

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0779.01 Gregg Fraser x4325

HOUSE BILL 14-1226

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HOUSE SPONSORSHIP

Labuda,

SENATE SPONSORSHIP

(None),

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House Committees

Business, Labor, Economic, & Workforce Development

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE REPEAL OF THE RESTRICTION ON THE AUTHORITY  
102 OF A LOCAL GOVERNMENT TO REGULATE THE MATERIALS USED  
103 IN THE PACKAGING OF A CONSUMER PRODUCT.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

A local government is currently not allowed to require or prohibit the use or sale of specified types of plastic materials or products or to restrict or mandate containers, packaging, or labeling for any consumer product. The bill repeals this restriction.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, **repeal** 25-17-104 as  
3 follows:

4           **25-17-104. Local government preemption.** ~~No unit of local~~  
5 ~~government shall require or prohibit the use or sale of specific types of~~  
6 ~~plastic materials or products or restrict or mandate containers, packaging,~~  
7 ~~or labeling for any consumer products.~~

8           **SECTION 2. Act subject to petition - effective date.** This act  
9 takes effect at 12:01 a.m. on the day following the expiration of the  
10 ninety-day period after final adjournment of the general assembly (August  
11 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a  
12 referendum petition is filed pursuant to section 1 (3) of article V of the  
13 state constitution against this act or an item, section, or part of this act  
14 within such period, then the act, item, section, or part will not take effect  
15 unless approved by the people at the general election to be held in  
16 November 2014 and, in such case, will take effect on the date of the  
17 official declaration of the vote thereon by the governor.