

Be it Enacted by the People of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 34-60-132 as follows:

34-60-132. Hydraulic fracturing prohibited.

(1) THE PEOPLE OF THE STATE OF COLORADO FIND AND DECLARE THAT:

(a) HYDRAULIC FRACTURING (FRACKING) HAS DETRIMENTAL IMPACTS ON PUBLIC HEALTH, SAFETY AND WELFARE, THE ENVIRONMENT, AND WILDLIFE; AND

(b) TO PRESERVE PUBLIC HEALTH, SAFETY AND WELFARE, THE ENVIRONMENT, AND WILDLIFE, THE PEOPLE DESIRE TO PROHIBIT ALL HYDRAULIC FRACTURING THAT MAY BE PROHIBITED WITHIN THE STATE OF COLORADO.

(2) ALL HYDRAULIC FRACTURING NOT ON FEDERAL LAND IS PROHIBITED.

(3) THIS SECTION'S EFFECTIVE DATE IS THE DATE OF THE OFFICIAL DECLARATION OF THE VOTE BY THE GOVERNOR AND IS SELF-EXECUTING.

(4) THIS SECTION APPLIES TO OIL AND GAS DEVELOPMENT PERMITTED BEFORE, ON OR AFTER THE EFFECTIVE DATE.

(5) AS USED IN THIS SECTION, "HYDRAULIC FRACTURING" MEANS ALL STAGES OF THE TREATMENT OF A WELL BY THE APPLICATION OF FLUID UNDER PRESSURE THAT IS INTENDED TO CREATE OR PROPAGATE FRACTURES IN A TARGET GEOLOGIC FORMATION TO CREATE OR ENHANCE PRODUCTION OF OIL AND NATURAL GAS.

(6) THIS SECTION SHALL BE FULLY EFFECTIVE AND ENFORCEABLE NOTWITHSTANDING ANY OTHER CONTRADICTORY STATE STATUTE OR REGULATION. THIS SECTION MAY BE ENFORCED BY THE ATTORNEY GENERAL OF THE STATE OF COLORADO, WHO MAY INVESTIGATE AND INITIATE AN ENFORCEMENT ACTION ON THE BASIS OF A THIRD-PARTY COMPLAINT OR ON ITS OWN MOTION, OR BY CIVIL ACTIONS INITIATED BY ANY PERSONS, WHO SHALL HAVE STANDING TO ENFORCE THIS SECTION, OR BY BOTH THE ATTORNEY GENERAL AND ANY ONE OR MORE SUCH PERSONS SIMULTANEOUSLY, ALL OF WHOM SHALL BE AWARDED ATTORNEY FEES AND COSTS IF THEY ARE THE PREVAILING PARTIES IN ENFORCEMENT ACTIONS.