5 **SECTION 3. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2014 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.