

1. Page 3 strike lines 5-23 and Page 4 strike lines 1-5 (**section 1**). Replace with:
 - a. “BEGINNING IN 2023, THE COMMISSIONER SHALL REQUIRE INSURERS ISSUED A CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS PURSUANT TO PART 1 OF THIS ARTICLE 3 AND THAT REPORT OVER \$100,000,000 ON THEIR ANNUAL SCHEDULE T FILING WITH THE NAIC TO PARTICIPATE IN AND COMPLETE THE ANNUAL INSURER CLIMATE RISK DISCLOSURE SURVEY, ADOPTED BY THE NAIC. IF AN INSURER REPORTS LESS THAN \$100,000,000 ON ITS ANNUAL SCHEDULE T FILING WITH THE NAIC, IT MAY COMPLETE AND FILE THE SURVEY VOLUNTARILY.”

2. Page 4 strike lines 14-15 (**section 2**) and replace with:
 - a. “(b) AS USED IN THIS SECTION, “CLIMATE-RISK ASSESSMENT” MEANS A DETERMINATION OF THE ECONOMIC AND BUSINESS RISKS THAT CLIMATE CHANGE POSES TO AN INVESTMENT. SUCH RISKS INCLUDE TRANSPORTATION AND SUPPLY DISRUPTIONS, AND INFRASTRUCTURE DAMAGE ARISING FROM SEVERE WEATHER EVENTS; INCREASED COSTS ASSOCIATED WITH COMPETITION FOR DEPLETING NONRENEWABLE RESOURCES; AND LESS PRODUCTIVITY ARISING FROM EXTREME TEMPERATURES, VECTOR-BORNE DISEASES, AND OTHER HEALTH IMPACTS OF CLIMATE CHANGE.”

3. Strike Page 4 lines 25-26 (2028 40% goal)

4. **Strike all of Section 4 (Page 5 line 8 to Page 7 line 3)**

5. Page 7, for section 6, strike lines 15 - 24 and replace with:
 - a. 34-60-106. Additional powers of commission - rules - definition. (9) (a) Notwithstanding section 34-60-120 or any other provision of law, AND ONLY AFTER THE GOVERNOR AND COMMISSION HAVE MADE AN AFFIRMATIVE DETERMINATION THAT THE STATE HAS SUFFICIENT RESOURCES NEEDED TO ENSURE THE SAFE AND EFFECTIVE REGULATION OF THE SEQUESTRATION OF GREENHOUSE GASES IN ACCORDANCE WITH FINDINGS FROM THE COMMISSION’S STUDY PURSUANT TO SECTION 34-60-106(9)(B), the commission, as to class II AND CLASS VI injection wells classified in 40 CFR 144.6, may perform all acts for the ~~purpose~~ PURPOSES of protecting underground sources of drinking water in accordance with state programs authorized by 42 U.S.C. sec. 300f et seq., and regulations under those sections, as amended, AND ENSURING THE SAFE AND EFFECTIVE SEQUESTRATION OF GREENHOUSE GASES, AS THAT TERM IS DEFINED IN SECTION 25-7-140 (6).

6. Page 7 after line 24 add:

- a. In Colorado Revised Statutes, 34-60-106, **add** (9)(c) as follows:
34-60-106. (9) (c) THE COMMISSION MAY SEEK CLASS VI INJECTION WELL PRIMACY AFTER OBTAINING AND PUBLICLY DETERMINING IT HAS THE NECESSARY RESOURCES FOR THE APPLICATION OUTLINED IN THE COMMISSION'S STUDY PURSUANT TO SECTION 34-60-106(9)(B). THE COMMISSION MAY ISSUE AND ENFORCE PERMITS AS NECESSARY FOR THOSE PURPOSES ONCE THE DETERMINATIONS AND OTHER REQUIREMENTS OF THE COMMISSION DESCRIBED IN SECTION (9) (a) HAVE BEEN SATISFIED. THE COMMISSION SHALL ENSURE THAT PERMITTING OF CLASS VI WELLS DOES NOT ADVERSELY AND DISPROPORTIONATELY AFFECT THE HEALTH AND WELL-BEING OF DISPROPORTIONATELY IMPACTED COMMUNITIES. NOTWITHSTANDING THE PERMITTING OF A WELL BY THE COMMISSION, THE OPERATOR OF THE WELL WILL BE FINANCIALLY RESPONSIBLE FOR ALL OUTCOMES. THE COMMISSION SHALL REQUIRE ADEQUATE BONDING TO ENSURE THAT THE OPERATOR IS FINANCIALLY CAPABLE OF MEETING ALL OBLIGATIONS RELATED TO THE WELL THROUGHOUT ITS LIFE. THE COMMISSION SHALL ALSO ENSURE THAT THE OPERATOR CARRIES ADEQUATE INSURANCE TO COVER ACCIDENTS AND ENVIRONMENTAL DAMAGE.

NOTE: The expectation is that the Commission (in a hearing) would evaluate the Class VI study, discuss the resources necessary to apply for primacy, and make a decision about whether to pursue primacy. Then, the second step, if EPA approves primacy, we would need the other determinations for issuing and enforcing permits.

7. Page 8 Line 9 after "OFFSETS" add ", REFLECTING REAL, ADDITIONAL, QUANTIFIABLE, PERMANENT, VERIFIABLE, AND ENFORCEABLE REDUCTIONS IN GREENHOUSE GAS EMISSIONS EQUIVALENT TO THE OFFSETS PROVIDED,"
8. Page 8 Line 10 after "PRODUCERS." add " WHICH OFFSETS MAY BE INCORPORATED INTO THE AIR QUALITY CONTROL COMMISSION'S RULES AND REGULATIONS, INCLUDING REGULATIONS ADOPTED UNDER SECTION 25-7-105(1)(e), CONSISTENT WITH THE AUTHORITY GRANTED IN SECTION 25-7-105(1)(e)(V) AND THE CONSIDERATIONS REQUIRED BY SECTION 25-7-105(1)(e)(V), AND FOR USE AS COMPLIANCE INSTRUMENTS SOLELY BY REGULATED SOURCES WITH EMISSION REDUCTION OBLIGATIONS THAT ENSURES THAT OVERALL, ABSOLUTE EMISSIONS FROM THAT SOURCE DECLINE CONSISTENT WITH COLORADO'S STATEWIDE GREENHOUSE GAS EMISSION REDUCTION GOALS IN SECTION 25-7-102(2)(G). THE STUDY SHALL IDENTIFY POLICY MECHANISMS TO MITIGATE IMPACTS OF THE USE

OF OFFSETS BY REGULATED SOURCES ON DISPROPORTIONATELY IMPACTED COMMUNITIES.

9. Page 8 Line 11 strike "December 15, 2022" and replace with "October 1, 2024"
10. Page 8 Line 13 add ", regulatory, or other" after LEGISLATIVE
11. Page 8 Line 16 after "STATE." add "The Commissioner or the Commissioner's designee shall submit an update on the progress of the study by October 1, 2023."
12. Page 9 Line 3 after "USE" add ", COSTS, AND BENEFITS"
13. Strike page 9 line 27 "colocated" and replace with "directly integrated"
14. Regarding Section 8 (agrivoltaics study), add an appropriation of \$1.8 million per year for 6 years
15. Page 13 lines 5-6 strike "HAS MEANING SET FORTH IN SECTION 25-7-143 (2)(b)" and replace with "MEANS A GASOLINE-POWERED ENGINE OF TEN HORSEPOWER OR LESS THAT IS USED TO FUEL SMALL OFF-ROAD EQUIPMENT."
16. Page 13 lines 7-8 strike "HAS MEANING SET FORTH IN SECTION 25-7-143 (2)(c)" and replace with "MEANS A LAWN MOWER, LEAF BLOWER, TRIMMER, OR OTHER LAWN AND GARDEN EQUIPMENT AS DETERMINED BY THE COMMISSION BY RULE."

Additional:

Page 8, line 4, strike "DESIGNEE" and substitute "DESIGNEE, IN CONSULTATION WITH AN INSTITUTION OF HIGHER EDUCATION WITH EXPERTISE IN CLIMATE CHANGE MITIGATION, ADAPTATION BENEFITS, AND OTHER ENVIRONMENTAL BENEFITS RELATED TO AGRICULTURAL RESEARCH,".

Page 9, line 4, strike "businesses." and substitute "businesses OR PROVIDE OTHER ENVIRONMENTAL, SOCIAL, OR ECONOMIC BENEFITS TO THE STATE".

Page 13, after line 11 insert: "SECTION 12. Appropriation. For the 2022-23 state fiscal year, \$2,200,000 is appropriated to the department of agriculture. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the purpose of conducting a study pursuant to section 35-1-116, C.R.S."

Re-number succeeding section accordingly.

Page 1, line 102, strike "COLORADO." and substitute "COLORADO, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."