

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

SECTION 1. In Colorado Revised Statutes, **add** 34-60-114.1 as follows:

34-60-114.1. Strict liability for damages caused by oil and gas operations – short title – purposes and findings – definitions. (1) **Short title.** THE SHORT TITLE OF THIS SECTION IS AND MAY BE CITED AS THE “COLORADO OIL AND GAS OPERATIONS PUBLIC HEALTH AND SAFETY ACT”.

(2) **Purposes and findings.** THE PEOPLE OF THE STATE OF COLORADO HEREBY FIND AND DECLARE THAT:

- (a) THE PURPOSE OF THIS SECTION IS TO ENSURE THE PROTECTION OF PUBLIC HEALTH, SAFETY, PROPERTY, WILDLIFE, AND THE ENVIRONMENT BY ESTABLISHING STRICT LIABILITY FOR DAMAGES CAUSED BY OIL AND GAS OPERATIONS IN THE STATE OF COLORADO, INCLUDING EMISSIONS OF HARMFUL AIR POLLUTANTS, HARM TO WILDLIFE OR HABITAT, SPILLS OR RELEASES OF TOXIC CHEMICALS, FIRES, EXPLOSIONS, OR EARTHQUAKES; AND
- (b) IT IS NECESSARY TO HOLD ANY OPERATOR, OWNER, OR PRODUCER ACCOUNTABLE FOR ANY HARM CAUSED TO PUBLIC HEALTH, SAFETY, PROPERTY, WILDLIFE, OR THE ENVIRONMENT BY OIL AND GAS OPERATIONS.

(3) **Definitions.** AS USED IN THIS SECTION, UNLESS CONTEXT OTHERWISE REQUIRES:

- (a) "OIL AND GAS OPERATIONS" HAS THE SAME MEANING AS SET FORTH IN SECTION 34-60-103 (6.5).
- (b) “OPERATOR” HAS THE SAME MEANING AS SET FORTH IN SECTION 34-60-103 (6.8).
- (c) “OWNER” HAS THE SAME MEANING AS SET FORTH IN SECTION 34-60-103 (7).
- (d) “PRODUCER” HAS THE SAME MEANING AS SET FORTH IN SECTION 34-60-103 (10).
- (e) "STRICT LIABILITY" MEANS LIABILITY WITHOUT REGARD TO FAULT, NEGLIGENCE, OR INTENT.

(4) **Strict liability for damages.**

- (a) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ANY OPERATOR, OWNER, OR PRODUCER IS STRICTLY LIABLE FOR ANY DAMAGES, INCLUDING PERSONAL INJURY, PROPERTY DAMAGE, AND ENVIRONMENTAL HARM, RESULTING FROM OIL AND GAS OPERATIONS.
- (b) STRICT LIABILITY UNDER THIS SECTION APPLIES REGARDLESS OF WHETHER THE OPERATOR, OWNER, OR PRODUCER EXERCISED REASONABLE CARE AND ADHERED TO INDUSTRY BEST PRACTICES.

SECTION 2. Effective date. This Act takes effect upon official declaration of the governor and is self-executing.