



COLORADO  
WATER CONGRESS  
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## **SB21-200**

**SHORT TITLE:** Reduce Greenhouse Gases Increase Environmental Justice

**LONG TITLE:** Concerning measures to further environmental protections, and, in connection therewith, adopting measures to reduce emissions of greenhouse gases and adopting protections for disproportionately impacted communities

**SPONSORS:** Senators Winter and Moreno/Rep. Jackson

**COMMITTEES:** Senate Transportation & Energy Committee

**PURPOSE OF THE BILL:** To reduce greenhouse gas emissions, assess fees on greenhouse gas emissions, and use the money for impacted communities.

**PROPONENTS OF THE BILL:** Advocates for the environment and social justice

**POTENTIAL STAKEHOLDERS:** All economic activities that emit greenhouse gases, environmental organizations, social justice advocates.

**BACKGROUND:** In 2019 the legislature adopted numerous environmental laws including setting targets for reduction of greenhouse gases, establishing an enterprise to conduct research for unspecified air quality projects funding the activities through a separate fee structure assessed on air emissions. Greenhouse gases have not been designated as regulated pollutants subject to emissions fees.

**Is this bill necessary this year?** No

**How does the bill change current law?** The bill requires additional actions to be undertaken by the Air Quality Control Commission to achieve the GHG reduction goals by Directing the AQCC to:

- Consider the social cost of GHG emissions.

- Require GHG reductions on a linear or more stringent path; and

- Finalize its implementing rules by March 1, 2022, including specific net emission weight limits for various emission sectors, subject to modification by the AQCC, including through the use of a multi-sector program.

- Directing each wholesale generation and transmission electric cooperative to file with the public utilities commission a responsible energy plan that will achieve at least an 80% GHG reduction by 2030 as compared to 2005 levels and specifying that if a plan is not filed, the cooperative must achieve at least a 90% GHG reduction by 2030 as compared to 2005 levels;

- Directing each retail, wholesale, and municipal electric utility and cooperative electric association to reduce its GHG emissions by at least 95% between 2035 and 2040 and by 100% by 2040.

The bill creates an environmental justice ombudsperson and an environmental justice advisory board. creates an environmental justice ombudsperson position and an environmental justice advisory board in the department of public health and environment.

**Does the bill affect the prior appropriations system?** No

**How is the bill implemented?** Through rulemaking by the PUC and the Air Quality Control Commission

**Practical considerations:** There is a question as to whether these goals are technically or politically achievable at the present time. If a water treatment facility or other water entity emits greenhouse gas emissions, it could be required to pay a fee. Costs for electricity and fuel will likely increase, as could goods and services using materials or fuels that emit greenhouse gases.

**Fiscal Impact:** There is no fiscal note.