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JAN 24 2020

10:04 AM
S. WARD

Colorado Secretary of State

2019-2020 #178 Final

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

SECTION 1. In Colorado Revised Statutes, 34-60-106, **amend** (13) introductory portion as follows:

34-60-106. Additional powers of commission – rules – definition – repeal.

(13) THE PEOPLE OF THE STATE OF COLORADO FIND AND DECLARE THAT OIL AND GAS OPERATORS MUST BE REQUIRED TO PROVIDE FINANCIAL ASSURANCE SUFFICIENT TO COVER FUTURE CLOSURE, REMEDIATION, AND RESTORATION OF OIL AND GAS WELLS. The commission shall require every operator to provide assurance that it is financially capable of fulfilling every obligation imposed by this article 60 as specified in rules adopted on or after April 16, 2019. The rule-making must consider: Increasing financial assurance for inactive wells and for wells transferred to a new owner; requiring a financial assurance account, which must remain tied to the well in the event of a transfer of ownership, to be fully funded in the initial years of operation for each new well to cover future costs to plug, reclaim, and remediate the well; and creating a pooled fund to address orphaned wells for which no owner, operator, or responsible party is capable of covering the costs of plugging, reclamation, and remediation. THE MINIMUM FINANCIAL ASSURANCE MUST NOT BE LESS THAN TWO HUNDRED SEVENTY THOUSAND DOLLARS PER WELL. For purposes of this subsection (13), references to “operator” include an operator of an underground natural gas storage cavern and an applicant for a certificate of closure under subsection (17) of this section. In complying with this requirement, an operator may submit for commission approval, without limitation, one or more of the following:

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