

CHAPTER 426

NATURAL RESOURCES

SENATE BILL 25-286

BY SENATOR(S) Hinrichsen and Snyder, Mullica, Rodriguez;
also REPRESENTATIVE(S) Bird, Lindsay, Lindstedt, Marshall.

AN ACT

CONCERNING MONEY COLLECTED BY THE STATE IN RELATION TO PETROLEUM PRODUCTS.

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

SECTION 1. In Colorado Revised Statutes, 8-20-104, **add** (4)(c) as follows:

8-20-104. Enforcement of law - penalties - notification by division required - definitions. (4) (c) (I) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION, WHEN THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY REQUIRES THE SALE OF REFORMULATED GASOLINE IN A NONATTAINMENT AREA IN THE STATE, THE DIRECTOR OF THE DIVISION OF OIL AND PUBLIC SAFETY, ON AND AFTER AUGUST 15, 2025, MAY IMPOSE A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS PER DAY FOR THE RETAIL DISTRIBUTION OF REFORMULATED GASOLINE THAT VIOLATES THE APPLICABLE FUEL QUALITY SPECIFICATION. IT IS AN AFFIRMATIVE DEFENSE THAT A RETAILER OR LICENSED FUEL DISTRIBUTOR RELIED ON A PRODUCT TRANSFER DOCUMENT THAT CLEARLY DEMONSTRATES A COMPLIANT FUEL SPECIFICATION.

(II) ON OR BEFORE AUGUST 15, 2025, THE DIVISION SHALL NOTIFY, THROUGH THE DIVISION'S EMAIL SYSTEM, ANY OWNER OF A GAS STATION THAT IS LOCATED IN A NONATTAINMENT AREA OF THE PENALTY AMOUNT ESTABLISHED BY THIS SUBSECTION (4)(c).

(III) AS USED IN THIS SUBSECTION (4)(c), "NONATTAINMENT AREA" HAS THE MEANING SET FORTH IN SECTION 24-38.5-116 (2)(h).

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; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against

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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 2026 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 violations committed on or after the applicable effective date of this act.

Approved: June 4, 2025