

**CRES Legislation Tracker 2022**

| Bill                      | Sponsors   | Topic          | Issue                | Date      | Action  | Next Date | Next Action | Amend.   | Description  | CRES position           | CRES Action  |
|---------------------------|--|----------------|----------------------|-----------|---|-----------|-------------|--|--|-------------------------|--|
| <a href="#">HB22-1013</a> | Rep. R. Pelton,<br>Rep. M. Snyder<br>Sen. D. Hisey,<br>Sen. F. Winter                                  | Microgrids     | Grant Program        | 2/3/2022  | House Committee on Energy & Environment Refer Amended to Appropriations |           |             | <a href="#">L.001</a><br><a href="#">L.002</a>   | Creates the microgrids for community resilience grant program (grant program) to be administered by the division of local government (division) in the department of local affairs (department), in collaboration with the Colorado resiliency office (office) in the division. A cooperative electric association or a municipally owned utility (utility) may apply to the division for a grant award to finance the purchase of microgrid resources in eligible rural communities within the utility's service territory that are at significant risk of severe weather or natural disaster events and in which there are one or more community anchor institutions. The microgrids, which can be connected to or be disconnected from, and work independent of, the utility's electric grid, can increase an eligible rural community's resilience regarding any interruptions to the electric grid, such as those caused by severe weather or natural disaster events. On an annual basis, the division is required to report on the progress of the grant program, submit copies of the report to the house of representatives energy and environment committee and the senate transportation and energy committee, or their successor committees, and publish the report on the department's website.   | Support with amendments | Steve sent letter of support to the sponsors.        |
| <a href="#">HB22-1018</a> | Rep. C. Kennedy  | Low-Income     | Customer Protections | 4/19/2022 | Sent to the Governor  |           |             | <a href="#">L.001</a><br><a href="#">L.002</a><br><a href="#">L.004</a><br><a href="#">L.005</a> | Section 1 of the bill changes the date on which Energy Outreach Colorado disburses to the department of human services a portion of the energy assistance system benefit charges that investor-owned electric and gas utilities collect from January 1, 2022, to March 1, 2023.<br>Section 2 requires the public utilities commission (commission) to adopt rules prohibiting electric and gas utilities from disconnecting a customer's service:<br>- On weekends;<br>- On state or federal holidays; or<br>- After 11:59 a.m. on a weekday that is not a holiday.<br>Additionally, the commission's rules must require that, under certain circumstances in which a customer makes a request for reconnection of service on a Monday through Friday that is not a holiday, the utility is required to reconnect the customer's service that same day.<br>Section 3 establishes 3 income standards for determining a household's eligibility for utility assistance as follows:<br>- A household income at or below 200% of the federal poverty line;<br>- A household income at or below 80% of the area median income; or<br>- A household income that meets the income eligibility criteria that the department sets by rule.<br>Section 3 also clarifies that the commission may approve a year-round utility preference or advantage given to income-eligible customers. | Support                 | Vincent wrote letter to Sponsors and House Committee |
| <a href="#">HB22-1026</a> | Rep. S. Bird,<br>Rep. D. Woog,<br>Sen. C. Hansen, Sen. L. Liston, Rep. A. Benavidez,<br>Sen. C. Kolker | Transportation | Tax Credit           | 2/3/2022  | House Committee on Finance Refer Amended to Appropriations              |           |             | <a href="#">L.002</a><br><a href="#">L.003</a>   | The bill replaces an existing income tax deduction for expenses incurred by employers when providing alternative transportation options to employees with a refundable income tax credit of 50% of such expenses for such employers. The credit is allowed for income tax years beginning on or after January 1, 2023, but before January 1, 2033.   | Monitor                 | Ann sent letter                                      |

CRES Legislation Tracker 2022

| Bill                      | Sponsors  | Topic     | Issue                               | Date      | Action                                     | Next Date | Next Action | Amend.   | Description  | CRES position | CRES Action              |
|---------------------------|---|-----------|-------------------------------------|-----------|--|-----------|-------------|--|--|---------------|--------------------------|
| <a href="#">HB22-1159</a> | Rep. L. Cutter,<br>Sen. K. Priola   | Recycling | Circular Economy Development Center | 3/14/2022 | Introduced In Senate - Assigned to Finance |           |             | <a href="#">L.001</a><br><a href="#">L.002</a> | <p>Section 1 of the bill makes legislative findings and declarations.</p> <p>Section 2 creates the circular economy development center (center) in the department of public health and environment (department). The purpose of the center is to grow existing markets; create new markets; and provide necessary infrastructure, logistics, and marketing to create a sustainable circular economy for recycled commodities in Colorado. On or before July 1, 2023, subject to available appropriations, the department must contract with a third-party administrator to operate the center. The center must conduct a statewide, end-market gap analysis and opportunity assessment and submit a final report of the analysis and assessment to the department by August 1, 2024. Beginning September 1, 2023, and on or before each September 1 thereafter, the center must also submit a report to the department describing the progress of the center. The department must include the report in its annual presentation to the general assembly pursuant to the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act".</p> <p>Section 2 also repeals the center, effective September 1, 2030.</p> <p>Section 3 requires the front range waste diversion enterprise (enterprise), in coordination with the department, to pay for direct and indirect costs associated with the operation of the center through the front range waste diversion cash fund (fund). Section 3 also makes changes to the front range waste diversion enterprise grant program as follows:</p> <p>! Current law imposes limitations for grant applications that are received from a waste hauler or a landfill owner or operator. Specifically, as to the portions of such an application that relate to infrastructure or equipment, only 50% of infrastructure or equipment can be funded through the grant program and, if the board awards a grant to a waste hauler or landfill owner or operator for infrastructure or equipment, the grantee is ineligible to receive a grant for the following 5 years. The bill removes these limitations.</p> <p>! Current law prohibits the board of directors of the enterprise from allocating more than 20% of the annual fund revenue in any single grant award. The bill raises this maximum to 50%.</p> <p>Section 3 also extends the repeal date of the enterprise from September 1, 2029, to September 1, 2030.</p> <p>Sections 4 and 5 extend the repeal dates of the recycling resources economic opportunity program and the associated recycling resources economic opportunity fund from July 1, 2026, to September 1, 2030.</p> <p>Section 4 also requires the department to use money appropriated from the recycling resources economic opportunity fund to pay for direct and indirect costs associated with the operation of the center.</p> <p>Under current law, the solid waste user fee is repealed, effective July 1, 2026. Section 6 extends this repeal date to September 1, 2030.</p> <p>Section 6 also extends, from September 1, 2029, to September 1, 2030, the repeal date of a specific user fee that is associated with the solid waste user fee</p> | Support       | Amanda talked to sponsor |
| <a href="#">HB22-1193</a> | Rep. L. Herod,<br>Rep. J. McCluskie,<br>Sen. C. Hansen, Sen. B. Rankin,<br>Rep. K. Ransom, Sen. D. Moreno | Coal      | Transition                          | 3/7/2022  | Governor Signed                            |           |             |  | <p>The bill directs the state treasurer to transfer \$2 million from the coal transition workforce assistance program account (account) to the just transition cash fund (fund) on the effective date of the bill and directs the general assembly to appropriate \$150,000 from the fund to the department of higher education for allocation to the Colorado school of mines to expand the Carbon Ore, Rare Earth, and Critical Minerals Initiative for U.S. Basins (CORE-CM initiative) in the Greater Green river and Wind river basins.</p> <p>Additionally, the bill modifies the account as follows:</p> <p>! Removes the requirement that the department of labor and employment (department) expend specified percentages of money in the account by specified fiscal years; and</p> <p>! Removes the prioritization of account expenditures first for programs that directly support coal transition workers, thereby allowing the department to also expend money in the account for programs that support coal transition workers' family members and other household members.</p> <p>The bill also:</p> <p>! Repeals the \$7,000,000 appropriation from the account to the department, made pursuant to House Bill 21-1290, for the 2020-21 state fiscal year;</p> <p>! Appropriates from the account to the department, for the coal transition workforce assistance program, \$500,000 for the 2021-22 state fiscal year and \$2 million for the 2022-23 state fiscal year;</p> <p>! Appropriates from the fund to the department, for authorized investments in just transition programs for communities, \$1,295,000 for the 2021-22 state fiscal year and \$555,000 for the 2022-23 state fiscal year; and</p> <p>! Appropriates \$150,000 to the department of higher education for allocation to the Colorado school of mines to expand the CORE-CM initiative.</p>  |               |                          |

**CRES Legislation Tracker 2022**

| Bill                      | Sponsors  | Topic       | Issue                   | Date      | Action  | Next Date | Next Action                  | Amend.   | Description   | CRES position | CRES Action  |
|---------------------------|---|-------------|-------------------------|-----------|---|-----------|------------------------------|--|---|---------------|--|
| <a href="#">HB22-1218</a> | Rep. A. Valdez  | EV          | Charging Infrastructure | 4/22/2022 | Introduced In Senate - Assigned to Transportation & Energy              | 4/26/2022 | Hearing at 2:00 pm   SCR 357 | <a href="#">L.003</a>  | <p>Section 1 of the bill relocates existing statutes that require contractors to offer certain resource efficiency options when constructing certain buildings. Section 1 also requires commercial buildings and multifamily residences to include electric vehicle charging for at least 10% of the parking spaces if the building is 25,000 square feet or more or if the building is part of a project that is 40,000 square feet or more of floor space in more than one building, with a total of 25 or more sets of living quarters or commercial units among all the buildings. These buildings must also have:</p> <ul style="list-style-type: none"> <li>- The space in the electrical facilities to increase electric vehicle charging to 50% of the parking spaces; and</li> <li>- Conduit run to increase electric vehicle charging to 50% of the parking spaces.</li> </ul> <p>Section 3 requires a master electrician to follow these requirements when planning, laying out, and supervising the installation of wiring in a building. Section 4 requires an architect to follow these requirements when planning, drafting plans for, and supervising the construction of a building. Continuing education requirements are put in place to educate master electricians and architects about these requirements.</p>  | Support       | Steve to testify and sent in letter of support; Amanda reports bill is being amended and pushed 2-3 weeks. |
| <a href="#">HB22-1244</a> | Rep. S. Gonzales-Gutierrez, Rep. C. Kennedy, Sen. J. Gonzales | Air Quality | Toxic Air Contaminants  | 4/7/2022  | House Committee on Energy & Environment Refer Amended to Appropriations |           |                              | <a href="#">L.001</a><br><a href="#">L.002</a><br><a href="#">L.004</a><br><a href="#">L.005</a><br><a href="#">L.006</a><br><a href="#">L.008</a><br><a href="#">L.009</a><br><a href="#">L.010</a><br><a href="#">L.011</a><br><a href="#">L.012</a><br><a href="#">L.013</a><br><a href="#">L.014</a><br><a href="#">L.015</a><br><a href="#">L.016</a> | <p>The bill creates a new program to regulate a subset of air pollutants, referred to as "toxic air contaminants", which are defined as hazardous air pollutants, covered air toxics, and all other air pollutants that the air quality control commission (commission) designates by rule as a toxic air contaminant based on its adverse health effects. In implementing the program, the commission has the authority to adopt rules that are more stringent than the corresponding requirements of the federal "Clean Air Act".</p> <p>Beginning no later than January 1, 2024, and every 5 years thereafter, the commission will review the list of existing toxic air contaminants and determine whether to add any additional toxic air contaminants to the list.</p> <p>On or before April 1 of each year, beginning on April 1, 2024, owners and operators of major and synthetic minor sources of pollution will submit to the division of administration (division) in the department of public health and environment (department) an annual emissions inventory report that reports the levels of criteria air pollutants and toxic air contaminants that were emitted by the source in the preceding calendar year, beginning with January 1, 2023, to December 31, 2023.</p> <p>Beginning no later than January 1, 2024, the division will develop a monitoring program to determine the concentration of toxic air contaminants in the ambient air of the state. The monitoring program will establish at least 6 long-term monitoring sites throughout urban and rural areas of the state. The division must provide public notice of and an opportunity to comment on the locations of the monitoring sites.</p> <p>On or before November 1, 2025, and at least every 5 years thereafter, the division will prepare a report summarizing the findings of the monitoring program, provide public notice of and an opportunity to comment on the report, and submit the report to the general assembly.</p> <p>Beginning no later than July 1, 2027, the commission will identify by rule toxic air contaminants that may pose a risk of harm to public health in the state (high-risk toxic air contaminants) and adopt health-based standards and emissions limitations (airborne toxic control measures) for high-risk toxic air contaminants.</p> <p>On or before July 1, 2032, and at least every 5 years thereafter, the commission will review the health-based standards and airborne toxic control measures to determine if the commission should:</p> <ul style="list-style-type: none"> <li>- Identify any additional high-risk toxic air contaminants; and</li> <li>- Adjust the existing health-based standards and airborne toxic control measures.</li> </ul> <p>Beginning on July 1, 2027, when applying for a new or modified air pollution permit that is subject to the new source review requirements of the federal "Clean Air Act", the owner or operator of a stationary source of pollution must submit an analysis of the impacts of the stationary source's emissions of toxic air contaminants on concentrations of toxic air contaminants in the ambient air. The division may only approve the application if the division determines, based on the analysis, that the source's emissions will not contribute to an increase in concentrations in the ambient air at or in excess of a health-based standard.</p> <p>Beginning on July 1, 2027, to protect public health and the environment, the division may reopen any existing air pollution permits and require the owner or operator of a stationary source of pollution to submit to the division an analysis of the impacts of the stationary source's emissions of toxic air contaminants on concentrations of toxic air contaminants in the ambient air. If the division determines, based on the analysis, that the source's emissions contribute to concentrations in the ambient air at or in excess of a health-based standard, the division may require a decrease or cessation in the applicable emissions over the shortest practicable time until the emissions no longer contribute to concentrations in the ambient air at or in excess of a health-based standard.</p> <p>The bill also creates the toxic air contaminant scientific advisory board (advisory board) in the department. The advisory board consists of 3 voting members appointed by the executive director of the department and a nonvoting member representing the department. Each member of the advisory board shall:</p> <ul style="list-style-type: none"> <li>- Be professionally active or engaged in scientific research;</li> <li>- Be highly qualified to evaluate health effects from exposure to toxic substances; and</li> <li>- Have expertise in pathology, oncology, epidemiology, or toxicology.</li> </ul> <p>The advisory board will advise the commission on identifying toxic air contaminants and high-risk toxic air contaminants, establishing and revising health-based standards for high-risk toxic air contaminants, and reviewing and revising the list of covered air toxics.</p> | Monitor       |  |

**CRES Legislation Tracker 2022**

| Bill                      | Sponsors   | Topic                        | Issue              | Date      | Action   | Next Date | Next Action                    | Amend.   | Description   | CRES position | CRES Action   |
|---------------------------|--|------------------------------|--------------------|-----------|--|-----------|--------------------------------|--|---|---------------|---|
| <a href="#">HB22-1249</a> | Rep. T. Bennett, Rep. E. Hooton  | Microgrids                   | Roadmap            | 4/20/2022 | Senate Third Reading Passed - No Amendments                                      |           |                                | <a href="#">L.001</a><br><a href="#">L.002</a><br><a href="#">L.003</a><br><a href="#">J.001</a><br><a href="#">L.004</a><br><a href="#">L.005</a> | <p>The bill requires the Colorado energy office (office), in collaboration with the department of local affairs (department) and the Colorado resiliency office (resiliency office), to develop a grid resilience and reliability roadmap (roadmap) for improving the resilience and reliability of electric grids in the state (grid), which roadmap must include guidance on how microgrids may be used to harden the grid, improve grid resilience and reliability, and help serve communities' electricity needs independent of the grid. In developing the roadmap, the office, department, and resiliency office are required to engage interested persons throughout the state in stakeholder meetings and consider stakeholder input. The roadmap may identify:</p> <ul style="list-style-type: none"> <li>- The potential benefits of developing microgrids, including whether and how developing microgrids improves grid resilience and reliability;</li> <li>- The critical facilities and infrastructure and the high-risk communities that should be prioritized for microgrid projects (projects);</li> <li>- Existing and potential threats to grid resilience and reliability and how microgrids may help to overcome the threats; and</li> <li>- Recommendations regarding potential legislative or administrative changes needed to help facilitate projects, including needed statutory or rule changes, metrics for evaluating the costs and benefits of microgrids, financial and technical support for microgrid deployment, and education and outreach programs.</li> </ul> <p>The office and department are required to post the roadmap on their websites. The office is also required to submit a copy of the roadmap to the public utilities commission (commission), and, on or before March 1, 2025, in collaboration with the department, present the roadmap to the legislative committees of reference with jurisdiction over energy matters. On a periodic basis at least every 5 years, the office, department, and resiliency office are required to review the roadmap and, if necessary, update it. If the roadmap is updated, it must be posted on the office's and department's websites and submitted to the commission and the legislative committees of reference with jurisdiction over energy matters.</p> | Support       | Steve and Leslie to testify; Steve & Becky wrote letter |
| <a href="#">HB22-1282</a> | Rep. M. Lynch, Rep. K. Mullica, Sen. J. Bridges, Sen. R. Woodward, Rep. I. Jodeh, Rep. A. Pico, Rep. D. Roberts, Rep. S. Woodrow, Rep. D. Woog | Housing                      | Builder Incentives | 4/25/2022 | Senate Business, Labor, & Technology Referred to the Committee on Appropriations |           |                                | <a href="#">L.001</a><br><a href="#">L.002</a><br><a href="#">L.003</a><br><a href="#">L.004</a><br><a href="#">L.008</a>                          | <p>The bill creates the innovative housing incentive program (program) within the office of economic development (office). A business located in Colorado that manufactures certain types of housing may apply for funding through the program. Funding may be awarded through grants for capital operating expenses and for incentives for units manufactured based on criteria established by the office, such as affordability, location where the unit is installed in the state, or meeting energy efficiency standards. Or, funding may be awarded through loans for the purpose of funding a manufacturing factory. The bill creates the innovative housing incentive program fund, requires a \$40 million transfer to the fund, and continuously appropriates all money in the fund to the office to fund the program.</p>   | Support       | Sent Letter   |
| <a href="#">HB22-1346</a> | Rep. M. Duran, Rep. K. Mullica, Sen. J. Danielson  | Plumbing & Electrical Trades | Apprentice Ratio   | 4/14/2022 | House Committee on Business Affairs & Labor Refer Amended to Finance             | 4/25/2022 | Hearing at 1: 30 pm   HCR 0112 | <a href="#">L.007</a>  | <p>Sections 2 and 6 of the bill authorize the director of the division of professions and occupations in the department of regulatory agencies to appoint or employ individuals who are licensed or, if not licensed, who demonstrate substantial work experience in the electrical, plumbing, or construction industry to:</p> <ul style="list-style-type: none"> <li>! Conduct compliance checks to ensure compliance with licensing and supervisor-to-apprentice ratio requirements applicable to electricians and plumbers on projects throughout the state; and</li> <li>! Prioritize for compliance checks projects that provide or will provide critical needs to state residents.</li> </ul> <p>The bill also:</p> <ul style="list-style-type: none"> <li>! Specifies that only a homeowner performing work on the homeowner's home or a licensed master electrician or plumber who is either a registered electrical or plumbing contractor or directly employed by a registered electrical or plumbing contractor may apply for an electrical or a plumbing permit (sections 3 and 7);</li> <li>! Prohibits a licensed master electrician or plumber who is not a registered electrical or plumbing contractor and who is working as an independent contractor from applying for an electrical or a plumbing permit (sections 3 and 7) and makes a violation of this prohibition specific grounds for discipline by the electrical or plumbing board, as applicable (sections 4 and 5);</li> <li>! Requires the entity issuing the permit to verify that the applicant meets the qualifications to apply for the permit (sections 3 and 7); and</li> <li>! Requires inspecting entity procedures to include a provision allowing the inspecting entity to request worker documentation indicating compliance with worker license requirements and the supervisor-to-apprentice ratio (sections 3 and 7).</li> </ul> <p>Additionally, current law specifies that a single licensed electrician or plumber may supervise no more than 3 apprentices on any one job site. For nonresidential electrical and plumbing work, sections 1 and 8 reduce the supervisor-to-apprentice ratio to 1-to-2 starting July 1, 2025, and to 1-to-1 on and after July 1, 2028.</p>  |               |   |

**CRES Legislation Tracker 2022**

| Bill                      | Sponsors  | Topic     | Issue                          | Date      | Action  | Next Date | Next Action                   | Amend.   | Description   | CRES position | CRES Action |
|---------------------------|---|-----------|--------------------------------|-----------|---|-----------|-------------------------------|--|---|---------------|-------------|
| <a href="#">HB22-1348</a> | Rep. Y. Caraveo, Rep. M. Froelich, Sen. F. Winter, Rep. J. Amabile, Rep. J. Bacon, Rep. T. Bernett, Rep. L. Cutter, Rep. M. Duran, Rep. M. Gray, Rep. E. Hooton, Rep. I. Jodeh, Rep. C. Kennedy, Rep. C. Kipp, Rep. M. Lindsay, Rep. S. Lontine, Rep. E. Sirota | Oil & Gas | Production Chemical Regulation | 4/22/2022 | House Committee on Appropriations Refer Amended to House Committee of the Whole   | 4/26/2022 | Second Reading on House Floor | <a href="#">L.001</a><br><a href="#">L.002</a><br><a href="#">J.001</a>  | ["Summary" is quite long. Use link to read within body of the Bill. ]   |               |             |
| <a href="#">HB22-1355</a> | Rep. L. Cutter, Sen. J. Gonzales, Sen. K. Priola, Rep. T. Bernett, Rep. M. Duran, Rep. M. Froelich, Rep. E. Hooton, Rep. C. Kipp, Rep. K. McCormick, Rep. E. Sirota, Rep. B. Titone, Rep. S. Woodrow  | Recycling | Producer Responsibility        | 4/13/2022 | House Committee on Energy & Environment Refer Amended to Appropriations           |           |                               |  | On or before June 1, 2023, the executive director of the Colorado department of public health and environment must designate a nonprofit organization to implement and manage a statewide program that provides recycling services to covered entities in the state, which are defined as residences, businesses, schools, government buildings, and public places. The program is funded by annual dues paid by producers of products that use covered materials. Covered materials are defined as packaging materials and paper products that are sold, offered for sale, or distributed in the state.<br><br>["Summary" is quite long. Use link to read the rest within the body of the Bill. ]  | Support       | Sent Letter |
| <a href="#">HB22-1362</a> | Rep. T. Bernett, Rep. A. Valdez, Sen. C. Hansen, Sen. F. Winter   | GHG       | Building Codes                 | 4/22/2022 | House Committee on Appropriations Refer Unamended to House Committee of the Whole | 4/26/2022 | Second Reading on House Floor | <a href="#">L.001</a><br><a href="#">L.003</a><br><a href="#">L.004</a><br><a href="#">L.005</a><br><a href="#">L.006</a><br><a href="#">L.007</a><br><a href="#">L.008</a><br><a href="#">L.009</a> | The bill requires the Colorado energy office (office) to identify for adoption 3 sets of model code language:<br>- Model electric and solar ready code language;<br>- Model low energy and carbon code language; and<br>- Model green code language.<br>By 2025, municipalities, counties, the office of the state architect, the division of housing, and the division of fire prevention and control shall adopt and enforce an energy code that achieves equivalent or better energy performance than the 2021 international energy conservation code and the model electric and solar ready code language identified for adoption by the office.<br>By 2030, they shall adopt and enforce an energy code that achieves equivalent or better energy and carbon emissions performance than the model low energy and carbon code language identified for adoption by the office.<br>The bill creates 2 primary grant programs:<br>- The building electrification for public buildings grant program to provide grants to local governments, school districts, state agencies, and special districts for the installation of high-efficiency electric heating equipment; and<br>- The high-efficiency electric heating and appliances grant program to provide grants to local governments, utilities, nonprofit organizations, and housing developers for the installation of high-efficiency electric heating equipment in multiple structures within a neighborhood.<br>The bill establishes the clean air building investments fund, a continuously appropriated cash fund, to fund the creation, implementation, and administration of both of these grant programs. |               |             |

**CRES Legislation Tracker 2022**

| Bill                      | Sponsors  | Topic      | Issue               | Date      | Action   | Next Date | Next Action | Amend.                | Description   | CRES position | CRES Action |
|---------------------------|---|------------|---------------------|-----------|--|-----------|-------------|-----------------------|---|---------------|-------------|
| <a href="#">HB22-1372</a> | Rep. T. Carver  | Emissions  | Emergency Exemption | 4/13/2022 | Introduced In House - Assigned to State, Civic, Military, & Veterans Affairs |           |             |                       | <p>The bill authorizes the use of an emergency stationary engine if:</p> <ul style="list-style-type: none"> <li>- The emergency stationary engine is providing electric power to or mechanical work for military facilities or facilities under the control of the United States department of defense;</li> <li>- The emergency stationary engine is in compliance with 40 CFR 60, subparts IIII and JJJJ, as in effect on January 1, 2022;</li> <li>- The emergency stationary engine's air pollution control and monitoring equipment is installed, operated, and maintained in compliance with the manufacturer's standards; and</li> <li>- The emergency stationary engine is undergoing routine maintenance or testing or providing primary electrical power or mechanical work during an emergency situation pursuant to 40 CFR 60 or 63, as in effect on January 1, 2022.</li> </ul> <p>A person that operates an emergency stationary engine is required to:</p> <ul style="list-style-type: none"> <li>- Minimize the use of emergency stationary engines as much as practicable, consistent with the health, safety, and welfare of the people of Colorado;</li> <li>- Report each emergency event that causes the engine to be operated within the later of 48 hours after or noon on the business day following the emergency event;</li> <li>- Record information about each emergency event; and</li> <li>- Submit compliance reports detailing the operation of the engine, the reason for the operation, deviations, and corrective actions.</li> </ul>  | Monitor       |             |
| <a href="#">HB22-1381</a> | Rep. H. McKean, Rep. B. Titone, Sen. F. Winter, Sen. R. Woodward, Rep. M. Soper | Geothermal | Grant Program       | 4/21/2022 | House Committee on Energy & Environment Refer Amended to Finance             |           |             | <a href="#">L.001</a> | <p>The bill creates the geothermal energy grant program (grant program) in the Colorado energy office (office) within the office of the governor. The grant program offers 3 types of grants:</p> <ul style="list-style-type: none"> <li>- The single-structure geothermal grant, which is awarded to applicants that are constructing new buildings and that are installing a geothermal system as the primary heating system for the building;</li> <li>- The community district heating grant, which is awarded to support ground-source, water-source, or multisource thermal systems that serve more than one building; and</li> <li>- The geothermal electricity generation grant, which is awarded to support the development of geothermal electricity generation and hydrogen generation produced from geothermal energy.</li> </ul> <p>The bill sets qualifications, limits, and standards for awarding the grants.</p> <p>A grantee is prohibited from using the money for any purpose not specified in statute or in the grant application. Using the grant money for another purpose subjects the grantee to a civil action seeking repayment.</p> <p>The bill creates the geothermal energy grant fund (fund).The grant money in the fund is allocated in the following percentages:</p> <ul style="list-style-type: none"> <li>- Up to 40% of the total money in the fund may be awarded in grants for cost-matching public-private partnerships to support the development of geothermal electricity generation and resource development, which may include hydrogen generation produced from geothermal energy;</li> <li>- Up to 60% of the total money in the fund may be awarded in grants for constructing new buildings and remodeling existing buildings using geothermal heating, and one-fourth of the money must be awarded to eligible entities from or projects in low-income, disproportionately impacted, or just transition communities; and</li> <li>- Up to 25% of the total money in the fund may be awarded in grants to support the development of district heating systems in new construction or to retrofit existing buildings.</li> </ul> <p>The money in the fund is continuously appropriated to implement the grant program. The state treasurer will transfer \$20 million from the general fund to the fund.</p> <p>The office administers the grant program and, in doing so, must develop and apply criteria for evaluating and awarding grant applications that:</p> <ul style="list-style-type: none"> <li>- Prioritize projects in low-income, disproportionately impacted, or just transition communities; and</li> <li>- Maximize the number of additional projects that would otherwise not occur without grant money.</li> </ul> <p>Each grantee must submit an annual report to the office for 2 years following receipt of a grant award. By February 1, 2024, and each year thereafter, the office must submit a report to the transportation and energy committee of the senate and the energy and environment committee of the house of representatives. The report must include:</p> <ul style="list-style-type: none"> <li>- The grant expenditures;</li> <li>- The percentage of each type of grant awarded;</li> <li>- The total amount of matching funds that grantees provided to receive a grant;</li> <li>- The percentage of grants awarded to and for projects in low-income, disproportionately impacted, or just transition communities; and</li> <li>- To the extent available, the effects of the grants on gas use, electricity use, emissions, and energy costs.</li> </ul> |               |             |

**CRES Legislation Tracker 2022**

| Bill                      | Sponsors  | Topic                           | Issue              | Date      | Action   | Next Date | Next Action                    | Amend.   | Description  | CRES position | CRES Action        |
|---------------------------|---|---------------------------------|--------------------|-----------|--|-----------|--------------------------------|--|--|---------------|--------------------|
| <a href="#">HB22-1391</a> | Rep. J. McCluskie, Sen. C. Hansen, Sen. B. Rankin, Rep. L. Herod, Rep. K. Ransom, Sen. R. Zenzinger | Oil & Gas                       | Severance Tax      | 4/19/2022 | Introduced In House - Assigned to Finance                                      | 4/25/2022 | Hearing at 1: 30 pm   HCR 0112 |  | The bill changes the calculation of the ad valorem credit allowed against the state severance tax on oil and gas. In tax years beginning on and after January 1, 2024, the credit for ad valorem taxes is calculated on a per-well basis for wells that are not exempt from taxation by applying the prior year's mill levy to the current year's gross income multiplied by an assessment rate of 87.5%, and taking 87.5% of that amount for the credit. This calculation is simplified to multiplying 76.56% of the gross income of the well by the mill levy fixed in the prior calendar year.<br>A working group consisting of the director of the office of state planning and budgeting and the executive directors of the departments of revenue, natural resources, education, and local affairs, or their designees, is required to develop an implementation plan for making additional changes to the state severance tax on oil and gas. The implementation plan must make recommendations concerning the steps necessary to change the legal incidence of tax from interest owners to operators while maintaining revenue neutrality, require electronic filing of returns for severance taxes, and require additional electronic data collection to the tax. | Monitor       |                    |
| <a href="#">HB22-1394</a> | Rep. D. Esgar, Rep. D. Roberts, Sen. K. Donovan, Sen. F. Winter                                     | Coal                            | Just Transition    | 4/20/2022 | Introduced In House - Assigned to Transportation & Local Government            | 4/26/2022 | Hearing at 1: 30 pm   LSB A    |  | The bill transfers \$15 million from the general fund, with \$5 million allocated to the just transition cash fund and \$10 million allocated to the coal transition workforce assistance program account, and directs the department of labor and employment, through the just transition office, to expend the money for specified coal community and worker supports.   |               |                    |
| <a href="#">SB22-026</a>  | Sen. J. Ginal, Sen. B. Kirkmeyer, Rep. A. Boesenecker, Rep. J. Rich                                 | Oil & Gas                       | Property Tax       | 3/30/2022 | Governor Signed  |           |                                | <a href="#">L_001</a>  | Current law requires a county property tax assessor (assessor) to send a notice of valuation of personal property to the operator of each wellsite, or if there is no operator, to the owner who has filed a statutorily required statement with the assessor.<br>The bill:<br>States that oil and gas fractional interest owners are not entitled to separate valuation, notification, review, audit, protest, abatement, or appeal procedures by the assessor; and<br>Designates the operator of each wellsite, or if there is no operator, the owner who filed the statement, as the representative of all fractional interest owners and as the exclusive point of contact for the assessor for all notification, review, audit, protest, abatement, and appeal procedures.  |               |                    |
| <a href="#">SB22-051</a>  | Sen. C. Hansen  | Heat Pumps & Building Materials | Tax Benefits       | 4/21/2022 | House Committee on Energy & Environment Refer Amended to Finance               |           |                                | <a href="#">L_001</a><br><a href="#">L_002</a><br><a href="#">L_003</a><br><a href="#">L_004</a><br><a href="#">L_007</a><br><a href="#">L_008</a><br><a href="#">L_009</a><br><a href="#">L_010</a> | The bill specifies that air-source and ground-source heat pump systems are household furnishings exempt from the levy and collection of property tax. The bill exempts air-source and ground-source heat pump systems from the definition of "fixtures" for property tax purposes.<br>Beginning July 1, 2024, the bill exempts from state sales and use tax all sales, storage, and use of eligible decarbonizing building materials. "Eligible decarbonizing building materials" are defined as building materials that have a maximum acceptable global warming potential as determined by the office of the state architect.<br>In addition, beginning January 1, 2023, the bill exempts from state sales and use tax all sales, storage, and use of air-source and ground-source heat pump systems that are used in commercial or residential buildings.<br>The bill specifies that a statutory town, city, or county may exempt the same items only by express inclusion of the exemption in its initial sales tax ordinance or resolution or by amendment thereto.   | Support       | Vince wrote letter |
| <a href="#">SB22-110</a>  | Sen. J. Sonnenberg, Rep. R. Pelton  | Wind                            | Aircraft Detection | 4/22/2022 | House Second Reading Special Order - Passed with Amendments - Committee, Floor | 4/25/2022 | Second Reading on House Floor  | <a href="#">L_002</a><br><a href="#">L_003</a><br><a href="#">L_004</a><br><a href="#">L_005</a><br><a href="#">L_006</a>  | The bill requires that, on or before September 1, 2024, an owner or operator of a wind-powered energy generation facility (facility) that is required to obtain a land-use permit from a local government equip the facility with an aircraft detection lighting system (system). The bill defines a system as a sensor-based system that is designed to detect approaching aircraft and that meets federal aviation administration requirements. An owner or operator of a facility is solely responsible for the costs of installing, operating, or maintaining a system and may request from the governing body of the local government an extension of time up to one year to equip a facility with a system. A local government may revoke an existing land-use permit or, if an application for permit renewal is pending, refuse to renew a land-use permit if a facility owner or operator fails to comply with the bill. The board of county commissioners in the county in which a facility is located may adopt and enforce an ordinance or resolution to authorize the board to impose civil penalties against a facility owner or operator if the board determines that the owner or operator has failed to comply with the bill.                             |               |                    |

**CRES Legislation Tracker 2022**

| Bill                     | Sponsors  | Topic      | Issue   | Date      | Action   | Next Date | Next Action | Amend.  | Description   | CRES position | CRES Action   |
|--------------------------|---|------------|---------|-----------|--|-----------|-------------|---|---|---------------|---|
| <a href="#">SB22-118</a> | Sen. R. Woodward,<br>Rep. R. Holtorf,<br>Rep. D. Valdez, Sen. D. Hisey, Sen. P. Lundeen, Sen. K. Priola, Sen. B. Rankin, Sen. R. Scott, Sen. J. Sonnenberg,<br>Rep. M. Lynch, Rep. H. McKean, Rep. R. Pelton, Rep. A. Pico, Rep. J. Rich, Rep. T. Van Beber, Rep. K. Van Winkle, Rep. P. Will | Geothermal | Promote | 4/20/2022 | House Committee on Energy & Environment Refer Amended to Finance |           |             | <a href="#">L.001</a><br><a href="#">L.003</a><br><a href="#">J.002</a><br><a href="#">L.004</a><br><a href="#">L.005</a> | <p>The bill modifies the following statutory provisions that apply to solar energy so that they also apply to geothermal energy, which generally is using the heat of the earth to generate electricity or to heat or cool space or water:</p> <p>Section 1 of the bill requires the Colorado energy office (office) to develop basic consumer education and guidance about leased or purchased geothermal installation, in consultation with industries that offer these options to consumers;</p> <p>Sections 2, 6, and 8 limit the aggregate of all charges or other related or associated fees the state, a county, or a municipality may impose or assess to install a geothermal energy system;</p> <p>Section 3 specifies that geothermal equipment is a type of pollution control equipment that the division of administration in the department of public health and environment may certify as pollution control equipment;</p> <p>Section 4 specifies that a "project" for purposes of the "County and Municipality Development Revenue Bond Act" includes capital improvements to existing single-family residential, multi-family residential, commercial, or industrial structures, to retrofit such structures for installation of geothermal improvements;</p> <p>Section 5 permits a county board of commissioners or a regional planning commission, and section 9 requires a municipal development commission, to include methods for assuring access to appropriate conditions for geothermal energy sources in a master plan for development;</p> <p>Section 7 specifies that the addition of a geothermal energy device to a building is not necessarily considered a structural alteration for purposes of continuing a nonconforming use of a building, structure, or land under a county zoning resolution;</p> <p>Section 10 permits the Colorado agricultural value-added development board to use some of the money in the agriculture value-added cash fund for geothermal energy generation facilities that are collocated with agricultural uses;</p> <p>Section 11 adds a geothermal energy device to the types of renewable energy generation devices that cannot be prohibited in legal instruments related to the transfer or sale of, or interest in, real property;</p> <p>Section 13 includes an independently owned geothermal energy system, which is defined in section 12, in the property tax exemption for household furnishings;</p> <p>Section 14 creates community geothermal gardens, which are analogous to community solar gardens; and</p> <p>Sections 15 and 16 create conforming amendments to the definition of "qualified community location" to incorporate community geothermal gardens for purposes of local improvement districts and municipal special improvement districts.</p> <p>Section 1 requires the office to update the greenhouse gas pollution reduction roadmap to expressly include geothermal energy as a renewable energy resource that qualifying retail utilities may use to achieve the electric utility sector greenhouse gas pollution reduction goals set forth in the roadmap.</p> | Monitor       | Steve testified as opposed to the bill as written as an individual; Tom taked to Sponsor Valdez |

CRES Legislation Tracker 2022

| Bill                     | Sponsors  | Topic          | Issue              | Date      | Action  | Next Date | Next Action                | Amend.   | Description  | CRES position | CRES Action          |
|--------------------------|---|----------------|--------------------|-----------|---|-----------|----------------------------|--|--|---------------|----------------------|
| <a href="#">SB22-138</a> | Sen. C. Hansen, Rep. A. Valdez                                  | GHG            | Reduction Measures | 4/22/2022 | Introduced In House - Assigned to Energy & Environment                  |           |                            | <a href="#">L_001</a><br><a href="#">L_007</a><br><a href="#">L_009</a><br><a href="#">L_010</a><br><a href="#">L_011</a><br><a href="#">L_012</a><br><a href="#">L_013</a><br><a href="#">L_016</a><br><a href="#">L_018</a><br><a href="#">J_001</a><br><a href="#">L_019</a>                          | <p>Section 1 of the bill requires each insurance company issued a certificate of authority to transact insurance business to prepare and file an annual report with the insurance commissioner providing a climate-risk assessment for the insurance company's investment portfolio from the previous 12 months. The commissioner of insurance is required to post the reports on the division of insurance's website. Section 1 defines "climate-risk assessment" as a determination of the economic and business risks that climate change poses to an investment.</p> <p>Section 2 requires the board of trustees of the public employees' retirement association (PERA board) to prepare a similar annual report and post it on the PERA board's website.</p> <p>Section 3 updates the statewide greenhouse gas (GHG) emission reduction goals to add a 40% reduction goal for 2028 compared to 2005 GHG pollution levels and a 75% reduction goal for 2040 compared to 2005 GHG pollution levels.</p> <p>Section 4 defines a small off-road engine as a gasoline-powered engine of 50 horsepower or less used to fuel small off-road equipment like lawn mowers and leaf blowers.</p> <p>Section 4 phases out the use of small off-road engines by prohibiting their sale in nonattainment areas of the state on or after January 1, 2030, and by providing financial incentives to promote the replacement of small off-road engines with electric-powered, small off-road equipment before 2030.</p> <p>Section 11 establishes a state income tax credit in an amount equal to 30% of the purchase price for new, electric-powered, small off-road equipment for purchases made in income tax years 2023 through 2029.</p> <p>Section 6 gives the oil and gas conservation commission authority over class VI injection wells used for sequestration of GHG, including through the issuance and enforcement of permits.</p> <p>Section 7 requires the commissioner of agriculture or the commissioner's designee, in consultation with the Colorado energy office and the air quality control commission, to conduct a study examining carbon reduction and sequestration opportunities in the agricultural sector in the state, including the potential development of certified carbon offset programs or credit instruments. On or before December 15, 2022, the commissioner of agriculture or the commissioner's designee is required to submit a report summarizing the study, including any legislative recommendations, to the general assembly.</p> <p>In support of the use of agrivoltaics, which is the colocation of solar energy generation facilities on a parcel of land with agricultural activities, section 8 authorizes the Colorado agriculture value-added development board (board) to provide financing, including grants or loans, for agricultural research on the use of agrivoltaics. For a research project for which the board awards money to study the use of agrivoltaics, sections 5 and 8 require the director of the division of parks and wildlife to consult on the research project regarding the wildlife impacts of agrivoltaic use.</p> <p>Section 9 authorizes the board to seek, accept, and expend gifts, grants, and donations, including donations of in-kind resources such as solar panels, for use in agricultural research projects. Section 9 also updates the statutory definition of "agrivoltaics" to list additional agricultural activities on the parcel of land on which solar panel generation facilities may be colocated, including animal husbandry, cover cropping for soil health, and carbon sequestration.</p> <p>Section 10 amends the statutory definition of "solar energy facility" used in determining the valuation of public utilities for property tax purposes to include agrivoltaics.</p> | Support       | Rebecca wrote letter |
| <a href="#">SB22-180</a> | Sen. N. Hinrichsen, Sen. F. Winter, Rep. J. Bacon, Rep. M. Gray | Transportation | Ozone Reduction    | 4/20/2022 | Introduced In House - Assigned to Energy & Environment                  | 4/28/2022 | Hearing at 1:30 pm   LSB A | <a href="#">L_001</a>  | <p>The bill creates the ozone season transit grant program (program) in the Colorado energy office (office). The program provides grants to the regional transportation district (RTD) and transit associations in order to provide free transit services for at least 30 days during ozone season. A transit association receiving a grant may use the money to make grants to eligible transit agencies. The eligible transit agencies may use the money to provide at least 30 days of new or expanded free transit services during ozone season. The RTD may use grant money to cover up to 80% of the costs of providing free transit for at least 30 days on all services offered by the RTD during ozone season. Eligible transit agencies and the RTD can use the money to cover lost fare box revenues and to pay for other expenses necessary to implement the program, including expenses associated with an increase in ridership as a result of the program. The RTD and a transportation association receiving a grant are required to report to the office on the services offered and estimates of the change in ridership as a result of the program. The office is required to establish policies governing the program and to report to the house and senate transportation committees by December 31 of each year of the program. The program is repealed, effective July 1, 2024.</p> <p>The transit and rail division (division) in the department of transportation is required to create a 3-year pilot project to extend state-run transit services throughout the state with the goals of reducing ground level ozone, increasing ridership, and reducing vehicle miles traveled in the state. The division is required to report to the transportation legislation review committee on the pilot project. The pilot project is repealed, effective July 1, 2026.</p>  |               |                      |
| <a href="#">SB22-193</a> | Sen. S. Fenberg, Sen. J. Gonzales, Rep. A. Valdez               | Air Quality    | Grant Programs     | 4/21/2022 | House Committee on Energy & Environment Refer Amended to Appropriations |           |                            | <a href="#">L_001</a><br><a href="#">L_003</a><br><a href="#">L_005</a><br><a href="#">L_006</a><br><a href="#">L_009</a><br><a href="#">L_010</a><br><a href="#">L_011</a><br><a href="#">L_012</a><br><a href="#">L_013</a><br><a href="#">L_015</a><br><a href="#">L_016</a><br><a href="#">L_017</a> | <p>Industrial and manufacturing operations clean air grant program</p> <p>Community access to electric bicycles</p> <p>Diesel truck emissions reduction grant program</p> <p>Electrifying school buses grant program</p> <p>[ Entire "Summary" is quite long. Use link to read within body of the Bill. ]</p>  |               |                      |

**CRES Legislation Tracker 2022**

| Bill                      | Sponsors   | Topic          | Issue                 | Date      | Action  | Next Date | Next Action                             | Amend. | Description  | CRES position             | CRES Action  |
|---------------------------|--|----------------|-----------------------|-----------|---|-----------|---|--------|--|---------------------------|--|
| <a href="#">SB22-198</a>  | Sen. S. Fenberg, Sen. R. Scott, Rep. M. Weissman, Rep. P. Will | Oil & Gas      | Orphaned Wells        | 4/20/2022 | Senate Committee on Finance Refer Unamended to Appropriations                 | 4/26/2022 | Hearing at 8: 15 am   LSB B             |        | <p>The bill creates the orphaned wells mitigation enterprise (enterprise) in the department of natural resources for the purpose of:</p> <ul style="list-style-type: none"> <li>- Plugging, reclaiming, and remediating orphaned wells located in the state for which no owner or operator can be found or for which the owner or operator is unwilling or unable to pay the costs of plugging and abandoning the well;</li> <li>- Ensuring that the costs associated with the plugging, reclaiming, and remediating of orphaned wells are borne by operators in the form of mitigation fees;</li> <li>- Determining the amounts of mitigation fees; and</li> <li>- Imposing and collecting mitigation fees.</li> </ul> <p>On or before August 1, 2022; on or before April 30, 2023; and on or before April 30 each year thereafter, each operator shall pay a mitigation fee to the enterprise for each well that has been spud but is not yet plugged and abandoned, in accordance with rules promulgated by the Colorado oil and gas conservation commission (commission), in the following amounts:</p> <ul style="list-style-type: none"> <li>- For operators with production that is equal to or less than a threshold to be determined by rules of the commission, \$125 for each well; or</li> <li>- For operators with production that exceeds a threshold to be determined by rules of the commission, \$225 for each well.</li> </ul> <p>Money collected as mitigation fees is credited to the orphaned wells mitigation enterprise cash fund (fund), which is created in the bill.</p> <p>The bill also creates the orphaned wells mitigation enterprise board (enterprise board) and requires the enterprise board to administer the enterprise and, at least annually, to:</p> <ul style="list-style-type: none"> <li>- Consider whether the mitigation fee amounts should be increased or reduced, based on current circumstances and reasonably anticipated future expenditures from the fund;</li> <li>- If the enterprise board determines that an increase or reduction of the mitigation fee amounts is warranted, adjust the mitigation fee amounts; and</li> <li>- Advise the commission of the outcome of the enterprise board's deliberations.</li> </ul> <p>The commission may promulgate rules as necessary to implement the enterprise.</p> |                           |  |
| <a href="#">SB22-206</a>  | Sen. S. Fenberg  | Climate        | Disaster Preparedness | 4/14/2022 | Introduced In Senate - Assigned to State, Veterans, & Military Affairs        | 4/26/2022 | Hearing at 2: 00 pm   Old Supreme Court |        | <p>Concerning resources for disaster preparedness and recovery, and, in connection therewith, creating the disaster resilience rebuilding program, the sustainable rebuilding program, and the office of climate preparedness.</p> <p>[ Entire "Summary" is quite long. Use link to read within body of the Bill. ]</p>  |                           |  |
| <a href="#">XB22-016</a>  | Sen. R. Scott  | Transportation | Commission Membership | 2/8/2022  | Senate Committee on Transportation & Energy Postpone Indefinitely             |           |   |        | <p>The membership of the transportation commission (commission) currently consists of 11 members appointed by the governor with the consent of the senate from statutorily designated districts. If the bill is approved by the voters of the state at the November 2022 general election, on February 1, 2025, section 2 of the bill will replace the current membership of the commission with 9 members elected at the November 2024 general election, one from each congressional district of the state and one from the state at large. Thereafter, whenever the number of congressional districts in the state is odd, the membership of the commission consists of one member elected from each congressional district of the state, and whenever the number of congressional districts in the state is even, the membership of the commission consists of one member elected from each congressional district of the state and one member elected from the state at large.</p>   | Oppose                    | Becky wrote letter                                 |
| <a href="#">XB22-073</a>  | Sen. B. Rankin Rep. H. McKean                                  | Energy         | Small Nuke Study      | 2/17/2022 | Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely |           |   |        | <p>The bill requires the director of the office of economic development (office) or the director's designee to conduct or cause to be conducted a study (feasibility study) regarding the feasibility of using small modular nuclear reactors as a carbon-free energy source for the state and includes specific items that must be included in the feasibility study.</p> <p>By July 1, 2024, the director of the office is required to provide a written report to the committees of the senate and house of representatives having jurisdiction over energy matters regarding the findings and conclusions from the feasibility study. The bill appropriates \$500,000 from the general fund to the office for the 2022-23 fiscal year to be used for the purposes of the feasibility study.</p> <p>In addition, current law defines recycled energy as energy produced by a generation unit with a nameplate capacity of not more than 15 megawatts. For pumped hydroelectricity generation only, the bill specifies that the energy be produced by a generation unit with a nameplate capacity of not more than 400 megawatts.</p>  | Monitor for honest study. | Steve to explore                                   |
| <a href="#">XB22-082</a>  | Sen. K. Donovan, Sen. D. Moreno                                | Air Quality    | Geographic Area       | 2/16/2022 | Senate Committee on Health & Human Services Postpone Indefinitely             |           |   |        | <p>The bill requires the division of administration in the department of public health and environment to analyze data published by the United States environmental protection agency. The purpose of this analysis is to identify geographical areas in which hazardous air pollutants have the greatest negative effects on human health and then to propose a rule to the air quality control commission to address these areas. The commission will consider the rule at a hearing.</p> <p>The division will also create and publish a map showing areas where hazardous air pollutants have the greatest potential for causing chronic human health effects.</p>  | Support                   | Becky Wrote Letter                                 |
| <a href="#">XB22-1020</a> | Rep. D. Woog Sen. B. Kirkmeyer                                 | Energy         | Right to Use Energy   | 2/3/2022  | House Committee on Energy & Environment Postpone Indefinitely                 |           |   |        | <p>The bill prohibits a state agency, local government, and common interest community from limiting or prohibiting the use of natural gas, propane, solar photovoltaics, micro wind turbines, or small hydroelectric power for electricity generation, cooking, hot water, or space heating in residences, units, or businesses.</p>   | Oppose                    | Steve wrote letter to Sponsors and House Committee |

**CRES Legislation Tracker 2022**

| Bill                      | Sponsors  | Topic       | Issue           | Date      | Action   | Next Date | Next Action | Amend. | Description  | CRES position | CRES Action |
|---------------------------|---|-------------|-----------------|-----------|--|-----------|-------------|--------|--|---------------|-------------|
| <a href="#">XB22-1124</a> | Rep. R. Pelton<br>Sen. B. Rankin                | Recycling   | Vehicles        | 3/10/2022 | House<br>Committee on<br>Finance<br>Postpone<br>Indefinitely   |           |             |        | <p>For income tax years commencing on or after January 1, 2023, but prior to January 1, 2028, the bill allows a \$750 income tax credit to any taxpayer that purchases a new motor vehicle (purchaser) and at the same time trades in an old motor vehicle for recycling. The purchase of the new motor vehicle and the trade in for recycling of the old motor vehicle are required to occur through the same licensed motor vehicle dealer. The bill defines a vehicle that is a 2015 model year or newer as a "new motor vehicle" and a vehicle that is a model year 2009 or older as an "old motor vehicle".</p> <p>The purchaser is required to assign the tax credit to the purchaser's financing entity in a manner specified in the bill, and the financing entity is required to compensate the purchaser for the full nominal value of the tax credit. To complete the tax credit assignment, the purchaser and the financing entity are required to enter into an agreement that identifies the vehicle identification numbers of the old motor vehicle and the new motor vehicle, includes certification from the licensed motor vehicle dealer that the old motor vehicle will be traded for recycling pursuant to current law, and satisfies all other requirements regarding the assignment of the tax credit.</p> <p>The financing entity is required to electronically submit a report containing the information required in the agreement to the department of revenue (department) in a form and manner to be determined by the department. In addition, the financing entity is required to file the agreement described with the original tax return for the taxable year in which the old motor vehicle is traded in for recycling and a new motor vehicle is purchased.</p> <p>The licensed motor vehicle dealer that sells the purchaser the new motor vehicle and takes the old motor vehicle for recycling is required to certify, in a form and manner to be determined by the department, that an old motor vehicle that is traded in for recycling for the purpose of claiming the tax credit will be recycled in accordance with current law.</p> <p>A licensed motor vehicle dealer that provides certification that it will recycle an old motor vehicle but that fails to transfer the vehicle for recycling is subject to a fine.</p>   | Monitor       |             |
| <a href="#">XB22-1128</a> | Rep. A. Pico<br>Rep. S. Luck<br>Sen. P. Lundeen | Regulations | Industry Burden | 2/7/2022  | House<br>Committee on<br>State, Civic,<br>Military, &<br>Veterans Affairs<br>Postponed<br>Indefinitely |           |             |        | <p>Under current law, executive agency rules take effect 20 days after the agency adopts the rule, or on a later date if specified in the rule. After adoption, the office of legislative legal services (OLLS) at the direction of the general assembly's committee on legal services (committee) reviews agency rules on an annual cycle, commencing with agency rules adopted on or after November 1 of one year through October 31 of the following year, and recommends the expiration of certain rules to the committee based a determination that the rules do not comply with statute. The committee votes on whether to recommend the nonextension of those rules to the general assembly, as reflected in the annual rule review bill. Rules that are not extended by the general assembly in the annual rule review bill expire on May 15 of the year following the year in which they were enacted.</p> <p>The bill requires the governor or the governor's designee to review each proposed rule for compliance with the agency's statutory authority and other criteria set forth in statute, and prohibits an agency from adopting such proposed rule unless and until the governor or governor's designee determines its compliance.</p> <p>The bill creates a new prior review process for review of rules adopted by an agency on and after November 1, 2022, that significantly increase the regulatory burden on businesses, professions, occupations, and industries, including the oil and gas, aerospace, energy efficiency and environmental technology, transportation, and agriculture industries (economic impact rules). As part of the rule-making process, the agency determines whether the rule is an economic impact rule at the conclusion of the rule-making process. The agency must send the list of economic impact rules to the general assembly, the OLLS, and the secretary of state. A rule that an agency determines to be an economic impact rule cannot take effect until completion of the prior review process established in the bill.</p> <p>Each economic impact rule is assigned to a single legislative prior review committee consisting of the members of either the house of representatives' or senate's committee of reference that hears matters relating to the subject of the economic impact rule or that considered the legislation authorizing the economic impact rule. Within 21 days after the commencement of the regular legislative session, the prior review committee may select economic impact rules for review under the prior review process established in the bill. Economic impact rules that are not selected for prior review take effect on the twenty-second day after the commencement of the legislative session.</p> <p>With respect to economic impact rules selected by a prior review committee for prior review, the prior review committee may take the following actions:</p> <ul style="list-style-type: none"> <li>- By majority vote, make the rule effective immediately or on another date;</li> <li>- By majority vote, determine that the rule exceeds the agency's rule-making authority or fails to meet other requirements for rule-making set forth in statute; or</li> <li>- Take no action.</li> </ul> <p>If the committee takes no action on a selected economic impact rule within 64 days after the commencement of the applicable regular legislative session, the selected rule is deemed effective on the sixty-fifth day after the commencement of the legislative session.</p> |               |             |



