



2012 Legislative Summary

HB12-1028: Continue Low-income Energy-related Assistance

Sponsors/Cosponsors: *Representatives* – **Gerou/Steadman**

Public Summary: The bill extends the funding from the operational account of the severance tax trust fund used for providing energy-related assistance to low-income households through direct bill payment assistance and home energy-efficiency improvements from only state fiscal year 2012-13 to state fiscal years 2012-13 through 2018-19.

HB12-1032: Continue Forest Restoration Programs 5 Years

Sponsors/Cosponsors: *Representatives* – **Hamner/Nicholson**

Public Summary: H.B. 12-1032 Colorado state university - state forest service - forest restoration program - appropriation. The act continues the forest restoration program, and its associated funding from severance taxes, for 5 years and specifies that the program is no longer a pilot program. The act also extends for 5 years the annual transfers from the operational account of the severance tax trust fund of \$1.45 million to the healthy forests and vibrant communities fund and \$50,000 to the wildland-urban interface training fund, and the \$50,000 is appropriated to the department of public safety.

HB12-1045: Spruce Beetle Kill Wood Products Tax Exemption

Sponsors/Cosponsors: *Representatives* – **Bradford/King S.**

Public Summary: Wood and wood products from trees killed or infested in Colorado by the mountain pine beetle are currently exempt from sales and use tax. The exemption expires on July 1, 2013. The bill specifies that the current exemption includes trees killed or infested in Colorado by the spruce beetle and extends the expiration of the exemption to July 1, 2020.

HB12-1105: Wind Energy Property Rights

Sponsors/Cosponsors: *Representatives* – **Becker**

Public Summary: The bill establishes a nonseverable wind energy right in real property.

HB12-1258: Alternative Fuel Vehicle Charging Facilities

Sponsors/Cosponsors: *Representatives* – **Delgrosso/Jahn**

Public Summary: The bill specifies that sellers of electricity as fuel for alternative fuel vehicles are not regulated as public utilities. Generating electricity for sale as fuel for alternative fuel vehicles also does not make the seller subject to regulation as a public utility if the seller generates the electricity on the property where the fueling facilities are located and the electricity is generated from a renewable resource. Public utilities must make commercially reasonable efforts to provide connection of electric and natural gas service to alternative fuel vehicle charging facilities. A public utility's right to make unregulated operating expenditures and investments via an unregulated subsidiary with regard to alternative fuel vehicle charging facilities is not limited.

[HB12-1312](#): PUC Electric Transmission Line Certificate

Sponsors/Cosponsors: *Representatives* – **Sonnenberg/Brophy**

Public Summary: The bill clarifies that the public utilities commission, in determining whether or not to grant a certificate of public convenience and necessity for proposed electric transmission lines and associated facilities not constructed in the ordinary course of business, shall not consider land use issues such as the location or alignment of the proposed lines and associated facilities because a local government can address the land use considerations through its land use regulations.

[HB12-1314](#): Oil & Gas Filing Exemption

Sponsors/Cosponsors: *Representatives* – **Sonnenberg**

Public Summary: Section 1 of the bill creates an exception to the requirement that everyone subject to the severance tax on oil and gas must file a return with the department of revenue. This exception applies to any person who has less than \$250 withheld by all unit operators and first purchasers in a taxable year. Under current law, if any person fails to file a report related to the severance tax, the executive director of the department of revenue may estimate the amount of tax, interest, and penalties due and mail the estimate to the last-known address of the person. If, within 10 days of receiving the estimate, the person fails to file a correct report and payment, the estimate becomes the amount payable to the state. Section 2 of the bill prohibits the executive director from sending the estimate to a person who is not required to file a return pursuant to section 1 of the bill.

[HB12-1334](#): Severance Tax Funding Agricultural Energy Projects

Sponsors/Cosponsors: *Representatives* – **Becker/Hodge**

Public Summary: In 2006, the general assembly approved a transfer of \$500,000 from the operational account of the severance tax trust fund to the agricultural value-added cash fund for 3 years to promote agricultural energy-related projects. In 2009, the general assembly approved a 2-year extension. The act extends the funding for an additional 5 years. The act appropriates \$500,000 to the department of agriculture for the projects.

[SB12-031](#): Federal Mining Lease Districts

Sponsors/Cosponsors: *Representatives* – **White**

Public Summary: County powers - authority to create federal mineral lease districts - changes to district's and district board of director's powers - allow for further autonomy of the district. The laws regarding the formation of a federal mineral lease district, including changes to the district's and district board of director's powers, are changed to allow the district to be more autonomous from the county creating the district. A federal mineral lease district is an independent body politic, separate and distinct from the county that creates it. Powers of the district and the board of directors are further enumerated. Methods for dissolving a district are established and the membership and terms of the board of directors are clarified. The district may reserve all or a portion of the federal mineral lease funding for use in subsequent years in order to maximize the usefulness of the direct or indirect distribution of funding for the areas socially or economically impacted by the development, processing, or energy conversion of fuels and minerals leased under a federal act.

[SB12-133](#): Recycle Electronic Devices Divert From Landfills

Sponsors/Cosponsors: *Representatives* – **Schwartz**

Public Summary: The bill prohibits the disposal of certain consumer electronic devices in landfills, effective by a date established by the solid and hazardous waste commission. Disposal in landfills located in communities

that are not well-served by electronic device recycling facilities may be exempted from the ban. Beginning July 1, 2013, state agencies must arrange for the recycling of such devices with a certified recycler. The department of public health and environment must coordinate with existing public and private efforts pertaining to the development and implementation of a public education program regarding electronic device recycling.