

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 24-0240.01 Jery Payne x2157

HOUSE BILL 24-1051

HOUSE SPONSORSHIP

Boesenecker and Mauro,

SENATE SPONSORSHIP

Gonzales and Priola, Bridges, Buckner, Cutter, Exum, Fenberg, Fields, Gardner, Hinrichsen, Jaquez Lewis, Kolker, Michaelson Jenet, Mullica, Sullivan, Winter F.

House Committees

Transportation, Housing & Local Government
Finance
Appropriations

Senate Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE REGULATION OF BUSINESSES THAT OBTAIN A PERMIT**
102 **FROM THE PUBLIC UTILITIES COMMISSION TO TOW MOTOR**
103 **VEHICLES, AND, IN CONNECTION THEREWITH, MAKING AN**
104 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Transportation Legislation Review Committee. The bill requires a driver of tow trucks to undergo a fingerprint-based criminal history record check (check). If the check produces a criminal history that

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
May 6, 2024

SENATE
2nd Reading Unamended
May 4, 2024

HOUSE
3rd Reading Unamended
April 24, 2024

HOUSE
Amended 2nd Reading
April 23, 2024

the public utilities commission (commission) determines is inappropriate to drive a tow truck, the driver will not be permitted to drive the tow truck.

Current law authorizes the commission to deny or refuse to renew a towing carrier permit if:

- The towing carrier was convicted within the last 5 years of a felony or a towing-related offense or has failed to satisfy a civil penalty imposed by the commission; or
- The commission determines that it is not in the public interest for the towing carrier to hold a towing carrier permit.

The bill:

- Authorizes the commission to suspend or revoke a permit for each of these specified violations;
- Authorizes the commission to suspend or revoke a permit if it is not in the public interest for the towing carrier to hold a towing permit; and
- Sets a rebuttable presumption that it is not in the public interest for a towing carrier to hold a permit if the towing carrier has violated the towing laws.

The bill prohibits a member of the towing task force in the department of regulatory agencies, which advises the commission on towing matters, from voting on a matter that will financially benefit the member or if the member is the subject of a complaint about which the task force is advising the commission.

Current law requires the commission to report certain towing issues and financial information to certain committees of the Senate and House of Representatives of the general assembly. The bill requires the commission to promulgate a rule to require towing carriers to provide:

- Any information needed to prepare the report;
- Audited financial statements; and
- Any other information required by the commission.

The bill directs the commission to aggregate and anonymize the financial statements and make the aggregated and anonymized data publicly available.

A towing carrier is forbidden from patrolling or monitoring property to enforce parking restrictions on behalf of the property owner.

Currently, the owner of a motor vehicle pays to retrieve the motor vehicle when the vehicle has been nonconsensually towed from another person's property. The bill requires certain property owners to pay for the removal of the vehicle from their property and for any storage for the first 30 days. The towing carrier is required to notify the vehicle owner that the vehicle owner can retrieve the vehicle free of charge for the first 30 days.

If a motor vehicle is nonconsensually towed in violation of the

rights granted in state statute, the towing carrier must, within 48 hours after the determination of a statutory violation, return the vehicle to the place it was towed from.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 40-10.1-401, **amend**
3 (2) as follows:

4 **40-10.1-401. Permit requirements - rules.** (2) (a) (I) The
5 commission may deny an application FOR or SUSPEND, REVOKE, OR refuse
6 to renew a permit under this part 4 of a person ~~who~~ THAT has, within the
7 immediately preceding five years, been convicted of, or pled guilty or
8 nolo contendere to, a felony or a towing-related offense. The commission
9 may also deny an application under this part 4 or SUSPEND, REVOKE, OR
10 refuse to renew the permit of a towing carrier based upon a determination
11 that the towing carrier or any of its owners, principals, officers, members,
12 partners, or directors has not satisfied a civil penalty arising out of ~~any~~ AN
13 administrative or enforcement action brought by the commission.

14 (II) A TOWING CARRIER THAT APPLIES FOR A PERMIT OR THAT
15 APPLIES TO RENEW A PERMIT SHALL DISCLOSE TO THE COMMISSION EACH
16 PERSON THAT IS IDENTIFIED AS A PRINCIPAL IN ACCORDANCE WITH RULES
17 PROMULGATED BY THE COMMISSION.

18 (b) The commission may deny an application FOR or SUSPEND,
19 REVOKE, OR refuse to renew a permit of a towing carrier under this part
20 4 based on a determination that ~~there is good cause to believe the~~
21 ~~issuance of or renewal of the permit~~ IT is not in the public interest FOR
22 THE TOWING CARRIER TO POSSESS A PERMIT. The determination is subject
23 to appeal in accordance with commission rules. IT IS REBUTTABLY
24 PRESUMED THAT A TOWING CARRIER'S POSSESSION OF A PERMIT IS NOT IN

1 THE PUBLIC INTEREST IF THE TOWING CARRIER HAS WILLFULLY AND
2 REPEATEDLY FAILED TO COMPLY WITH THIS ARTICLE 10.1 OR PART 18 OR
3 21 OF ARTICLE 4 OF TITLE 42.

4 **SECTION 2.** In Colorado Revised Statutes, 40-10.1-403, **amend**
5 (4)(d)(II); and **add** (3.5), (4)(e), and (4)(f) as follows:

6 **40-10.1-403. Towing task force - creation - conflict of interest**
7 **- rules - report - repeal.** (3.5) (a) A MEMBER SHALL NOTIFY THE TASK
8 FORCE AND ABSTAIN FROM VOTING IF:

9 (I) THE MEMBER WILL FINANCIALLY BENEFIT FROM, OR HAS A
10 FINANCIAL INTEREST IN A PERSON THAT WILL BENEFIT FROM, A
11 RATE-SETTING RECOMMENDATION MADE BY THE TASK FORCE; OR

12 (II) THE TASK FORCE IS ADVISING THE COMMISSION ABOUT A
13 COMPLAINT, AND THE MEMBER IS THE SUBJECT OF THE COMPLAINT OR HAS
14 A FINANCIAL INTEREST IN A PERSON THAT IS THE SUBJECT OF THE
15 COMPLAINT.

16 (b) A MEMBER DOES NOT HAVE A CONFLICT OF INTEREST IF THE
17 MEMBER BENEFITS MERELY FROM BELONGING TO A CLASS THAT IS
18 AFFECTED BY THE RATE SETTING DESCRIBED IN SUBSECTION (3.5)(a)(I) OF
19 THIS SECTION.

20 (4) (d) (II) This subsection (4)(d) is repealed, effective ~~July 1,~~
21 ~~2026~~ SEPTEMBER 1, 2026.

22 (e) BY SEPTEMBER 1, 2025, THE COMMISSION SHALL PROMULGATE
23 RULES REQUIRING EACH TOWING CARRIER TO PROVIDE, AS A CONDITION
24 OF PERMIT ISSUANCE OR RENEWAL ON OR AFTER A DATE SPECIFIED IN THE
25 RULES, ANY INFORMATION NEEDED TO PREPARE THE REPORT REQUIRED BY
26 SUBSECTION (4)(d)(I) OF THIS SECTION.

27 (f) THE COMMISSION MAY PROMULGATE RULES TO COLLECT OTHER

1 INFORMATION REQUIRED AS PART OF THE TOWING CARRIER PERMITTING
2 PROCESS. THE INFORMATION REQUIRED BY RULE MAY INCLUDE THE
3 ANNUAL VOLUME OF TOWS BY CATEGORY, THE CURRENT PRICING PER
4 CATEGORY OF TOW FOR ALL FEES CHARGED, AND THE NUMBER OF TOW
5 TRUCKS EACH TOWING CARRIER OPERATES.

6 **SECTION 3.** In Colorado Revised Statutes, 40-10.1-405, **amend**
7 (3)(a)(IV) introductory portion, (3)(a)(IV)(A), (3)(a)(IV)(C), (3)(b)(I)(H),
8 (3)(c), (4)(b)(II), (5)(b), (5)(c) introductory portion, (5)(d) introductory
9 portion, and (8); **repeal** (4)(f)(III), (8), and (9)(b)(I); and **add** (3)(a)(V),
10 (3)(d), (3)(e), (4)(f)(I)(C), and (5)(e) as follows:

11 **40-10.1-405. Nonconsensual tows - rights of owners,**
12 **operators, and lienholders - rules. (3) Authorization, signs, and**
13 **notice required for tows from private property. (a) A towing carrier**
14 **shall not nonconsensually tow a vehicle from private property unless:**

15 (IV) The towing carrier has received DOCUMENTED permission,
16 ~~to~~ WHICH MUST NOT BE AUTOMATED OR PREAPPROVED, FOR EACH
17 INDIVIDUAL tow OF the vehicle, within the twenty-four hours immediately
18 preceding the tow, from THE FOLLOWING PERSON THAT MUST DOCUMENT
19 THE PERMISSION BY SIGNING THE FORM CREATED IN ACCORDANCE WITH
20 SUBSECTION (3)(d)(I) OF THIS SECTION:

21 (A) The owner of or leaseholder of the private property; EXCEPT
22 THAT, IF THE OWNER OR LEASEHOLDER WOULD EARN INCOME FROM THE
23 NONCONSENSUAL TOW, THE TOWING CARRIER SHALL NOT PERFORM THE
24 NONCONSENSUAL TOW BUT MAY AUTHORIZE ANOTHER TOWING CARRIER
25 TO PERFORM THE NONCONSENSUAL TOW;

26 (C) An **agent** EMPLOYEE of a person described in subsection
27 (3)(a)(IV)(A) or (3)(a)(IV)(B) of this section OR AN EMPLOYEE OF A

1 PROPERTY MANAGEMENT COMPANY RETAINED TO COLLECT RENT AND
2 PERFORM RESIDENTIAL SERVICES; except that the towing carrier does not
3 qualify as an agent with authority to grant permission under this
4 subsection (3)(a) EMPLOYEE WHO HAS A FINANCIAL INTEREST IN OR
5 RELATIONSHIP WITH THE TOWING CARRIER OR A PARKING LOT
6 MANAGEMENT COMPANY THAT EARNS INCOME FROM MANAGING OR
7 CONTROLLING PARKING OR PERMISSION TO PARK OR THAT EARNS INCOME
8 FROM NONCONSENSUAL TOWS SHALL NOT GRANT PERMISSION TO
9 AUTHORIZE THE TOW; OR

10 (V) THE TOWING CARRIER HAS RECEIVED PERMISSION FOR EACH
11 INDIVIDUAL TOW.

12 (b) (I) Except as provided in subsection (3)(b)(IV) of this section,
13 a towing carrier shall not nonconsensually tow a vehicle from a parking
14 space or common parking area without the towing carrier or property
15 owner giving the vehicle owner or operator twenty-four hours' written
16 notice, unless:

17 (H) The vehicle is parked without displaying valid authorization
18 in a parking lot marked for the exclusive use of residents OR INVITED
19 GUESTS.

20 (c) In order for a towing carrier to conduct a nonconsensual tow,
21 under subsection (3)(b)(I)(G) or (3)(b)(I)(H) of this section, the property
22 owner must have posted signage visible and facing the driver at each
23 entryway into a parking area indicating that parking spaces are designated
24 for one or more specified residents and that a vehicle parked without
25 authorization is subject to being towed. The sign must also contain the
26 international towing symbol no smaller than four inches by four inches
27 and be permanently mounted in a position that is no lower than five feet

1 ~~and no higher than eight feet~~ THAT:

2 (I) IS NOT LESS THAN TWO SQUARE FEET IN SIZE;

3 (II) HAS LETTERING NOT LESS THAN ONE INCH IN HEIGHT;

4 (III) HAS LETTERING THAT CONTRASTS SHARPLY IN COLOR WITH

5 THE BACKGROUND ON WHICH THE LETTERS ARE PLACED AND CONTRASTS

6 SHARPLY WITH THE STRUCTURE THE SIGNS ARE PLACED ON;

7 (IV) CONTAINS THE FOLLOWING INFORMATION IN THE ORDER

8 LISTED BELOW:

9 (A) THE RESTRICTION OR PROHIBITION ON PARKING;

10 (B) THE TIMES OF THE DAY AND DAYS THAT THE RESTRICTION IS

11 APPLICABLE; BUT, IF THE RESTRICTION APPLIES TWENTY-FOUR HOURS A

12 DAY, SEVEN DAYS A WEEK, THE SIGN MUST SAY "AUTHORIZED PARKING

13 ONLY"; AND

14 (C) THE NAME AND TELEPHONE NUMBER OF THE TOWING CARRIER

15 AUTHORIZED TO PERFORM TOWS FROM THE PRIVATE PROPERTY;

16 (V) IS PRINTED IN ENGLISH AND SPANISH;

17 (VI) IS PERMANENTLY MOUNTED BOTH:

18 (A) AT THE ENTRANCE TO THE PRIVATE PROPERTY SO THAT THE

19 SIGN FACES OUTWARD TOWARD THE STREET AND IS VISIBLE BEFORE AND

20 UPON ENTERING THE PRIVATE PROPERTY; AND

21 (B) INSIDE THE PRIVATE PROPERTY SO THAT THE SIGN FACES

22 OUTWARD TOWARD THE PARKING AREA;

23 (VII) IS NOT OBSTRUCTED FROM VIEW OR PLACED IN A MANNER

24 THAT PREVENTS DIRECT VISIBILITY; AND

25 (VIII) IS NOT PLACED HIGHER THAN TEN FEET OR LOWER THAN

26 THREE FEET FROM THE SURFACE CLOSEST TO THE SIGN'S PLACEMENT.

27 (d) (I) THE COMMISSION SHALL CREATE A FORM THAT IMPLEMENTS

1 SUBSECTION (3)(a)(IV) OF THIS SECTION.

2 (II) THE TOWING CARRIER MUST RETAIN FOR THREE YEARS THE
3 SIGNED FORM REQUIRED BY SUBSECTION (3)(a)(IV) OF THIS SECTION AND,
4 UPON REQUEST, PROVIDE THE SIGNED FORM TO THE VEHICLE OWNER.

5 (e) A TOWING CARRIER SHALL NOT PATROL OR MONITOR PROPERTY
6 TO ENFORCE PARKING RESTRICTIONS ON BEHALF OF THE PROPERTY
7 OWNER.

8 (4) **Notice, disclosures, and towing carrier signs.** (b) A towing
9 carrier shall maintain a clearly visible sign at the entrance to the storage
10 facility holding a nonconsensually towed vehicle. The sign must:

11 (II) State: "If a vehicle is nonconsensually towed from private
12 property, the ~~owner~~ AUTHORIZED OR INTERESTED PERSON may retrieve the
13 contents of the vehicle even if the ~~owner~~ AUTHORIZED OR INTERESTED
14 PERSON does not pay the towing carrier's fees. If the ~~owner~~ AUTHORIZED
15 OR INTERESTED PERSON fills out the appropriate form, the ~~owner~~
16 AUTHORIZED OR INTERESTED PERSON may retrieve the vehicle after
17 paying a reduced fee, but the ~~owner~~ AUTHORIZED OR INTERESTED PERSON
18 still owes the towing carrier the balance of those fees."

19 (f) (III) ~~A towing carrier that enters into an agreement with a~~
20 ~~property owner to nonconsensually tow vehicles from the property shall~~
21 ~~post signs that:~~

22 (A) ~~Are no less than one square foot in size;~~

23 (B) ~~Have lettering not less than one inch in height;~~

24 (C) ~~Have lettering that contrasts with the background on which~~
25 ~~the letters are placed;~~

26 (D) ~~State: "Authorized Parking Only";~~

27 (E) ~~Include the name and telephone number of the towing carrier~~

- 1 ~~authorized to perform tows from the private property;~~
2 ~~(F) Are printed in English;~~
3 ~~(G) Are placed at the entrance to the private property, face~~
4 ~~outward toward the street, and are visible prior to entering and upon~~
5 ~~entering the private property;~~
6 ~~(H) Are placed inside the area used for parking, face toward the~~
7 ~~parking spaces, and, if the private property is not provided for residential~~
8 ~~parking and has more than ten freestanding lampposts on the property,~~
9 ~~are posted on each lamppost or posted upright near each lamppost;~~
10 ~~(I) Are not obstructed or placed in such a manner that prevents~~
11 ~~visibility; and~~
12 ~~(J) Are not placed higher than eight feet or lower than three feet~~
13 ~~from the ground surface closest to the sign's placement.~~

14 **(5) No mechanic's liens on contents.** (b) If an authorized or
15 interested person requests that a towing carrier return the contents of a
16 vehicle that was towed without consent within thirty days after the
17 postmarked date the notice was mailed in accordance with section
18 42-4-2103 (4) or the date the operator received notice that no record
19 exists for the motor vehicle, the towing carrier shall ~~immediately retrieve~~
20 ~~or~~ allow the authorized or interested person to retrieve the vehicle's
21 contents. This subsection (5)(b) does not apply to the contents of a
22 vehicle if the contents of the vehicle are subject to a hold order issued by
23 a court, district attorney, law enforcement agency, or peace officer.

24 (c) The towing carrier shall immediately retrieve a vehicle that
25 has been nonconsensually towed or allow the ~~owner~~ AUTHORIZED OR
26 INTERESTED PERSON to retrieve the vehicle if:

27 (d) For an authorized or interested person to retrieve a vehicle

1 without paying the towing carrier the total amount owed to the towing
2 carrier, the authorized or interested person must sign a form affirming
3 that the authorized or interested person owes the towing carrier payment
4 for fees that comply with this article 10.1, part 21 of article 4 of title 42,
5 or article 20 of title 38. Knowingly providing false information on the
6 form is unlawful. Signing this form does not prohibit a vehicle owner
7 from filing a complaint with the commission or pursuing other remedies.
8 The towing carrier may use the form to take reasonable actions to collect
9 the debt, including initiating a court action or using a collection agency.
10 The ~~department~~ COMMISSION shall:

11 (e) A TOWING CARRIER SHALL NOT REQUIRE A PERSON TO
12 UNDERGO AN APPROVAL PROCESS OTHER THAN SIGNING THE FORM
13 CREATED PURSUANT TO SUBSECTION (5)(d) OF THIS SECTION.

14 (8) **Towing carrier responsibility.** ~~For a nonconsensual tow, the~~
15 ~~towing carrier is responsible for the security and safety of the towed~~
16 ~~vehicle until it is released to an authorized or interested person.~~

17 (9) **Applicability.** This section does not apply to:

18 (b) A tow from a parking space that serves a business if:

19 (I) ~~The parking space is not in a common parking area; and~~

20 **SECTION 4.** In Colorado Revised Statutes, 40-10.1-406, **add**
21 (1)(c) as follows:

22 **40-10.1-406. Failure to comply. (1) No fees - return of vehicle.**

23 (c) WITHIN FORTY-EIGHT HOURS AFTER A TOW IS DETERMINED TO HAVE
24 BEEN PERFORMED IN VIOLATION OF THIS ARTICLE 10.1 OR ANY RULES
25 PROMULGATED UNDER THIS ARTICLE 10.1, THE TOWING CARRIER SHALL
26 RETURN THE VEHICLE BACK TO THE LOCATION FROM WHERE IT WAS
27 TOWED UNLESS:

1 (I) THE AUTHORIZED OR INTERESTED PERSON NOTIFIES THE
2 TOWING CARRIER THAT THE PERSON PREFERS TO RETRIEVE THE VEHICLE
3 FROM THE TOWING CARRIER'S STORAGE FACILITY WITHOUT CHARGE; OR

4 (II) RETURNING THE VEHICLE TO THE LOCATION FROM WHERE THE
5 VEHICLE WAS TOWED IS NOT PRACTICAL, AS DETERMINED BY THE
6 COMMISSION.

7 **SECTION 5.** In Colorado Revised Statutes, 40-10.1-409, **amend**
8 (2) as follows:

9 **40-10.1-409. Violators subject to penalties.** (2) A violation of
10 this part 4 is a deceptive trade practice under section 6-1-105 (1)(ttt) AND
11 (1)(eeee) and is subject to enforcement by the attorney general's office ~~in~~
12 ~~addition to the~~ OR A DISTRICT ATTORNEY OR enforcement AS described in
13 this section.

14 **SECTION 6.** In Colorado Revised Statutes, **add** 40-10.1-411 as
15 follows:

16 **40-10.1-411. Towing carrier responsibility.** THE TOWING
17 CARRIER IS RESPONSIBLE FOR THE SECURITY AND SAFETY OF THE TOWED
18 VEHICLE UNTIL THE VEHICLE IS RELEASED TO AN AUTHORIZED OR
19 INTERESTED PERSON.

20 **SECTION 7.** In Colorado Revised Statutes, 6-1-105, **add**
21 (1)(eeee) as follows:

22 **6-1-105. Unfair or deceptive trade practices.** (1) A person
23 engages in a deceptive trade practice when, in the course of the person's
24 business, vocation, or occupation, the person:

25 (eeee) IS A TOWING CARRIER AND CONDUCTS A NONCONSENSUAL
26 TOW IN VIOLATION OF SECTION 40-10.1-405.

27 **SECTION 8.** In Colorado Revised Statutes, 40-10.1-404, **amend**

1 (1) as follows:

2 **40-10.1-404. Repeal of part - subject to review.** (1) This part
3 4 is repealed, effective September 1, 2025 2030. Before the repeal, this
4 part 4 is scheduled for review in accordance with section 24-34-104 and
5 subsection (2) of this section.

6 **SECTION 9.** In Colorado Revised Statutes, 24-34-104, **repeal**
7 (26)(a)(XIII); and **add** (31)(a)(XI) as follows:

8 **24-34-104. General assembly review of regulatory agencies**
9 **and functions for repeal, continuation, or reestablishment -**
10 **legislative declaration - repeal.** (26) (a) The following agencies,
11 functions, or both, are scheduled for repeal on September 1, 2025:

12 (XIII) ~~The public utilities commission's regulation of towing~~
13 ~~carriers under part 4 of article 10.1 of title 40.~~

14 (31) (a) The following agencies, functions, or both, are scheduled
15 for repeal on September 1, 2030:

16 (XI) THE REGULATION OF TOWING CARRIERS BY THE PUBLIC
17 UTILITIES COMMISSION UNDER PART 4 OF ARTICLE 10.1 OF TITLE 40.

18 **SECTION 10.** In Colorado Revised Statutes, 40-10.1-116,
19 **amend** (3) as follows:

20 **40-10.1-116. Commission to notify local authorities -**
21 **procedure.** (3) (a) A person injured by the noncompliance of a motor
22 carrier with this ~~article~~ ARTICLE 10.1 or any other provision of law or an
23 order, decision, rule, direction, or requirement of the commission may
24 apply to a court of competent jurisdiction for the enforcement thereof,
25 and the court has jurisdiction to enforce obedience thereto by injunction
26 or other proper process, mandatory or otherwise, and to restrain the motor
27 carrier and its officers, agents, employees, or representatives from further

1 disobedience thereof, or to enjoy upon them obedience to the same, and
2 any person so injured has cause of action in damages and is privileged to
3 pursue the usual and proper remedies as in any other case.

4 (b) SUBSECTION (3)(a) OF THIS SECTION CREATES AN
5 INDEPENDENT CAUSE OF ACTION, WHICH IS NOT SUBJECT TO
6 ADMINISTRATIVE EXHAUSTION, AGAINST A TOWING CARRIER THAT
7 VIOLATED THIS ARTICLE 10.1 OR ANY OTHER PROVISION OF LAW OR AN
8 ORDER, DECISION, RULE, DIRECTION, OR REQUIREMENT OF THE
9 COMMISSION.

10 **SECTION 11. Appropriation.** (1) For the 2024-25 state fiscal
11 year, \$165,629 is appropriated to the department of regulatory agencies.
12 This appropriation is from the public utilities commission motor carrier
13 fund created in section 40-2-110.5 (6), C.R.S. To implement this act, the
14 department may use this appropriation as follows:

15 (a) \$42,973 for use by the public utilities commission for personal
16 services, which amount is based on an assumption that the commission
17 will require an additional 0.6 FTE;

18 (b) \$7,438 for use by the public utilities commission for operating
19 expenses; and

20 (c) \$115,218 for the purchase of legal services.

21 (2) For the 2024-25 state fiscal year, \$115,218 is appropriated to
22 the department of law. This appropriation is from reappropriated funds
23 received from the department of regulatory agencies under subsection
24 (1)(c) of this section and is based on an assumption that the department
25 of law will require an additional 0.5 FTE. To implement this act, the
26 department of law may use this appropriation to provide legal services for
27 the department of regulatory agencies.

1 **SECTION 12. Act subject to petition - effective date -**
2 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
3 the expiration of the ninety-day period after final adjournment of the
4 general assembly; except that, if a referendum petition is filed pursuant
5 to section 1 (3) of article V of the state constitution against this act or an
6 item, section, or part of this act within such period, then the act, item,
7 section, or part will not take effect unless approved by the people at the
8 general election to be held in November 2024 and, in such case, will take
9 effect on the date of the official declaration of the vote thereon by the
10 **governor.**
11 (2) This act applies to acts committed on or after the applicable
12 **effective date of this act.**