Colorado’s paint stewardship law affects painting contractors.

A Colorado law passed in 2014 requires manufacturers of paint to set up and operate a paint stewardship program in Colorado. The program is funded by a fee on architectural paint sold in the state. The program sets up drop-off sites at retailers and other locations where households and businesses are able to take most leftover paint, free of charge. The program started July 1, 2015.

Paint Stewardship
The American Coatings Association (ACA) worked with various stakeholders interested in the management of postconsumer paint to develop a Paint Stewardship Program in the United States. PaintCare Inc. is a nonprofit organization established by ACA to implement the program on behalf of paint manufacturers in states that adopt paint stewardship laws. PaintCare currently operates programs in California, Colorado, Connecticut, District of Columbia, Maine, Minnesota, Oregon, Rhode Island, and Vermont. PaintCare is currently developing a program for Washington, expected to launch in 2020.

The main goals of the program are to decrease paint waste and recycle more postconsumer paint by setting up convenient drop-off sites in each PaintCare state.

Fees and Funding
As required by state law, a paint stewardship assessment (PaintCare Fee) must be added by manufacturers to the wholesale price of all architectural paint sold in the state. This fee is paid by manufacturers to PaintCare to fund setting up drop-off sites for leftover, postconsumer paint and for the transportation, recycling, and proper disposal of that paint. The fees also pay for consumer education and program administrative costs.

Fee may vary from state to state. The Colorado fees per container are as follows:

- $ 0.00 — Half pint or smaller
- $ 0.35 — Larger than half pint up to smaller than 1 gallon
- $ 0.75 — 1 gallon
- $ 1.60 — Larger than 1 gallon up to 5 gallons

The law also requires that each distributor and retailer include the PaintCare Fee with their sale price of architectural paint sold in the state. Displaying the fee on invoices and receipts is not mandatory for distributors or retailers; however, PaintCare encourages them to show the fee and list it as PaintCare Fee to aid in customer and dealer education and to ensure transparency.

Notice for Painting Contractors
It is expected that contractors will pass the fees on to their customers in order to recoup the fees they pay on the products.

When estimating jobs, contractors should take these fees into account by checking with your suppliers to make sure the quotes for paint products include the fees. You should also let your customers know that you will be including these fees in your quotes.
New Paint Drop-Off Sites
PaintCare has established more than 165 paint drop-off sites across Colorado. Most drop-off sites are at paint stores. Others may include solid waste transfer stations, recycling centers, and government-sponsored household hazardous waste programs. Participation as a drop-off site is voluntary.

Use of Retail Drop-Off Sites by Businesses
Retail sites provide a convenient and no cost recycling option for painting contractors and other businesses. Businesses that generate less than 220 pounds of hazardous waste* per month will be able to use these sites to recycle all program products (both water and oil-based) with some restrictions on quantities per month.

Larger businesses (those that generate more than 220 pounds of hazardous waste per month) may use the drop-off sites for their water-based program products only; they are not able to use the sites for oil-based paint or other solvent-based products.

*220 pounds is about 20-30 gallons of paint. When counting how much hazardous waste you generate in a month, oil-based paint counts (because by law it is a hazardous waste), but latex and other water-based paint does not count toward the 220 pound monthly total.

Pick-Up Service for Large Volumes
Businesses with at least 200 gallons of postconsumer paint to recycle may qualify to have their paint picked up by PaintCare at no additional cost. To learn more about this service or to request an appointment, please visit www.paintcare.org/pickup or call (855) 724-6809.

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WHAT PRODUCTS ARE COVERED?
The products accepted at PaintCare drop-off sites are the same products that have a fee when they are sold. PaintCare Products include interior and exterior architectural coatings sold in containers of 5 gallons or less. However, they do not include aerosol products (spray cans), industrial maintenance (IM), original equipment manufacturer (OEM), or specialty coatings.

PaintCare Products
♦ Interior and exterior architectural paints: latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings)
♦ Deck coatings, floor paints (including elastomeric)
♦ Primers, sealers, undercoaters
♦ Stains
♦ Shellacs, lacquers, varnishes, urethanes (single component)
♦ Waterproofing concrete/masonry/wood sealers and repellents (not tar or bitumen-based)
♦ Metal coatings, rust preventatives
♦ Field and lawn paints

Non-Paintcare Products
♦ Paint thinners, mineral spirits, solvents
♦ Aerosol paints (spray cans)
♦ Auto and marine paints
♦ Art and craft paints
♦ Caulking compounds, epoxies, glues, adhesives
♦ Paint additives, colorants, tints, resins
♦ Wood preservatives (containing pesticides)
♦ Roof patch and repair
♦ Asphalt, tar, and bitumen-based products
♦ 2-component coatings
♦ Deck cleaners
♦ Traffic and road marking paints
♦ Industrial Maintenance (IM) coatings
♦ Original Equipment Manufacturer (OEM) (shop application) paints and finishes