

CRES Legislation Tracker 2020

| Bill | Sponsors | Topic | Issue | Date | Action | Next Date | Next Action | Amend. | Description | CRES position | CRES Action |
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| HB20-1064 | Rep. E. Hooton | Community Choice Energy | PUC Study | 2/10/2020 | Referred, as amended, to the Committee on Appropriations | | | L.008 | <p>The bill declares that the concept of "community choice energy" (CCE), under which a community may choose to purchase electricity at wholesale through a supplier other than the local investor-owned electric utility, has the potential to enable communities to meet their renewable energy goals and save money without disrupting the local utility's current status as sole supplier of transmission, distribution, and customer service functions. To lay the groundwork for potential adoption of CCE in Colorado, the bill proposes 2 studies:</p> <ul style="list-style-type: none"> - A feasibility study, conducted by an independent energy expert under the guidance of the public utilities commission (PUC), to examine the financial and technical requirements that would need to be met for CCE to be viable and beneficial; and - An investigatory proceeding at the PUC, inviting testimony and documentation from persons with firsthand knowledge of utility operations, CCE, or both, including regulators from other states in which CCE has been implemented. The goal of the investigation is to identify best practices and recommend legislative changes that would allow CCE to function well in Colorado if adopted. <p>The bill directs that reports of the results of the feasibility study and the investigatory docket be given to the legislative committees with jurisdiction over energy matters in late 2020.</p> | Support | <p>Reach out to Sponsor with question about lack of Munis and Coops.</p> <p>Attend hearing and testify.</p> <p>Note: NREL Whitepaper "Community Choice Aggregation: Challenges, Opportunities, and Impacts on Renewable Energy Markets" published Feb 2019 (https://www.nrel.gov/docs/fy19ost/i/72195.pdf)</p> |
| HB20-1143 | Rep. S. Gonzales-Gutierrez, Rep. D. Jackson Sen. F. Winter | Environmental Justice | Fines | 6/10/2020 | Senate Third Reading Passed - No Amendments | | | L.001 L.005 J.001 L.008 L.009 | <p>Current state law sets the maximum civil fine for most air quality violations at \$15,000 per day and most water quality violations at \$10,000 per day, but federal law allows the federal environmental protection agency to assess a maximum daily fine per violation of \$47,357 for these violations. Sections 2 and 4 of the bill raise the maximum fine to \$47,357 per day and direct the air quality control commission and the water quality control commission in the department of public health and environment (department) to annually adjust the maximum fine based on changes in the consumer price index.</p> <p>Current law allocates all water quality fines to the water quality improvement fund; section 4 authorizes the use of money in that fund to pay for projects addressing impacts to environmental justice communities. Section 4 also extends the repeal date for the water quality improvement fund to September 1, 2025.</p> <p>Current law allocates all air quality fines to the general fund; section 3 allocates them to the newly created community impact cash fund. Section 3 also:</p> <ul style="list-style-type: none"> - Specifies that the department is to use money in the community impact cash fund for environmental mitigation projects (EMPs); - Defines an EMP as a project that avoids, minimizes, or mitigates the adverse effects of a violation or alleged violation of the air quality or water quality laws; - Creates the environmental justice advisory board to recommend EMPs in response to violations or alleged violations that affect environmental justice communities; and - Creates an environmental justice ombudsperson position within the department, who serves as chief staff to the advisory board and advocates for environmental justice communities. <p>Section 3 also requires the department to post proposed EMPs on the department's website in a format that allows the public to submit comments on the proposed EMP, not approve an EMP until at least 45 days after the EMP has been posted on its website, and include a description of all approved EMPs in its departmental SMART Act presentations.</p> | | |
| HB20-1155 | Rep. A. Valdez, Rep. M. Weissman | Building Efficiency | Residential New Construction | 5/26/2020 | House Consideration of First Conference Committee Report result was to Recede - Adhered or receded prior to CC | | | L.002 L.006 L.007 L.008 L.009 | <p>Current law requires a home builder to offer to a buyer of a new home one of the following:</p> <ul style="list-style-type: none"> - A solar panel system or a solar thermal system; - To prewire or preplumb the home for these systems; or - A chase or conduit to wire or plumb the home for these systems in the future. <p>Section 1 of the bill changes this to require that the home builder offer each of these options.</p> <p>Section 2 requires a home builder to offer one of the following options to a buyer of a newly constructed residence:</p> <ul style="list-style-type: none"> - An electric vehicle charging system; - Upgrades of wiring to accommodate future installation of an electric vehicle charging system; or - A 208- to 240-volt alternating current plug-in located in a place accessible to a motor vehicle parking area. <p>Section 2 also requires the home builder to offer electric heating options. These requirements apply to both traditional detached, single-family homes and buildings that contain owner-occupied condominium units.</p> | Support | <p>Sent in letter of support to the Energy and Environmental Committee</p> |

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| HB20-1167 | Rep. J. Arndt Sen. D. Moreno | Alternative Fuel | Statute Cleanup Bill | 3/20/2020 | Governor Signed | | | | Statutory Revision Committee. Section 2 of the bill repeals the definition of "alternative fuel" in the air quality control statutes because there is no longer any reference to the definition in those statutes. Section 1 moves the definition to the statutes regarding the department of personnel's central state motor vehicle fleet system because the definition is referred to there. Sections 3 through 5 update cross-references to the definition of "alternative fuel" to the statute to which the definition is moved. Sections 6 and 7 make conforming amendments. | Monitor | |
| HB20-1192 | Rep. D. Jackson, Rep. P. Will Sen. M. Foote | Petroleum Cleanup Fund | Repurpose \$2M for fuel-cell transportation | 2/20/2020 | House Committee on Energy & Environment Refer Amended to Appropriations | | | L.001 | Current law creates the petroleum cleanup and redevelopment fund to fund corrective action plans for petroleum releases not covered by other programs. If it would enhance environmental protection or improve air quality, the bill authorizes the division of oil and public safety to use up to \$2 million in the redevelopment fund to develop, in partnership with a private entity, fuel-cell electric-vehicle projects. | Support | Letter of support |
| HB20-1225 | Rep. M. Weissman | Storage | Cooperative Protections | 3/27/2020 | Governor Signed | | | L.001 | The bill: ! Declares that the jurisdiction of the Colorado public utilities commission does and traditionally has always been understood to extend to the determination of just and reasonable rates by all public utilities; and ! Explicitly states that the terms and conditions imposed by one cooperative electric association on another regarding the installation, interconnection, and use of energy storage systems must be just and reasonable. | Support | Letter of support |
| HB20-1265 | Rep. A. Benavidez, Rep. A. Valdez Sen. J. Gonzales, Sen. D. Moreno | Air Quality | Emissions | 6/11/2020 | Senate Third Reading Passed - No Amendments | | | L.001 L.004 | The bill creates a new program to regulate emissions of a subset of hazardous air pollutants, referred to as "covered air toxics", which are defined as hydrogen cyanide, hydrogen fluoride, hydrogen sulfide, benzene, and other hazardous air pollutants specified by the air quality control commission by rule. A stationary source of air pollutants that reported in its federal toxics release inventory filing at least one of the following amounts of a covered air toxic in one year is defined as a "covered facility": ! For hydrogen cyanide, 10,000 pounds; ! For hydrogen fluoride, 10,000 pounds; ! For hydrogen sulfide, 5,000 pounds; and ! For benzene, 1,000 pounds. At least every 5 years beginning in 2026, the commission will review the best available science and adjust, as necessary to protect public health, the list of covered air toxics and their associated emission levels. The commission will: ! Regulate covered air toxics more strictly than is required by the federal clean air act; ! Require covered facilities to monitor their emissions of covered air toxics; ! Set health-based emission limits for covered air toxics if no such limit exists under state or federal law; and ! Establish a real-time community alert system for "incidents", which are unauthorized emissions of an air pollutant from a covered facility. The division of administration in the department of public health and environment will: ! Consider and prevent adverse cumulative impacts from covered facilities' emissions of hazardous air pollutants when processing air pollution permits for covered facilities that are located in or near disproportionately impacted communities, as determined by the commission by rule; ! Approve a new or amended permit for a covered facility only if there is no net increase in the adverse cumulative impacts of hazardous air pollutant emissions above existing levels in each disproportionately impacted community affected by the emissions; and ! If existing emissions of hazardous air pollutants exceed the health-based emission limits or have unacceptable adverse cumulative impacts on any disproportionately impacted community, require a decrease or cessation in the applicable emissions over the shortest practicable time until the emissions comply with the health-based emission limits and no longer have unacceptable adverse cumulative impacts on any disproportionately impacted community. Covered facilities will: ! Monitor their covered air toxics emissions and make the monitoring data widely available, including to the public; and ! Promptly disseminate information regarding an incident pursuant to the commission's real-time community alert system to the public, affected local governments and other community entities, and local emergency planning and response organizations. The bill specifies violations for a covered facility that is covered by specified federal regulations based on the unauthorized emission of an air pollutant from a flare or pressure relief device and any uncontrolled atmospheric release of an air pollutant from an organic hazardous air pollutant pressure relief device. The commission will review its rules for these facilities and specifically consider adopting more stringent provisions, including: ! A requirement that leak detection and repair inspections occur at these facilities on, at a minimum, a semiannual basis or that an alternative approved instrument monitoring method is in place pursuant to existing rules; and ! Reductions in fugitive emissions from equipment leaks and wastewater at these facilities. | Support | Sent letter of support to sponsors and E&E committee |

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| SB20-030 | Sen. L. Garcia, Sen. R. Rodriguez Rep. D. Esgar | IOU | Consumer Protection | 6/4/2020 | Senate Considered House Amendments - Result was to Concur - Repass | | | J.001 L. 002 L. 004 L. 005 L. 006 L. 007 L. 008 | <p>The bill directs the public utilities commission (PUC) to exercise its existing authority to require information from regulated public utilities in the areas of:</p> <ul style="list-style-type: none"> - The number of utility customers who are exempted from tiered rates due to a medical condition or the use of medical equipment requiring higher amounts of electricity than other customers, and the efforts the public utilities are taking to ensure that customers entitled to the exemption are able to do so (section 1 of the bill); and - Disconnections and delinquencies, including the number of disconnections and a narrative analysis of any trends or inconsistencies revealed by the data (sections 2 and 4). <p>The bill directs the PUC to open rule-making proceedings to:</p> <ul style="list-style-type: none"> - Prescribe standard practices for disconnection due to nonpayment, including the provision of shutoff notices in languages other than English, where appropriate; standard terms for repayment plans to cure delinquencies; and a prohibition on remote disconnection without a personal visit or live telephone call with the customer of record (section 2); and - Investigate whether to require public utilities to report positive information about customers' payment history to credit reporting agencies (section 5). <p>Finally, beginning September 1, 2020, the bill requires an "opt-in" by customers before a public utility may employ a new nonstandard rate such as a time-of-use, inverted block, or flat rate (section 3).</p> | Monitor | |
| SB20-055 | Sen. K. Priola, Sen. T. Story Rep. J. Arndt, Rep. L. Cutter | Recycling | End Markets | 6/12/2020 | House Third Reading Passed - No Amendments | | | J.001 L. 005 L. 006 L. 007 | <p>Zero Waste and Recycling Interim Study Committee. Section 1 of the bill directs the pollution prevention advisory board (board) within the department of public health and environment (department) to recommend to the department a structure and governing guidance for a recycling market development center to support the development of end-market businesses within the state. Section 1 also directs the department to conduct a literature review of what industry and other states are doing around the country regarding producer responsibility and to create policy and legislative recommendations regarding the feasibility of requiring producers to design, manage, and finance programs for end-of-life management of their products and packaging as a condition of sale.</p> <p>Sections 3, 4, and 5 allow the board to use the recycling resources economic opportunity fund and the front range waste diversion cash fund to reimburse eligible recycling businesses for locally assessed personal property taxes paid in the current tax year in this state on personal property. Section 2 directs the board to establish a formula that it would use in awarding personal property tax reimbursements.</p> <p>Section 6 requires the department, on and after October 1, 2020, to administer a statewide campaign to educate Colorado residents concerning recycling. The department shall ensure the campaign includes:</p> <ul style="list-style-type: none"> - Communications delivered via social media; - Television and radio public service announcements; and - The placement of written materials in public locations, such as community centers, recreation centers, and shopping centers. <p>In administering the campaign, the department shall consult with municipal governments, county governments, and private agencies that operate recycling programs. The department may contract with one or more public or private entities for the preparation of materials to be used in the campaign. The requirement is repealed, effective September 1, 2021.</p> | Support | Letter of support |
| SB20-124 | Sen. C. Hansen, Sen. K. Priola Rep. B. Buentello, Rep. P. Will | New School Buildings | Electric Utility Consultation | 6/3/2020 | House Third Reading Passed - No Amendments | | | L.001 | <p>Under current law, the public school capital construction assistance board establishes guidelines for considering applications for money from the public school capital construction assistance fund. The bill adds to the considerations in the guidelines consulting with the local electric utility on beneficial electrification and distributed generation opportunities.</p> | Support | Vince sent Becky's letter |
| SB20-167 | Sen. C. Hansen Sen. K. Priola Rep. K. Becker | EV | Mfr. Direct Sales | 3/23/2020 | Governor Signed | | | L.001 L. 005 L. 007 L. 010 L. 011 | <p>Current law states that, with certain exceptions, a motor vehicle manufacturer may not own, operate, or control any motor vehicle dealer or used motor vehicle dealer in Colorado. The bill creates a new exception that allows the ownership, operation, or control of a motor vehicle dealer that sells electric motor vehicles of a manufacturer's line-make. An "electric motor vehicle" is a motor vehicle that can operate entirely on electrical power.</p> | Support | Looks like this will pass so we will not send in a letter |

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| SB20-168 | Sen. C. Hansen, Sen. B. Pettersen Rep. A. Valdez | Taxes | Severance & Property | 3/12/2020 | Senate Committee on Finance Refer Amended to Appropriations | | | L.001 L.002 L.008 | <p>The bill modifies the community solar garden property tax exemption, which exempts the percentage of alternating current electricity capacity of a community solar garden that is attributed to subscribers who are tax exempt, by:</p> <ul style="list-style-type: none"> - Extending the exemption for 5 more property tax years (section 1 of the bill); and - Expanding the exemption to apply to a community solar garden that is a solar energy facility, which is assessed statewide (section 2). <p>For the period that the exemption is extended, the state will reimburse local governments for the lost property tax revenues that result from the newly expanded credit. These payments will be made from the sustainable energy tax policy fund, which consists of the increased revenue as a result of changes to the coal tax made in sections 4 and 5 , and the general fund if there is insufficient money in the fund.</p> <p>In years when the state is required to refund excess state revenues under section 20 of article X of the state constitution (TABOR), the reimbursements to the counties are a TABOR refund mechanism. This refund mechanism only applies after the refunds made to counties for the reimbursements for the senior homestead exemption (sections 1 and 6).</p> <p>Locally assessed solar energy facilities are valued by assessors using valuation procedures developed by the property tax administrator (administrator). Currently, the administrator is required to utilize a cost approach to valuation for all renewable energy facilities. This valuation currently involves a "tax factor" based on a 20-year period. Section 2 extends this period by 10 years and specifies that after the 30 years, a tax factor is not applied and the taxable value shall not exceed the depreciated value floor calculated using the cost basis method. Under section 3 , the administrator will be required to utilize the income approach used for solar energy facilities for a renewable energy facility that would qualify as a solar energy facility if it generated more energy, so that all similar facilities will be valued in the same manner.</p> <p>For purposes of the severance tax on coal, beginning July 1, 2021, section 4 eliminates the quarterly exemption on the first 300,000 tons of coal and the credit for coal produced from underground mines and for the production of lignitic coal. Prior to June 30, 2026, the additional severance tax that results from these changes will be credited to the sustainable energy policy fund, and thereafter it is allocated like other severance tax revenue (section 5).</p> | Monitor | |
| SB20-204 | Sen. S. Fenberg Rep. D. Jackson Rep. Y. Caraveo | Air Quality | Additional Resources | 6/12/2020 | House Third Reading Passed - No Amendments | | | | <p>Section 3 of the bill creates the air quality enterprise and specifies that its revenues are exempt from the state constitution's TABOR provisions. The enterprise will conduct air quality modeling, monitoring, data assessment, and research; implement emission mitigation projects; and provide its data to the division of administration and the air quality control commission in the department of public health and environment to facilitate the administration of the state's air quality laws, including by facilitating the timely issuance and effective enforcement of appropriate emission permits.</p> <p>The enterprise's board of directors shall establish by rule the following enterprise fees in an amount sufficient, in aggregate, to cover its indirect and direct costs in implementing its powers and duties:</p> <ul style="list-style-type: none"> - A fee per ton of air pollutant; and - A fee for services performed for third parties for air quality modeling, monitoring, assessment, or research and to conduct mitigation and monitoring projects. - The fees are credited to the newly created air quality enterprise cash fund. <p>Section 4 removes the statutory maximum for fees assessed for air pollutant emission notices, establishes a fee for fiscal year 2020-21, and allows the commission to thereafter adjust the fees by rule. Section 5 removes the statutory maximums for annual per-ton emission fees and processing fees, establishes a fee for fiscal year 2020-21, allows the commission to thereafter adjust these fees by rule, and specifies the purposes for which these increased revenues may be spent.</p> | Support | Sent letter of support to sponsors of the bill |
| XB20-012 | Sen. J. Tate, Sen. F. Winter Rep. C. Hansen | Transmission | Conservation Easements | 2/4/2020 | Postponed Indefinitely | | | | <p>A conservation easement is an agreement in which a property owner agrees to limit the use of his or her land in perpetuity in order to protect one or more specified conservation purposes. The bill specifically authorizes conservation easements to permit electric transmission lines that transmit renewable energy across the land subject to the easement if it is appropriate and consistent with the conservation purposes of the conservation easement.</p> | | |

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| XB20-013 | Sen. R. Rodriguez | IOU | Innovative Tech | 5/27/2020 | Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely | | | | <p>The bill replaces the integrated gasification combined cycle (IGCC) program, which was repealed in 2019, with a mechanism by which an investor-owned public utility seeking to implement an innovative energy technology project (project) may apply to the public utilities commission (PUC) to acquire resources that demonstrate the use of low- and zero-emission dispatchable resources and other innovative energy technologies such as advanced renewable energy and storage.</p> <p>In determining whether to grant approval to a public utility seeking to implement a project, the PUC shall consider a number of factors regarding the project, including its economic and technical feasibility, its projected environmental and public safety impacts, and its carbon dioxide emissions rates. The PUC is required to provide an opportunity for public comment and an evidentiary hearing.</p> <p>A public utility may fully recover, from its retail customers in the state, the costs it incurs in researching, testing, planning, developing, constructing, starting up, and operating the project. The public utility may also recover capital investments made in connection with the project over the useful life of the project. The department of public health and environment, the governor's office of economic development, and the Colorado energy office may assist public utilities in seeking and obtaining support for a project from other federal and state agencies and institutions.</p> | Oppose as written | Vince will look at his notes |
| XB20-038 | Sen. S. Fenberg Rep. S. Jaquez Sen. F. Winter | Transportation | Diesel Blend w/ Biodiesel | 5/28/2020 | House Committee on Energy & Environment Postpone Indefinitely | | | | <p>The bill requires that all diesel fuel sold or offered for sale in Colorado between June 1 and September 15 of each year, commencing June 1, 2021, be blended with and contain at least 5% biodiesel and that all diesel fuel sold or offered for sale in Colorado between June 1 and September 15 of each year, commencing June 1, 2023, be blended with and contain at least 10% biodiesel.</p> <p>The air quality control commission, in consultation with the director of the division of oil and public safety in the department of labor and employment, shall promulgate rules regarding the blending standard, including rules to establish a waiver process and to require labeling of biodiesel-blended fuel to reflect the percentage of biodiesel included in the blended fuel.</p> | Monitor | Steve reached out to sponsors to find out more |
| XB20-046 | Sen. J. Tate Rep. J. Arndt | Electrical | Permitting | 5/28/2020 | House Second Reading Laid Over to 12/31/2020 - No Amendments | | | | <p>The bill clarifies that electrical inspection fees charged by the state electrical board, which are generally based on the actual expense of the inspection, may be doubled if an application for an electrical permit is not filed in advance of the commencement of an electrical installation.</p> | Monitor | |
| XB20-094 | Sen. K. Priola | EV | Registration Fees | 2/13/2020 | Senate Committee on Transportation & Energy Postpone Indefinitely | | | | <p>For the purpose of making the amount of plug-in electric motor vehicle registration fees roughly equal to the combined amount of registration fees and motor fuel taxes levied on motor vehicles powered by internal combustion engines, the bill authorizes the high-performance transportation enterprise to impose the following fees upon the registration of a plug-in electric motor vehicle:</p> <ul style="list-style-type: none"> - An inflation-indexed surface transportation infrastructure equivalent use fee to be imposed at a maximum initial rate of \$120 and thereafter indexed to inflation, and - A longevity fee that annually increases for each year in which a vehicle is in service until the vehicle reaches its 18th year of service. <p>Fee proceeds are credited to the statewide transportation enterprise special revenue fund for use by the high-performance transportation enterprise in funding surface transportation infrastructure projects.</p> | Oppose | Letter sent to the Senate Transportation & Energy Committee |
| XB20-1018 | Hansen | Renewable Natural Gas | PUC Rules | 2/3/2020 | Postponed Indefinitely | | | | <p>The bill requires the public utilities commission to adopt by rule, no later than July 31, 2021, renewable natural gas programs for large natural gas utilities (those that have at least 200,000 customer accounts in Colorado) and small natural gas utilities (those that have fewer than 200,000 customer accounts in Colorado). The rules must include reporting requirements and a process for natural gas utilities to fully recover prudently incurred costs associated with the large and small renewable natural gas programs.</p> <p>"Renewable natural gas" is defined to mean any of the following products processed to meet pipeline quality standards or transportation fuel-grade requirements:</p> <ul style="list-style-type: none"> - Biogas that is blended with, or substituted for, geologic natural gas; - Hydrogen gas derived from renewable energy sources; or - Methane gas derived from any combination of biogas; hydrogen gas or carbon oxides derived from renewable energy sources; waste carbon dioxide; coalbed methane resulting from human activity; naturally occurring coalbed deposits; a municipal solid waste landfill; waste tire or municipal solid waste pyrolysis; or biogas recovery from manure management systems and anaerobic digesters. <p>If a large natural gas utility's total incremental annual cost to meet the targets of the large renewable natural gas program exceeds 5% of the large natural gas utility's total revenue requirement for a particular year, the large natural gas utility shall not make additional qualified investments under the large renewable natural gas program for that year without approval from the commission. The bill establishes the following portfolio targets for the percentage of gas purchased by large natural gas utilities that is renewable natural gas:</p> <ul style="list-style-type: none"> - By January 1, 2025, at least 5% must be renewable natural gas; - By January 1, 2030, at least 10% must be renewable natural gas; and - On and after January 1, 2035, at least 15% must be renewable natural gas. <p>Small natural gas utilities may opt in to the small renewable natural gas program as established by the commission by rule. The rule must include a rate cap limiting the small natural gas utility's costs of procuring renewable natural gas from third parties and qualified investments in renewable natural gas infrastructure.</p> | | |

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| XB20-1025 | Rep. A. Benavidez, Rep. M. Snyder, Sen. L. Court, Sen. J. Tate | Sales Tax | Exemption Restriction | 5/28/2020 | House Committee on Finance Postpone Indefinitely | | | L 003 | Under current law, the sales tax exemption for energy use exempts the sale and purchase of electricity, gas, fuel oil, steam, coal, coke, or nuclear fuel used in processing, manufacturing, mining, refining, irrigation, construction, telegraph, telephone, and radio communication, street and railroad transportation services, and all industrial uses, and newsprint and printer's ink used by newspaper publisher and commercial printers from state sales tax. The bill modifies this sales exemption to only apply when the energy is used by a metered machine. | | |
| XB20-1045 | Rep. C. Kennedy | Efficiency | Funding | 3/2/2020 | House Committee on Energy & Environment Postpone Indefinitely | | | | To ensure consistent funding of energy efficiency improvement programs, including the state weatherization assistance program, the bill establishes a formula by which the general assembly will authorize the state treasurer to transfer money from the general fund to the Colorado energy office low-income energy assistance fund or the energy outreach Colorado low-income energy assistance fund for use for energy efficiency improvement programs if, in a given year, an amount less than \$1 million is transferred from the severance tax operational fund to the Colorado energy office low-income energy assistance fund or the energy outreach Colorado low-income energy assistance fund. The formula calls for a transfer of money from the general fund in an amount equal to 75% of the difference between the amount transferred from the severance tax operational fund to one of the funds and \$1 million. | | |
| XB20-1059 | Hansen, Jackson, Winter, Tate | Storage | Valuation | 5/28/2020 | House Committee on Finance Postpone Indefinitely | | | | The bill ensures that clean energy resources and energy storage systems used to store electricity are assessed for valuation for the purpose of property taxation in a similar manner to renewable energy facility property used to generate and deliver electricity. | Support | Letter of support to committee, and sponsors |
| XB20-1070 | Rep. P. Buck | Fracking | Ban Liability | 1/27/2020 | Postponed Indefinitely | | | | 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. | Oppose | |
| XB20-1126 | Rep. P. Buck, Rep. L. Saine, Sen. J. Cooke, Sen. V. Marble | Oil & Gas | Automatic State Approval of Local Approval | 3/2/2020 | House Committee on Energy & Environment Postpone Indefinitely | | | | Current law allows the director of the oil and gas conservation commission to delay the final determination regarding an oil and gas permit application pursuant to specified objective criteria. The bill repeals this authority and specifies that if a local government that has so-called "House Bill 1041 authority" approves an oil and gas application, the commission or director shall approve the application for a permit to drill. | Oppose | No action at this time |
| XB20-1299 | Rep. R. Pelton, Rep. M. Young, Sen. L. Crowder, Sen. M. Foote | Renewable Energy | Enterprise Zone Tax Credit | 5/28/2020 | House Committee on Finance Postpone Indefinitely | | | | The bill extends the tax years that a taxpayer may elect to receive a refund of 80% of the amount of an enterprise zone investment tax credit for renewable energy investments. Under current law, if a taxpayer elects such a refund, the taxpayer forgoes the remaining 20% of the amount of the enterprise zone investment tax credit. | Support | Vince sent letter of support |
| XB20-1325 | Rep. A. Valdez | Transportation | LEV Toll | 5/28/2020 | House Committee on Energy & Environment Postpone Indefinitely | | | | Section 1 of the bill requires the executive director of the department of transportation to adopt rules, no later than December 31, 2021, to establish a program that allows preferential access to managed lanes for low-emission vehicles (LEVs) regardless of the number of vehicle occupants. The rules may: <ul style="list-style-type: none"> - Require a LEV owner to pay an annual fee to enroll the owner's LEV in the program; - Limit the number of LEVs eligible for the program; - Limit the number of years that a LEV is eligible for a program; - Treat different classes of LEVs differently; - Allow preferential access to all or only a subset of managed lanes; and - Allow either free or reduced toll access to any given toll lane or high occupancy toll lane. Section 1 also defines the terms "low-emission vehicle" and "managed lane" as well as other terms used in the definition of low-emission vehicle. Section 2 repeals the statutory authority for an existing program, which is expiring on May 31, 2020, due to a change in federal law, under which a limited number of low-emission vehicles are allowed free access to managed lanes regardless of the number of vehicle occupants. | Support | |

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| XB20-150 | Sen. C. Hansen | Renewable Natural Gas | PUC Rules | 5/28/2020 | House Committee on Energy & Environment Postpone Indefinitely | | | J.001 L.001 L.002 L.003 L.004 L.005 L.008 | <p>"The bill requires the public utilities commission to adopt by rule, no later than July 31, 2021, renewable natural gas programs for large natural gas utilities (those that have at least 200,000 customer accounts in Colorado) and small natural gas utilities (those that have fewer than 200,000 customer accounts in Colorado). The rules must include reporting requirements and a process for natural gas utilities to fully recover prudently incurred costs associated with the large and small renewable natural gas programs.</p> <p>""Renewable natural gas"" is defined to mean any of the following products processed to meet pipeline quality standards or transportation fuel-grade requirements:</p> <ul style="list-style-type: none"> - Biogas that is blended with, or substituted for, geologic natural gas; - Hydrogen gas derived from renewable energy sources; or - Methane gas derived from any combination of biogas; hydrogen gas or carbon oxides derived from renewable energy sources; waste carbon dioxide; coalbed methane resulting from human activity; naturally occurring coalbed deposits; a municipal solid waste landfill; waste tire or municipal solid waste pyrolysis; or biogas recovery from manure management systems and anaerobic digesters. <p>If a large natural gas utility's total incremental annual cost to meet the targets of the large renewable natural gas program exceeds 5% of the large natural gas utility's total revenue requirement for a particular year, the large natural gas utility shall not make additional qualified investments under the large renewable natural gas program for that year without approval from the commission. The bill establishes the following portfolio targets for the percentage of gas purchased by large natural gas utilities that is renewable natural gas:</p> <ul style="list-style-type: none"> - By January 1, 2025, at least 5% must be renewable natural gas; - By January 1, 2030, at least 10% must be renewable natural gas; and - On and after January 1, 2035, at least 15% must be renewable natural gas. <p>Small natural gas utilities may opt in to the small renewable natural gas program as established by the commission by rule. The rule must include a rate cap limiting the small natural gas utility's costs of procuring renewable natural gas from third parties and qualified investments in renewable natural gas infrastructure."</p> | Monitor | |
| XB20-159 | Sen. C. Hansen | Climate Change | Public Project Materials | 5/28/2020 | Senate Second Reading Laid Over to 12/31/2020 - No Amendments | | | J.001 L.001 L.002 | <p>The department of personnel (department) is required to establish a maximum acceptable global warming potential for each category of eligible materials used in a public project. The bill specifies which building materials are eligible materials.</p> <p>The department is required to set the maximum acceptable global warming potential at the industry average of facility-specific global warming potential emissions for that material and to express it as a number that states the maximum acceptable facility-specific global warming potential for each category of eligible materials.</p> <p>The department is required to submit a report to the general assembly regarding the method it used to develop the maximum global warming potential for each category of eligible materials and may make periodic downward adjustments to the number to reflect industry improvements.</p> <p>For invitations for bid for public projects issued after a certain date, the contractor that is awarded the contract is required to submit to the contracting agency of government a current facility-specific environmental product declaration for each eligible material proposed to be used in the public project. A contracting agency of government is required to include in a specification for bids for a public project that the facility-specific global warming potential for any eligible material that will be used in the project shall not exceed the maximum acceptable global warming potential for that material determined by the department.</p> <p>A contractor that is awarded a contract for a public project is prohibited from installing any eligible material on the project until the contractor submits a facility-specific environmental product declaration for that material.</p> <p>The bill specifies that in administering the requirements of the bill, an agency of government is required to strive to achieve a continuous reduction of greenhouse gas emissions over time. The department is required to submit a report to the general assembly regarding the implementation of the bill.</p> <p>The bill includes the facility-specific global warming potential for each eligible material that will be used in the project and the cost of avoided emissions for the project in the factors to be considered when making an award determination for a competitive sealed best value bid.</p> | Doing resresearch | |

