As part of the Colorado oil and gas conservation commission's (commission) authority to regulate oil and gas operations to prevent and mitigate significant adverse environmental impacts to protect public health, safety, and welfare, the commission requires oil and gas production facilities and wells to be located at least 1,000 feet from
school buildings and other high occupancy buildings. The bill clarifies that the minimum 1,000-foot distance from which newly permitted oil and gas production facilities and wells must be located from any school applies to the school property line and not the school building. The bill further clarifies that it does not apply if a school commences operations near oil and gas facilities or wells that are already actively in use or permitted.

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

SECTION 1. In Colorado Revised Statutes, add 34-60-131 as follows:

34-60-131. Mandatory distance requirement from schools - legislative declaration - definitions. (1) The General Assembly hereby finds, determines, and declares that, as part of the public interest in protecting public health, safety, and welfare, the mandatory minimum distance established by rule by the Colorado Oil and Gas Conservation Commission for oil and gas production facilities and wells from a school should be calculated as the distance from the school property line and not the distance from a school building.

(2) As used in this section, unless the context otherwise requires:

(a) "Oil and gas production facility" means the structures, appurtenant equipment, and land associated with oil and gas operations, including structures, equipment, and land used for oil or gas exploration, production, storage, separation, or treatment, or for well drilling, siting, pumping, or monitoring.

(b) "School" means a school, as defined in section 22-7-703 (4), private school, as defined in section 22-30.5-103 (6.5), or
CHILD CARE CENTER, AS DEFINED IN SECTION 26-6-102 (5).

(c) "Well" means a well used in connection with oil and gas operations. "Well" includes an underground injection well, a gas storage well, and an observation well.

(3) (a) Newly permitted oil and gas production facilities and wells must be located at least one thousand feet from any school, as calculated by the distance from the school property line, not from the school building, by measuring the distance from the nearest property line of the land used for school purposes to the nearest portion of the oil and gas facility or well.

(b) The required minimum distance described in subsection (3)(a) of this section does not apply to any oil and gas production facilities or wells actively in use or permitted at the time that the school commences operations.

SECTION 2. Applicability. This act applies to oil and gas production facilities and wells permitted on or after the effective date of this act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.