

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

May 4, 2018  
Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

HB18-1428 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 5, strike lines 25 through 27.

2 Page 6, strike lines 1 through 7 and substitute:

3 **"SECTION 2.** In Colorado Revised Statutes, 40-2-127, **amend**  
4 **(2)(b)(I)(A)** as follows:

5 **40-2-127. Community energy funds - community solar**  
6 **gardens - definitions - rules - legislative declaration. (2) Definitions.**

7 As used in this section, unless the context otherwise requires:

8 (b) In addition:

9 (I) (A) "Community solar garden" means a solar electric  
10 generation facility with a nameplate rating of ~~two~~ FIVE megawatts or less  
11 that is located in or near a community served by a qualifying retail utility  
12 where the beneficial use of the electricity generated by the facility  
13 belongs to the subscribers to the community solar garden. There shall be  
14 at least ten subscribers. The owner of the community solar garden may be  
15 the qualifying retail utility or any other for-profit or nonprofit entity or  
16 organization, including a subscriber organization organized under this  
17 section, that contracts to sell the output from the community solar garden  
18 to the qualifying retail utility. A community solar garden shall be deemed  
19 to be "located on the site of customer facilities".

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