

HB1007_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Energy & Environment.

HB26-1007 be amended as follows:

- 1 Amend printed bill, page 3, after line 15 insert:
 - 2 "(b) UL labeling and listing, building codes, and fire codes ensure
 - 3 consumer safety for renewable energy devices;".
- 4 Reletter succeeding paragraphs accordingly.
- 5 Amend printed bill, page 4, line 15, strike "**definition.**" and substitute
- 6 "**definitions.**".
- 7 Page 4, strike line 16 and substitute:
 - 8 "(1) AS USED IN THIS SECTION:
 - 9 (a) "COMMON INTEREST COMMUNITY" HAS THE MEANING SET
 - 10 FORTH IN SECTION 38-33.3-103 (8).
 - 11 (b) "ENERGY EFFICIENCY MEASURE" HAS THE MEANING SET FORTH
 - 12 IN SECTION 38-33.3-106.7 (1)(b).
 - 13 (c) "LIMITED COMMON ELEMENT" HAS THE MEANING SET FORTH IN
 - 14 SECTION 38-33.3-103 (19).
 - 15 (d) "PERSON" HAS THE MEANING SET FORTH IN SECTION 2-4-401
 - 16 (8).
 - 17 (e) "PORTABLE-SCALE SOLAR".
- 18 Page 4, line 17, after "A" insert "SINGLE " and after "SYSTEM" insert "PER
- 19 ADDRESS".
- 20 Page 4, line 19, strike "(a)" and substitute "(I)".
- 21 Page 4, line 21, strike "AND".
- 22 Page 4, line 22, strike "(b)" and substitute "(II)" and strike "CERTIFIED"
- 23 and substitute "LABELED AND LISTED".
- 24 Page 4, strike line 23 and substitute "LABORATORY; AND
- 25 (III) COMPLIES WITH GENERALLY APPLICABLE LOCAL BUILDING
- 26 CODE AND FIRE CODE REQUIREMENTS.".
- 27 Page 5, strike lines 1 through 3 and substitute "GENERATION DEVICE
- 28 SHALL NOT CONNECT MORE THAN ONE DEVICE TO A SINGLE WALL OUTLET
- 29 PER ADDRESS.".
- 30 Page 5, line 4, after "(4)" insert "(a)".

1 Page 5, line 6, strike "(a)" and substitute "(I)".

2 Page 5, line 8, strike "(b)" and substitute "(II)".

3 Page 5, line 10, strike "(c)" and substitute "(III)".

4 Page 5, strike line 12 and substitute "DEVICE PURSUANT TO THE UL
5 LISTING OF THE DEVICE.

6 (b) A PROVIDER OF RETAIL ELECTRIC SERVICE OR WHOLESALE
7 ENERGY MAY REQUIRE A CUSTOMER TO NOTIFY THE PROVIDER OF THE
8 CUSTOMER'S USE OF A PORTABLE-SCALE SOLAR GENERATION DEVICE BY
9 INDICATING THE PRESENCE AND SIZE OF THE DEVICE IN KILOWATTS."

10 Page 5, after line 20 insert:

11 "(6) ON AND AFTER JANUARY 1, 2027, A PERSON SHALL NOT SELL,
12 LEASE, OR RENT A PORTABLE-SCALE SOLAR GENERATION DEVICE THAT HAS
13 A POWER OUTPUT OF NOT MORE THAN THREE HUNDRED NINETY-ONE
14 WATTS IN THE STATE AND IS NOT UL LABELED AND LISTED. "

15 Page 5, strike lines 21 through 27 and substitute:

16 "(7) ON AND AFTER JANUARY 1, 2027:

17 (a) A PERSON SHALL NOT DIRECTLY OR INDIRECTLY PROHIBIT THE
18 INSTALLATION, USE, OR OPERATION OF A PORTABLE-SCALE SOLAR
19 GENERATION DEVICE;

20 (b) A COVENANT OR RESTRICTION THAT EXPLICITLY OR
21 INDIRECTLY PROHIBITS OR UNREASONABLY RESTRICTS THE INSTALLATION,
22 USE, OR OPERATION OF A PORTABLE-SCALE SOLAR GENERATION DEVICE IS
23 UNENFORCEABLE AND VOID AS A MATTER OF PUBLIC POLICY; AND

24 (c) A PORTABLE-SCALE SOLAR GENERATION DEVICE IS CONSIDERED
25 AN ENERGY EFFICIENCY MEASURE FOR THE PURPOSES OF SECTION
26 38-33.3-106.7; EXCEPT THAT, NOTWITHSTANDING SECTION 38-33.3-106.7
27 (3)(d), A REAL PROPERTY OWNER MAY INSTALL, USE, OR OPERATE A
28 DEVICE ON REAL PROPERTY THAT IS A LIMITED COMMON ELEMENT OF A
29 COMMON INTEREST COMMUNITY.

30 (8) A PROVIDER OF RETAIL ELECTRIC SERVICE OR WHOLESALE
31 ENERGY IS NOT LIABLE FOR ANY DAMAGE OR INJURY CAUSED BY A
32 PORTABLE-SCALE SOLAR GENERATION DEVICE."

33 Page 6, strike line 1.

34 Page 6, line 10, after "ADAPTER" insert "THAT IS APPROVED BY A
35 NATIONALLY RECOGNIZED TESTING LABORATORY".

36 Page 6, line 25, after "AND" insert "OTHER APPLICABLE STANDARDS, AS
37 DETERMINED BY A NATIONALLY RECOGNIZED TESTING LABORATORY, AND

1 IS".

2 Page 7, after line 1 insert:

3 "(c) IF THE INSTALLATION OF AN APPROVED METER COLLAR
4 ADAPTER REQUIRES REMOVAL OF THE METER, ALLOW A QUALIFYING
5 RETAIL UTILITY TO REQUIRE THAT THE INSTALLATION WORK BE
6 PERFORMED BY THE QUALIFYING RETAIL UTILITY OR A THIRD PARTY
7 APPROVED BY THE QUALIFYING RETAIL UTILITY IN A TIMELY MANNER AND
8 AT NO ADDITIONAL COST TO THE CUSTOMER;"

9 Reletter succeeding paragraphs accordingly.

10 Page 7, line 7, strike "A QUALIFYING RETAIL UTILITY TO ALLOW FOR".

11 Page 7, line 9, strike "AND".

12 Page 7, line 12, strike "RESOURCE." and substitute "RESOURCE THAT HAS
13 A POWER OUTPUT OF NO MORE THAN TEN KILOWATTS; AND

14 (g) PROHIBIT A QUALIFYING RETAIL UTILITY FROM REQUIRING A
15 PRODUCTION METER AS A CONDITION OF INTERCONNECTION FOR A
16 CUSTOMER-SITED DISTRIBUTED ENERGY RESOURCE, EXCEPT IF THE
17 CUSTOMER ELECTS TO PARTICIPATE IN A PRODUCTION-BASED INCENTIVE
18 PROGRAM."

19 Page 9, after line 25 insert:

20 "SECTION 5. In Colorado Revised Statutes, 38-33.3-106.7,
21 amend (1)(b)(V) and (1)(b)(VI); and add (1)(b)(VII) as follows:

22 **38-33.3-106.7. Unreasonable restrictions on energy efficiency**
23 **measures - definitions.**

24 (1) (b) As used in this section, "energy efficiency measure" means
25 a device or structure that reduces the amount of energy derived from
26 fossil fuels that is consumed by a residence or business located on the real
27 property. "Energy efficiency measure" is further limited to include only
28 the following types of devices or structures:

29 (V) A retractable clothesline; ~~and~~

30 (VI) A heat pump system, as defined in section 39-26-732 (2)(c);

31 AND

32 (VII) ON AND AFTER JANUARY 1, 2027, A PORTABLE-SCALE SOLAR
33 GENERATION DEVICE, AS DEFINED IN SECTION 40-2-140 (1)(e)."

34 Renumber succeeding section accordingly.

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