



2025 Legislative Issue Form

To propose a CCI legislative issue, please complete this form.

Feel free to use more than one page and include any supplemental materials.

1.) **Contact Information** (of the person bringing forth the issue):

- a. **Name:** Carrie Geitner
- b. **Title:** Commissioner – District 2
- c. **County:** El Paso
- d. **Phone Number:** (813) 435-0896
- e. **E-Mail Address:** CarrieGeitner@elpasoco.com

2.) **Issue/Problem to be addressed** (What is the problem this legislation is seeking to solve?)

The collection of fees related to the purchase of recycled paper carryout bags in El Paso County are extremely minimal for the work involved in the remittance process. In 2023, a little over \$33,000 was remitted back to the county. The time and effort on the county side for such a small amount of revenue doesn't make business sense. The county already has robust waste diversion/recycling programs and has chosen not to take an active approach in enforcement of the bill.

3.) **Background on this Issue/Problem** (How did this come to be? Why are you seeking a legislative remedy?)

House Bill 21-1162: Management of Plastic Products was signed into law by Governor Polis on July 6, 2021. The legislation phased out the provision of single-use plastic carryout bags and expanded polystyrene products; repealed the state preemption that prohibited local governments from regulating the use or sale of specific plastic materials or products; and authorized local governments to enforce violations and impose civil penalties.

A big component of this legislation revolves around local control. Governments can choose whether to enforce the mandate, but not whether stores in their jurisdiction collect the fee. Under HB21-1162, stores are required to remit 60% of the bag fee revenue back to the local government that has jurisdiction. The goal of eliminating single use plastic bags from most stores was met. As of January 1st, of this year, stores and retail food establishments are prohibited from providing single-use plastic carryout bags and retail food establishments are prohibited from providing expanded polystyrene products for use as a container for ready-to-eat food.

Stores should still be able to sell bags, if they choose, but the requirement to remit any fees

4.) **Proposed Solution/Legislative Remedy to this issue.**

El Paso County is not proposing to reinstitute the use of plastic bags, but instead proposes to strike 25-17-205 from HB21-1162, which would eliminate the 10-cent fee levied on each recycled paper carryout bag used in qualifying stores.

5.) **Have you explored a non-legislative solution to this problem?**

We have not explored a non-legislative solution to this problem.

6.) **Statutory Citation to be modified AND proposed/revised language (The Colorado Revised Statute is available for free at [this link](#), by selecting "Colorado Revised Statutes").**

Section 25-17-505(3)(d), C.R.S., requires that stores remit the carryout bag fee to the finance department or division of equivalent agency of the municipality within which the store is located. If the store is not located within a municipality, the carryout bag fee must be remitted to the finance department or division or equivalent agency of the county in which the store is located.

Please submit this completed form to Katie First at kfirst@ccionline.org

By Friday, July 12.



7.) **Relationship of this issue to the County Commissioner's roles and/or authorities.**

Through this legislation, the BoCC has the authority to set the fee above the 10-cent baseline, but not to eliminate the collection of the fee at stores within the boards jurisdiction. The El Paso County Board of Commissioners does not support either the levying or collection of a bag fee and would like to see the requirement repealed.

8.) **Has this proposal been approved by the Board of County Commissioners?**

Yes, the proposal was approved by the BoCC during a meeting on 7/2/24

9.) **List any potential Proponents/Opponents & their perspectives; indicate any groups/individuals with whom you have already discussed this issue.**

Proponents include the El Paso Board of County Commissioners, Rep. Rose Pugliese, other members of the El Paso County state delegation, and potential stores that are required to remit the bag fee.

Opponents could include members of the El Paso County state delegation, other members of the General Assembly, certain State of Colorado departments and statewide office holders, pro-environmental groups.

10.) **Have you visited with your legislator(s) about this proposal? What was their reaction? Are members of your delegation likely to sponsor, support, or oppose this proposal?**

Yes. House Minority Leader Pugliese is very interested in this idea and would like to sponsor legislation to repeal the fee. We believe that other members of the El Paso County delegation would also be interested in repealing the bag fee.

11.) **Anticipated Fiscal Impact (to counties, state, other stakeholders, etc.).**

Repealing the bag fee could impact counties that used the revenue for waste diversion and/or recycling programs but would also save counties time and money to not have to go through the remittance process every quarter.

12.) **Please list the local subject matter experts CCI staff can follow up with for more information on this proposal.**

Ryan Parsell, Government Affairs Executive Director, El Paso County

Brandon Wilson, Government Affairs Advisor, El Paso County

13.) **If your county is submitting multiple issue forms, please rank each issue.**

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