

Dominique  
**JACKSON**  
STATE REPRESENTATIVE  
District 42

## HB20-1143: Environmental Justice and Projects Increase Environmental Fines

*Representatives Jackson and Gonzales-Gutierrez and Senator Winter*

**Problem:** The current state law sets the maximum fine for an air quality violation at \$15,000 a day and \$10,000 a day for a water quality violation. This amount is less than the federal limit for these types of fines and is a low fine for often highly impactful and detrimental air pollution events. In addition, the industry areas responsible for these types of air permit violations are often located in communities of color, low-income rural or urban communities, and other communities that bear the brunt of environmental pollution, creating environmental injustices across the state.

**Solution:** HB20-1143 raises the maximum daily fines for air and water permit violations to the federal maximum of \$47,357 a day. The money raised can be used on direct costs to the agency associated with the enforcement of permits, and the rest of the money collected will go back to impacted communities. The bill creates a new community impact cash fund that can only be used on Environmental Mitigation Projects (EMP) in impacted areas. Environmental Mitigation Projects are projects that avoid, minimize, or mitigate the adverse impacts of harmful air or water quality violations.

- Increases daily fine amounts to be an effective deterrent and to ensure impacts from breaking air permits can be covered.
- Creates the community impact cash fund for environmental mitigation projects that serve impacted communities through local projects to fulfill local needs.
- Ensures EMPs are projects that avoid, minimize, or mitigate the adverse effects of a violation or alleged violation of the air quality or water quality laws;
- Creates the environmental justice advisory board to recommend EMPs in response to violations or alleged violations that affect environmental justice communities, which will include a variety of experts, NGO, and community members;
- Creates an environmental justice ombudsperson position within the department, who serves as chair of the advisory board and advocates for environmental justice communities.

**For more information please contact:**

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## Supporters

- Colorado People's Alliance  
(COPA)
- Sierra Club
- Conservation Colorado
- Colorado Latino Forum
- EarthJustice
- Western Resource Advocates
- Healthy Air and Water Colorado
- Colorado Moms Know Best
- Environment Colorado
- CoPIRG
- Mi Familia Vota
- BlueGreen Alliance
- Together Colorado
- 350 Colorado
- Colorado Fiscal Institute

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