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**[HB17-1082](#) BEST Building Excellent Schools Today Act Technology Grant Funding Passed**

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**Summary:** Makes changes to the BEST program regarding the inclusion of technology. Additionally related to energy use, it includes utility cost savings contracts in the list of sources for financial match, and requires utility costs to be included in the statewide financial assistance priority assessment.

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**[HB17-1090](#) Advanced Industry Investment Tax Credit Extension Passed**

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**Summary:** A qualified investor who, prior to Jan. 1, 2018, makes an equity investment in a qualified small business from an advanced industry is allowed an income tax credit that is equal to a percentage of the investment, up to a maximum credit of \$50,000. The Colorado office of economic development (office) determines the eligibility for the tax credits and issues nontransferable tax credit certificates that are used to claim the credit. The maximum amount of tax credits allowed for a calendar year is \$750,000.

The bill extends the credit by allowing qualified investments made on or after January 1, 2018, but prior to Jan. 1, 2023, to qualify for the tax credit. From 2019 through 2022, the total maximum amount of credits for a calendar year is increased to \$1.5 million. Beginning with the 2018 calendar year, if the office authorizes less than this amount in a year, then the remaining, unused credits are added to the next year's total maximum amount. In addition, the definition of 'qualified small business' is expanded to include a company that has annual revenues of less than \$5 million or that has been actively operating and generating revenue for less than five years. Currently, a business must meet both criteria, in addition to other criteria that will continue to apply.

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**[HB17-1116](#) Continue Low-income Household Energy Assistance Passed**

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**Summary:** Current law provides that the department of human services low-income energy assistance fund, the energy outreach Colorado low-income energy assistance fund, and the Colorado energy office low-income energy assistance fund receive conditional funding from the severance tax operational fund through the state fiscal year commencing July 1, 2018. The bill extends the conditional funding through the state fiscal year commencing July 1, 2023.

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**[HB17-1124](#) Local Government Liable Fracking Ban Oil & Gas Moratorium Postponed Indefinitely**

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**Summary:** The bill specifies that a local government that bans hydraulic fracturing of an oil and gas well is liable to the mineral interest owner for the value of the mineral interest and that a local government that enacts a moratorium on oil and gas activities shall compensate oil and gas operators, mineral lessees, and royalty owners for all costs, damages, and losses of fair market value associated with the moratorium.

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**[HB17-1151](#) Electrical Assisted Bicycles Regulation Operation Passed**

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**Summary:** **Section 1** of the bill defines three classes of electrical assisted bicycle, depending on their top speed and whether the electric motor assists in propulsion only while the rider is pedaling or propels the bicycle independently.



## 2017 Summary of Legislation

**Section 4** requires manufacturers to label electrical assisted bicycles as class 1, class 2, or class 3, as appropriate, and prohibits a person from modifying an electrical assisted bicycle without also relabeling it to accurately reflect its classification. Section 4 also requires all electrical assisted bicycles to comply with federal consumer product safety commission (CPSC) requirements and specified classes of electrical assisted bicycles to be equipped with appropriate braking systems and speedometers.

**Section 5 :**

- Gives local governments the authority to allow or prohibit the use of specified classes of electrical assisted bicycles on pedestrian paths and bike paths;
- Prohibits a person under the age of 16 from riding a class 3 electrical assisted bicycle except as a passenger;
- For class 3 electrical assisted bicycles, requires all riders under 18 to wear a helmet certified by the CPSC or the American Society for Testing Materials; and
- Specifies that noncompliance with the helmet law does not constitute negligence or negligence per se in a lawsuit seeking damages.

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**[HB17-1201](#)**

**Science Technology Engineering Math Diploma Endorsement**

**Passed**

**Summary:**

The bill authorizes a school district, board of cooperative services, district charter high school, or institute charter high school (local education provider) to grant a high school diploma endorsement in science, technology, engineering, and mathematics (STEM) to students who demonstrate mastery in STEM. To obtain the endorsement, a student must complete the high school graduation requirements at a high level of proficiency, successfully complete four STEM courses selected by the local education provider in addition to the high school graduation requirements in these subjects, achieve a minimum score specified in the bill on one of several specified mathematics assessments, and successfully complete a final capstone project. To successfully complete the capstone project, the student must achieve a high proficiency level of mastery, as set by the local education provider, for each of the competencies specified in the bill. The local education provider is required to work with STEM-related business and industrial leaders and institutions of higher education in setting the high proficiency levels of mastery. The local education provider must annually notify students and their parents beginning in sixth grade of the requirements for obtaining a STEM diploma endorsement.

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**[HB17-1225](#)**

**Electric Regional Transmission Organization Hearing**

**Postponed Indefinitely**

**Summary:**

A regional transmission organization is an independent electric transmission operator that provides wholesale transmission services to more than one provider of retail or wholesale electric service within a defined geographic region by pooling together a number of transmission assets into a single electricity transmission market from which participating retail electric service providers may purchase wholesale transmission services.

The bill directs the transportation legislation review committee to conduct a hearing during the 2017 interim on the effects that participation by retail electric service providers in a regional transmission organization would have on retail or wholesale electric service providers, their ratepayers, and Colorado's market for renewable energy. The hearing must take place on or before Dec. 1, 2017.



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[HB17-1227](#)

**Electric Demand-side Management Program Extension**

**Passed**

**Summary:**

To promote demand-side management programs for electricity, the public utilities commission (commission) was authorized in 2007 to establish the following electricity goals for investor-owned electric utilities to achieve by 2018:

- A demonstrated reduction of peak demand by at least 5% of the retail peak demand level in 2006; and
- Demonstrated energy savings of at least 5% compared to the energy sales in 2006.

The bill extends the programs to 2028 and requires the commission to set goals of at least 5% peak demand reduction and 5% energy savings by 2028 for demand-side management programs implemented during 2019 through 2028 when compared to 2018 numbers.

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[HB17-1232](#)

**Public Utilities Alternative Fuel Motor Vehicles**

**Postponed Indefinitely**

**Summary:**

In an existing provision that authorizes resellers of electricity and natural gas to provide motor vehicle charging or fueling stations as unregulated services, the bill authorizes public utilities to provide these services as regulated or unregulated services and allows cost recovery.

The bill allows a utility to apply to build facilities to support alternative fuel vehicles. Standards are set for approval. When a facility is built, the rate and charges for the services:

- May allow a return on any investment made by an electric public utility at the weighted average cost of capital at the electric public utility's most recent rate of return on equity approved by the public utilities commission (commission);
- May allow a return on any investment made by a natural gas public utility at the utility's weighted average cost of capital at the public utility's most recent rate of return on equity approved by the commission; and
- Must be recovered from all customers of an electric or natural gas public utility in a manner that is similar to the recovery of distribution system investments

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[HB17-1299](#)

**TLRC Interim Hearing Electric Utility Energy Storage**

**Postponed Indefinitely**

**Summary:**

The bill directs the transportation legislation review committee (TLRC) to conduct a hearing during the 2017 interim on the potential economic benefits and costs of energy storage systems (e.g., batteries, heat sinks, pumped storage hydroelectric systems) that an electric utility may incorporate into its electric resource acquisition plans. The hearing must take place on or before Dec. 1, 2017.

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[HB17-1323](#)

**PUC Ethics Add Consumer Protection**

**Postponed Indefinitely**

**Summary:**

**Section 2** of the bill prohibits a person from serving on the public utilities commission if he or she:

- Has, within the immediately preceding 4 years, served as an officer or director of a regulated utility; or
- Has or acquires any official relation to, or financial interest in, a regulated utility. 'Financial interest' does not include passive ownership of stocks through a mutual fund or similar vehicle.



## 2017 Summary of Legislation

**Section 3** encourages the director of the commission to assign employees to temporary training and development sessions with other state agencies, particularly those with which the commission has frequent interaction, to improve the employees' substantive expertise and familiarity with the operations of those agencies. Section 3 also requires the director to keep audio records of the commission's proceedings and make them publicly available online.

In addition, section 3 expressly authorizes the executive director of the department of regulatory agencies (of which the commission is a part) to request that the state auditor conduct performance audits of the commission and its staff and operations.

**Section 5** directs the commission to adopt rules concerning conflicts of interest, incompatible activities, and ex parte communications to govern the conduct of commission members, staff, and administrative law judges.

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<a href="#">HB17-1336</a>	<b>Additional Protections Forced Pooling Order</b>	<b>Postponed Indefinitely</b>
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**Summary:**

Current law authorizes forced pooling, a process by which any interested person, typically an oil and gas operator, may apply to the Colorado oil and gas conservation commission for an order to pool oil and gas resources located within a particularly identified drilling unit. After giving notice to interested parties and holding a hearing, the commission can adopt an order to force owners of oil and gas resources within the drilling unit who have not consented to the application (nonconsenting owners) to allow an oil and gas operator to produce the oil and gas within the drilling unit notwithstanding the owners' lack of consent.

The bill specifies that:

- The hearing notice must be given at least 90 days before the hearing;
- Before entry of a pooling order, the prospective drilling unit operator must give the affected interest owners a clearly stated, concise, neutral explanation of the laws governing forced pooling; and
- The operators of drilling units shall, before commencing drilling operations, file an electronic report with the commission that states the number of nonconsenting owners and the percentage of acres that have been pooled, and the commission shall post the reports in a searchable database on its website.

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<a href="#">HB17-1339</a>	<b>Colorado Energy Impact Assistance Act</b>	<b>Postponed Indefinitely</b>
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**Summary:**

The bill, known as the 'Colorado Energy Impact Assistance Act', authorizes any investor-owned electric utility (utility) to apply to the public utilities commission (PUC) for a financing order that will authorize the utility to issue low-cost Colorado energy impact assistance bonds (bonds) to lower the cost to electric utility customers (ratepayers) when the retirement of a power plant occurs. A portion of bond proceeds will provide transition assistance for Colorado workers and communities directly affected by the retirement of the facilities (transition assistance). To repay the bonds at the lowest cost to ratepayers, the PUC is authorized to review and approve a financing order and authorize a special energy impact assistance charge that is separate and apart from the utility's base rates on all ratepayer bills. The establishment and ongoing adjustment of the separate charge will allow bonds to achieve the highest possible credit rating, at least AA/Aa2, from the national independent credit rating agencies and will therefore allow bonds to be issued at the lowest possible interest rate and lowest subsequent cost to ratepayers.



## 2017 Summary of Legislation

Before issuing a financing order, the PUC must hold a public hearing, receive testimony from affected groups, and make specified determinations concerning the necessity, prudence, justness, reasonableness, and quantifiable benefits to utility ratepayers of issuing the financing order. After the public hearing process, if a financing order is approved by the PUC, it must include specific information and instructions for the utility to which it applies relating to the amount of bonds to be issued and the imposition of the energy impact assistance charge and must require the utility to pay a specified percentage of the net present value of the savings to a newly created Colorado energy impact assistance authority (authority) for the payment of transition assistance by the authority and the authority's reasonable and necessary administrative and operating costs. As an alternative to the financing order and bond issuance process, upon the closure of an electric generating facility, a Colorado electric utility may transfer to the authority an amount of up to 15% of the net present value of operational savings created by the closure of the electric generating facility, and such a transfer shall be deemed by the PUC to be a prudent action by the utility.

The bill specifies that the authority is governed by a seven-member board of directors appointed by the governor and specifies mandatory and suggested occupational experience for the directors. The authority is authorized to receive bond proceeds from a utility to which a financing order applies and use the bond proceeds to provide transition assistance and pay its reasonable and necessary administrative and operating costs.

Transition assistance is defined to include payment of retraining costs, including costs of apprenticeship programs and skilled worker retraining programs, for and financial assistance to directly displaced Colorado facility workers, compensation to Colorado local governments for lost property tax revenue directly resulting from the retirement of a facility, and similar payments, job retraining, assistance, and compensation for directly displaced Colorado workers and local governments in areas that produce fuel used in the retired facility directly resulting from the elimination of the need for fuel at the facility. When determining how best to provide transition assistance to a local community, the authority must, in conjunction with each board of county commissioners, municipal governing body, and school district that includes all or a portion of the impacted community, establish and take into consideration the advice of a local advisory committee. The authority is subject to open meeting and open records requirements and is required to submit a report to specified committees of the general assembly that sets forth a complete and detailed financial and operating statement of the authority for any fiscal year for which the authority has provided transition assistance.

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**[HB17-1363](#) Exempt New Energy Requirement If Not Subordinate Lien Passed**

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**Summary:** Current law authorizes a homeowner to finance certain energy efficiency improvements to the home through a loan pursuant to the property assessed clean energy (PACE) program. The program requires an applicant to file a title commitment on the home and a hearing must be held in order to seek a voluntary subordination of existing liens to the program's junior lien. The bill exempts a homeowner from the title commitment and hearing requirements if the owner or lender is not seeking to subordinate the priority of existing liens.

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**[HB17-1366](#) Measurable Goals Deadlines Colorado Climate Action Plan Postponed Indefinitely**

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**Summary:** The bill requires:



## 2017 Summary of Legislation

The state climate action plan to include specific, measurable goals, the achievement of which will both reduce Colorado's greenhouse gas emissions and increase Colorado's adaptive capability to respond to climate change, along with associated near-term, mid-term, and long-term deadlines to achieve the goals; and

The annual climate report to the general assembly to include an analysis of the progress made in meeting the measurable goals and deadlines specified in the plan.

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**[HB17-1372](#) Oil Gas Operators Disclose Pipe Location Development Plans Postponed Indefinitely**

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**Summary:** The bill requires an oil and gas operator to give electronic notice, in a format and by a deadline established by the Colorado oil and gas conservation commission by rule, of the location of each flow line, gathering pipeline, and transmission pipeline installed, owned, or operated by the operator to the director of the commission and each local government within whose jurisdiction the subsurface facility is located. The commission shall post the information on its website in a searchable database. The commission recently promulgated several rules to implement two of the recommendations of the governor's oil and gas task force. The bill also codifies some of the essential elements of one of the two recommendations, with the following modifications: The rules require operators to share their development plans with municipalities where the proposed operations will occur; and the bill adds counties where the proposed operations will occur.

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**[HB17-1373](#) General Fund Transfers For CO Colorado Energy Office Cash Funds Postponed Indefinitely**

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**Summary:** **Section 1** of the bill continues the general fund transfer to the clean and renewable energy fund for one year. **Section 2** adds one year of funding for the innovative energy fund from the general fund.

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**[SB17-014](#) Limits On Underground Storage Tank Regulation Postponed Indefinitely**

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**Summary:** **Transportation Legislation Review Committee.** The bill prohibits a local government from imposing inspection requirements for underground petroleum storage tanks or charging inspection fees for the inspection of underground petroleum storage tanks.

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**[SB17-022](#) Rural Economic Advancement Of Colorado Towns Postponed Indefinitely**

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**Summary:** The bill authorizes the executive director of the department of local affairs (department) or the executive director's designee to coordinate the provision of nonmonetary resources to assist with job retention or creation in a rural community experiencing a significant economic event, such as a plant closure or layoffs, including industry-wide layoffs, that has a significant, quantifiable impact on jobs within that community.

The bill also authorizes the executive director of the department or the executive director's designee to award money to qualifying rural communities experiencing a significant economic event and creates the rural economic advancement of Colorado towns fund (fund), to be administered by the executive director of the department for grant-making purposes over the next three years. For the 2017-18, 2018-19, and 2019-20 state fiscal years, \$500,000 is transferred each year from the general fund to the fund and the money in the fund is continuously appropriated to the department.

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**[SB17-035](#) Tampering With Oil And Gas Equipment Postponed Indefinitely**

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## 2017 Summary of Legislation

**Summary:** There is a current crime of knowingly destroying, breaking, removing, or otherwise tampering with equipment associated with oil or gas gathering operations. The bill increases the penalty from a class 2 misdemeanor to a class 6 felony.

**SB17-047****Additional Incentives Beneficial Use Waste Tires****Postponed Indefinitely****Summary:**

Under current law:

- A generator of a waste tire pays a per tire fee, which the solid and hazardous waste commission can reduce by rule below its statutory level of \$1.50. The fee is distributed as follows: 30% to the waste tire administration, enforcement, and cleanup fund; 65% to the end users fund; and 5% to the waste tire market development fund;
- To be eligible for a rebate from the end users fund for the use of whole waste tires, an end user must use the waste tire to generate energy or fuel; and
- Effective Jan. 1, 2018, the waste tire fee is reduced to 55 cents, the end users fund and the waste tire market development fund will be repealed, and all of the money from the waste tire fee will be credited to the waste tire administration, enforcement, and cleanup fund.

**Section 1** of the bill includes within the definition of an 'end user' a person who uses a whole waste tire, when baled with other waste tires, for an agricultural purpose.

**Section 2** changes the amount of the waste tire fee and its allocation to the three funds as follows:

- Until Dec. 31, 2021, the fee cannot exceed \$1.50;
- From Jan. 1, 2022 through December 31, 2022, the fee cannot exceed \$1.25;
- On and after Jan. 1, 2023, the fee cannot exceed \$1;
- The state treasurer will distribute the fees as follows:
- Until Dec. 31, 2021, 30% to the waste tire administration, enforcement, and cleanup fund; 65% to the end users fund; and 5% to the waste tire market development fund;
- Effective Jan. 1, 2022, through Dec. 31, 2022, 36% to the waste tire administration, enforcement, and cleanup fund; 55% to the end users fund; and 9% to the waste tire market development fund;
- Effective Jan. 1, 2023, through Dec. 31, 2023, 30% to the waste tire administration, enforcement, and cleanup fund; 65% to the end users fund; and 5% to the waste tire market development fund; and
- On and after Jan. 1, 2024, 45% to the waste tire administration, enforcement, and cleanup fund; and 55% to the waste tire market development fund.

**Section 3** extends the repeal date of the end users fund to Jan. 1, 2024.

**Section 4** eliminates the Jan. 1, 2018, repeal of the waste tire market development fund and modifies the grant and loan program financed by the fund to specify that:

- The commission must, by rule, allocate a minimum percentage of the fund's revenue to the grant and loan program; and
- If the recipient of a loan complies with the terms of the loan during an initial period, the loan converts to a grant.

**SB17-050****Consolidate Forest Risk And Health Grant Programs****Postponed Indefinitely****Summary:**

Current law authorizes two grant programs relating to forest management: One relating to wildfire risk reduction that is administered by the department of natural resources, which is financed by a one-time transfer of \$1 million from the general fund, and one relating to landscape-scale forest health that is administered by the state forest service located within Colorado State University,



## 2017 Summary of Legislation

which is financed by annual transfers of \$1 million from the severance tax operational fund that ended on July 1, 2016.

**Section 1** of the bill repeals the grant program administered by the department of natural resources, and **section 4** transfers it to the state forest service, renamed as the 'forest restoration and wildfire risk mitigation grant program'. Section 4 also adjusts the composition of the technical advisory panel and specifies that the panel is no longer subject to sunset review.

**Sections 2 and 3** realign the funding for the new grant program and the healthy forest and vibrant communities fund by allowing \$50,000 that had been allocated to the department of public health and environment relating to the air quality impacts of prescribed fire to be used for any authorized purpose of the healthy forests and vibrant communities fund and extending funding for the consolidated grant program for seven years. Section 2 also allows the forest service to use the existing unencumbered balance of the forest restoration and wildfire risk mitigation grant program cash fund for community watershed restoration purposes. Section 3 also extends the funding for two related forest programs for seven years. **Section 5** makes the bill effective on July 1, 2017.

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### [SB17-089](#)

### Allow Electric Utility Customers Install Energy Storage

Postponed Indefinitely

#### Summary:

The bill declares that consumers of electricity have a right to install and use electricity storage systems on their property, and this will enhance the reliability and efficiency of the electric grid, save money, and reduce the need for additional electric generation facilities.

The bill directs the Colorado public utilities commission to adopt rules under which:

- Residential and small commercial consumers can install electricity storage systems with a discharge rate of up to 25 kilowatts (kW) alternating current (AC) for later use or to provide backup in case of an outage;
- The utility and interconnection approval process for photovoltaic plus storage systems must be simple and streamlined, subject to electrical code and safety requirements but not more complex than existing approval requirements for photovoltaic installations;
- A utility whose customer installs electricity storage must use only a single revenue meter unless the storage system exceeds a discharge rate of 25 kW AC; and
- Any applicable standby charges, minimum charges, additional meter charges, or other fees or charges are identical as between customers with electricity storage systems and those without.

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### [SB17-105](#)

### Consumer Right To Know Electric Utility Charges

Passed

#### Summary:

The bill requires an investor-owned electric utility to file with the public utilities commission (commission) for the commission's review a comprehensive billing format that the investor-owned electric utility has developed for its monthly billing of customers. An investor-owned electric utility shall file the comprehensive billing format pursuant to a schedule determined by the commission. The comprehensive billing format must include the following:

- A line-item representation of all monthly charges and credits applied to the customer and an indication whether the charges have increased from the prior month as a result of increased fuel costs;
- For months in which tiered rates are applied, a breakdown of the tiered rates and the amount of usage to which each rate was applied for the month;



## 2017 Summary of Legislation

- The rate and usage for the current month and each of the previous 12 months, as shown in a bar graph or other visual format; and
- For customers to which demand rates apply, a listing of the demand charge, aggregated data about the demand during the billing period, and, if the customer is a residential customer, a calculation of the amount that the customer would have been billed had standard residential rates applied.

The bill also requires each investor-owned utility to provide its customers, on a biannual basis, with an insert that indicates, as a percentage, each fuel source used in power generation and purchased for the utility.

The bill sets forth procedures for the commission's review of a filed comprehensive billing format and provides that once a comprehensive billing format has been approved by the commission, the investor-owned utility need not refile it unless changes have been made to it.

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**[SB17-145](#)      **Electric Utility Distribution Grid Resource Acquisition Plan**      **Postponed Indefinitely****

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**Summary:**      The bill directs specified electric utilities to prepare, and the Colorado public utilities commission to review, proposals to integrate distributed energy resources into their plans to acquire new infrastructure. 'Distributed energy resources' is defined to include renewable distributed generation facilities, such as rooftop solar, energy storage facilities, electric vehicles, and other features of an improved and diversified electrical grid architecture. The commission may approve the plans as submitted or modify them in ways that improve system reliability, reduce costs, or increase the benefits to ratepayers.

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**[SB17-179](#)      **Fee Limits For Solar Energy Device Installations**      **Passed****

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**Summary:**      The bill extends the repeal date of existing laws that limit the amount of permit, plan review, or other fees that counties, municipalities, or the state may charge for installing solar energy devices or systems. The bill also clarifies that the statutory limitations on the amount of fees applies to any related or associated fees, not just to permit or plan review fees.

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**[SB17-180](#)      **PUC Streamlined Enforcement Of Motor Carriers**      **Passed****

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**Summary:**      The public utilities commission (commission) in the department of regulatory agencies (department) regulates motor carriers through the issuance of permits. The bill streamlines the commission's enforcement of motor carrier permits as follows:

- **Section 2** of the bill clarifies language concerning the imposition of civil penalties for violations of motor carrier regulations, including the civil penalties applicable for subsequent violations. Section 2 also relieves the commission of the obligation to prove that a violation was intentional.
- **Section 3** creates a legal services offset fund (fund) to supplement the money appropriated to the department for legal representation of commission staff by the department of law in commission matters concerning the enforcement of motor carrier regulations. Section 3 requires that the state treasurer transfer any money in excess of \$250,000 in the fund to the general fund and sets an alternative maximum reserve for the fund, distinct from the maximum reserve generally applicable to cash funds, of \$250,000.
- **Section 1** requires the commission to transfer all penalties collected for violations of motor carrier regulations to the fund.



## 2017 Summary of Legislation

- **Sections 4, 5, and 6** clarify that a permittee's motor carrier permit is immediately revoked for failure to pay a civil penalty. These sections apply to permittees that are motor carriers of passengers, motor carriers of towed motor vehicles, and motor carriers of household goods, respectively.

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### **SB17-188 Repeal Income Tax Credit Innovative Motor Vehicles**

**Postponed Indefinitely**

**Summary:** The bill repeals the income tax credits for innovative motor vehicles and innovative trucks for purchase and leases entered into on or after Jan. 1, 2018.

For the 2017-18 state fiscal year and each fiscal year thereafter through the 2020-21 state fiscal year, the bill requires the state controller to credit an amount of tax revenue estimated to be retained by the repeal of the income tax credits to the highway users tax fund.

The bill requires the secretary of state to submit a ballot question, to be treated as a proposition, at the statewide election to be held in Nov. 2017 asking the voters:

- To increase state tax revenue by a specified amount in each fiscal year through the 2020-21 state fiscal year by the repeal of the income tax credit for innovative motor vehicles and the income tax credit for innovative trucks;
- To credit the resulting estimated tax revenue to the highway users tax fund; and
- To allow an estimate of the resulting tax revenue to be collected and spent notwithstanding any limitations in section 20 of article X of the state constitution (TABOR).

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### **SB17-213 Automated Driving Motor Vehicles**

**Passed**

**Summary:** The bill declares that the regulation of automated driving systems is a matter of statewide concern, and, therefore, local authorities are prohibited from setting different standards for these systems than for human drivers. The use of automated driving systems is authorized if the system is capable of conforming to every state and federal law applying to driving. If not, a person testing a system is required to obtain approval from the Colorado state patrol and the Colorado department of transportation.

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### **SB17-252 Utility Cost-saving Contract For Local Governments**

**Passed**

**Summary:** Current law allows boards of political subdivisions to enter into energy cost-savings contracts for utility cost savings. Utility cost savings are defined in law to include an installation, modification, or service that is designed to reduce energy consumption and related operating costs in buildings and other facilities. The bill specifies that the boards may also enter into energy cost-savings contracts for increasing meter accuracy, which is defined as a utility cost-savings measure. The bill also changes the definition of 'operation and maintenance cost savings' to clarify that the calculation must be made on a net basis.

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### **SB17-271 Investor-owned Utility Cost Recovery Transparency**

**Passed**

**Summary:** The bill requires the public utilities commission (commission) to open a nonadjudicatory proceeding to evaluate investor-owned gas or electric utilities' policies and procedures for load extension of service, including allocation of costs and identification of variables that affect construction and implementation time lines for extension of service. Gas-only investor-owned utilities are not subject to the commission's nonadjudicatory proceeding.



## 2017 Summary of Legislation

Upon completion of its evaluation, the commission shall issue a decision containing recommendations for investor-owned utilities' implementation of service extension. Within 90 days after the conclusion of the commission's nonadjudicatory proceeding, the commission may promulgate rules consistent with its findings.

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**SB17-290 Engineer Excavator Stamp Plan Underground Facility****Postponed Indefinitely**

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**Summary:** Current law requires engineering plans involving excavation to include only general information about the location of underground facilities, and the excavator is the party with the duty to seek specific information about these facilities' locations. The bill requires:

- Engineering plans involving excavation to include specific information about the location of underground facilities;
- Engineers to use their official stamps on the plans; and
- The stamped plans to be given to the person who will conduct the excavation.

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**SB17-301 Energy-related Statutes****Postponed Indefinitely**

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**Summary:** **Section 1** of the bill provides a non-statutory legislative declaration about the changes in law set forth in section 2 of the bill.

**Section 2** directs the public utilities commission to adopt rules by which it will evaluate applications filed by Colorado's investor-owned natural gas utilities to acquire interests in natural gas reserves, which at a minimum must establish criteria for asset evaluation and application review and administration; except that an investor-owned utility's costs associated with any approved application may not be recovered through base rates.

**Section 3** adds a legislative declaration about the Colorado oil and gas commission's notice to operators to require operators in the state to identify and inspect flowlines within one thousand feet of a building unit to ensure and document integrity of flowlines statewide and to verify that any existing flowline that is not in active use be properly abandoned. This section also requires the commission to regularly report progress to the general assembly.

**Section 4** requires, as part of the electric resource planning process, each qualifying retail utility in Colorado to submit to the public utilities commission a proposal for a distribution resource plan. The section also requires the commission to review the proposal and either approve, modify and approve, or reject the plan for the qualifying retail utility.

**Section 5** repeals the wind for schools grant program.

**Section 6** repeals the renewable energy and energy efficiency for schools loan program.

**Section 7** removes the Colorado energy office's (office) involvement with the forest service and the air quality control commission to support the increased use of woody biomass in bio-heating.

**Section 8** removes the office's involvement in grants with the Colorado energy research institute for the development of a central resource for building trade professionals.

**Section 9 :**

- Specifies nuclear and hydroelectric power as a cleaner energy source that the office should promote;
- Amends the office's requirement to develop and encourage increased utilization of energy curricula, and expands the collaborative groups to include the energy industry and executive departments;
- Repeals certain programs for which the office is responsible; and
- Requires the director of the office and the executive director of the department of natural resources, or their designees, to convene stakeholders for one or more meetings before



## 2017 Summary of Legislation

Nov. 1, 2017, to identify voluntary methods to address funding shortfalls associated with the long-term management of abandoned oil and gas facilities.

**Section 10** renames the clean and renewable energy fund as the energy fund and continues the general fund transfer to the energy fund for 4 years and adds the authority to spend the money in the fund for educating the general public on energy issues and opportunities.

**Section 11** adds four years of funding for the innovative energy fund from the general fund and removes the requirement that the funds used in the innovative energy fund for grants or loans shall be limited to innovative energy efficiency projects and policy development.

**Section 12** clarifies that the electric vehicle grant fund may be used to offset costs associated with charging stations for electric vehicles.

**Section 13** repeals the office's authority to submit a proposal for credentialing photovoltaic installers.

**Section 14** repeals the green building incentive pilot program.

**Section 15** repeals the 'Colorado Clean Energy Finance Program Act'.

**Section 16** removes the office's responsibility to maintain a list of solar installers, the requirement for a builder to offer that list to customers, and the requirement for the office to offer training on solar installations.

**Section 17** removes a requirement for a 2018 study by the office on alternative fuel truck emissions.

**Section 18** removes an obsolete section of law pertaining to a computer system for tracking the movement of gasoline or special fuel in the state.

**Section 19** removes the office as the administrator of the Colorado carbon fund special license plate.

**Section 20** increases the registration fee on electric motor vehicles and the portion of the fee that is earmarked for the highway users tax fund to offset the reduced gas tax collected as a result of the vehicle's increased efficiency.

Current law authorizes a homeowner to finance certain energy efficiency improvements to the home through a loan pursuant to the property assessed clean energy program (PACE). PACE requires an applicant to file a title commitment on the home and a hearing must be held in order to seek a voluntary subordination of existing liens to PACE's junior lien. **Sections 21 through 24** exempt a homeowner from the title commitment and hearing requirements if the owner is not seeking to subordinate the priority of existing liens and clarifies that housing authorities can use PACE as a completely voluntary assessment.

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<a href="#"><u>SB17-302</u></a>	<b>Clarify Property Tax Exemption Silvicultural Equipment</b>	<b>Passed</b>
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**Summary:** Current law exempts 'agricultural and livestock products' from the levy and collection of property tax and defines 'agriculture', for purposes of applying the exemption, to include silviculture. Current law also exempts 'agricultural equipment which is used on the farm or ranch in the production of agricultural products' from the levy and collection of property tax.

The bill repeals the current exemption and instead clarifies that agricultural equipment includes silviculture personal property that is designed, adapted, and used for the planting, growing, maintenance, or harvesting of trees in a raw or unprocessed state.

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<a href="#"><u>SJM17-005</u></a>	<b>Reduce Energy Subsidies</b>	<b>Postponed Indefinitely</b>
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<a href="#"><u>SJR17-002</u></a>	<b>Support For Use Of Biochar</b>	<b>Passed</b>
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## 2017 Summary of Legislation

\*Summaries sourced from the Colorado Office of Legislative Legal Services