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Summary of SB 181

Last year, the voters of Colorado soundly defeated Proposition 112, but now Senate Bill 181 tries to achieve what 112 could not. The hurried process has been alarming, as SB-181 sailed through the Senate on a party line vote and is now in the House. Legislators need to hear from you and your colleagues. Here are some of the key issues with the bill:

- **Indefinite Permitting/Drilling Moratorium** – It would likely have the effect of imposing a statewide moratorium on certain oil and gas permits by giving, for the first time ever, a political appointee (Director of the COGCC) unprecedented, unilateral control to stop certain oil and gas permits at his or her discretion the moment SB-181 becomes law.
 - This unprecedented regulatory power would only end after multiple, complicated rulemakings are completed, which could take years.
 - Legal challenges filed by anti-industry groups could prevent those rules from becoming effective, allowing the permitting moratorium to continue indefinitely, which in a short timeframe would shut down future drilling.
- **Technical Feasibility and Cost-Effectiveness No Longer Must Be Considered** – The bill removes these elements as factors that must be considered in regulatory and permitting decisions, which is at odds with how ALL other state environmental agencies regulate things like air and water.
- **Setbacks** – It would give local governments the ability to create larger setbacks, which could be used to ban oil and natural gas development based on politically tinted and incorrect views about health and safety, rather than scientific data about health and safety.
- **Subjective Regulations** – The bill would give sweeping, subjective new powers to local governments over the oil and natural gas process. Local restrictions, prohibitions, and unlimited fees could be justified simply by claiming “nuisance-type effects” or asserting impacts to “cultural resources,” for example.
- **Removing Scientific Expertise from the COGCC** – The bill would remove experts in engineering and geology from the COGCC, the nine-member panel that makes oil and gas regulatory decisions in Colorado. Engineering and geology are the two fundamental disciplines in developing and regulating oil and natural gas. Without experts in these disciplines at the decision-making level, the COGCC will have a much harder time determining where oil and gas wells can be located in ways that both allow energy to be developed and at the same time meet health, safety, welfare, environment and wildlife standards.