

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 27, 2024
Date

Committee on Energy & Environment.

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

HB24-1173 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, line 5, strike "4,000" and substitute "5,000"
2 and strike "755" and substitute "980".

3 Page 4, line 5, strike "(5)(d)" and substitute "(4)(d)".

4 Page 4, strike lines 22 through 25 and substitute:

5
6 (f) "EV CHARGER PERMIT" MEANS THE FINAL APPROVAL OF AN
7 APPLICATION FOR INSTALLATION OF AN ELECTRIC MOTOR VEHICLE
8 CHARGING SYSTEM THAT A COUNTY MAY REQUIRE TO AUTHORIZE AN
9 APPLICANT TO COMMENCE CONSTRUCTION OF THE CHARGING SYSTEM AND
10 A PERMIT APPLICATION FOR AN ELECTRICAL PERMIT ESTABLISHED UNDER
11 ARTICLE 115 OF TITLE 12 AND ISSUED BY THE STATE ELECTRICAL BOARD."

12 Page 5, strike lines 10 through 24 and substitute:

13 (I) ADOPT AN ORDINANCE OR RESOLUTION TO INCORPORATE THE
14 SAME STANDARDS AND PERMITTING PROCESS OR LESS RESTRICTIVE
15 STANDARDS AND PERMITTING PROCESS AS THE STANDARDS AND
16 PERMITTING PROCESS DESCRIBED IN THE EV CHARGER PERMITTING MODEL
17 CODE DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO
18 SUBSECTION (3) OF THIS SECTION; OR

19 (II) (A) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES
20 OBJECTIVE STANDARDS AND AN ADMINISTRATIVE REVIEW PROCESS TO BE
21 USED BY THE COUNTY PERMITTING AGENCY DURING THE COUNTY'S REVIEW
22 OF APPLICATIONS FOR EV CHARGER PERMITS IN ACCORDANCE WITH
23 SUBSECTIONS (4), (5), AND (6) OF THIS SECTION.

24 (B) AN ORDINANCE OR RESOLUTION ADOPTED BY THE COUNTY

1 PURSUANT TO THIS SUBSECTION (2)(a)(II) SHALL BE DEVELOPED IN
2 CONSULTATION WITH THE LOCAL FIRE DEPARTMENT OR FIRE DISTRICT, ANY
3 ELECTRIC UTILITIES SERVING THE COUNTY, AND OTHER RELEVANT
4 STAKEHOLDERS, AS DETERMINED BY THE COUNTY."

5 Page 6, after line 16 insert:

6 "(d) IF THE BOARD OF COUNTY COMMISSIONERS OF A COUNTY
7 ADOPTS THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO
8 SUBSECTION (2)(a)(I) OF THIS SECTION, THE REQUIREMENTS OF
9 SUBSECTIONS (4), (5), AND (6) OF THIS SECTION DO NOT APPLY TO THE
10 COUNTY."

11 Page 6, line 20, strike "OBJECTIVE".

12 Page 6, line 24, after "COMMUNITIES," insert "PUBLIC ELECTRIC
13 UTILITIES,".

14 Page 6, after line 26 insert:

15 "(c) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
16 THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION
17 (3) SHALL ONLY APPLY TO A COUNTY'S LAND USE AND ZONING PERMITTING
18 PROCESSES AND SHALL NOT CONTRAVENE:

19 (I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR
20 PROCEDURES;

21 (II) COUNTY ELECTRICAL PERMITTING REQUIREMENTS OR
22 PROCEDURES;

23 (III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

24 (IV) COUNTY ELECTRICAL INSPECTION REQUIREMENTS; OR

25 (V) NATIONAL ELECTRIC CODE REQUIREMENTS OR REGULATIONS
26 RELATED TO ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS."

27 Page 7, after line 19 insert:

28 "(e) THE REQUIREMENTS OF THIS SUBSECTION (4) DO NOT APPLY TO
29 COUNTIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
30 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION."

31 Page 8, after line 11 insert:

32 "(e) THE REQUIREMENTS OF THIS SUBSECTION (5) DO NOT APPLY TO
33 COUNTIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
34 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION."

35 Page 9, after line 21 insert:

1 "(e) THE REQUIREMENTS OF THIS SUBSECTION (6) DO NOT APPLY TO
2 COUNTIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
3 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION."

4 Page 10, after line 2 insert:

5 "(b) THE COLORADO ENERGY OFFICE SHALL USE MONEY IN THE
6 ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, TO
7 PROVIDE TECHNICAL ASSISTANCE TO COUNTIES IN ACCORDANCE WITH THIS
8 SUBSECTION (7)."

9 Reletter succeeding paragraph accordingly.

10 Page 10, line 20, strike "(5)(d)" and substitute "(4)(d)".

11 Page 11, strike lines 1 through 4 and substitute:

12 "(e) "EV CHARGER PERMIT" MEANS THE FINAL APPROVAL OF AN
13 APPLICATION FOR INSTALLATION OF AN ELECTRIC MOTOR VEHICLE
14 CHARGING SYSTEM THAT A MUNICIPALITY MAY REQUIRE TO AUTHORIZE AN
15 APPLICANT TO COMMENCE CONSTRUCTION OF THE CHARGING SYSTEM AND
16 A PERMIT APPLICATION FOR AN ELECTRICAL PERMIT ESTABLISHED UNDER
17 ARTICLE 115 OF TITLE 12 AND ISSUED BY THE STATE ELECTRICAL BOARD."

18 Page 11, line 23, after "MUNICIPALITY" insert "WITH A POPULATION OF TEN
19 THOUSAND OR MORE ACCORDING TO THE 2020 FEDERAL CENSUS".

20 Page 11, strike lines 24 through 27.

21 Page 12, strike lines 1 through 11 and substitute:

22 "(I) ADOPT AN ORDINANCE OR RESOLUTION TO INCORPORATE THE
23 SAME STANDARDS AND PERMITTING PROCESS OR LESS RESTRICTIVE
24 STANDARDS AND PERMITTING PROCESS AS THE STANDARDS AND
25 PERMITTING PROCESS DESCRIBED IN THE EV CHARGER PERMITTING MODEL
26 CODE DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO
27 SUBSECTION (3) OF THIS SECTION; OR

28 (II) (A) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES
29 OBJECTIVE STANDARDS AND AN ADMINISTRATIVE REVIEW PROCESS TO BE
30 USED BY THE MUNICIPAL PERMITTING AGENCY DURING THE
31 MUNICIPALITY'S REVIEW OF APPLICATIONS FOR EV CHARGER PERMITS IN
32 ACCORDANCE WITH SUBSECTIONS (4), (5), AND (6) OF THIS SECTION.

33 (B) AN ORDINANCE OR RESOLUTION ADOPTED BY THE

1 MUNICIPALITY PURSUANT TO THIS SUBSECTION (2)(a)(II) SHALL BE
2 DEVELOPED IN CONSULTATION WITH THE LOCAL FIRE DEPARTMENT OR FIRE
3 DISTRICT, ANY ELECTRIC UTILITIES SERVING THE MUNICIPALITY, AND
4 OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE
5 MUNICIPALITY."

6 Page 12, after line 27 insert:

7 "(d) IF THE GOVERNING BODY OF A MUNICIPALITY ADOPTS THE EV
8 CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I)
9 OF THIS SECTION, THE REQUIREMENTS OF SUBSECTIONS (4), (5), AND (6) OF
10 THIS SECTION DO NOT APPLY TO THE MUNICIPALITY."

11 Page 13, line 4, strike "OBJECTIVE".

12 Page 13, line 8, after "COMMUNITIES," insert "PUBLIC ELECTRIC
13 UTILITIES,".

14 Page 13, after line 10 insert:

15 "(c) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
16 THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION
17 (3) SHALL ONLY APPLY TO A MUNICIPALITY'S LAND USE AND ZONING
18 PERMITTING PROCESSES AND SHALL NOT CONTRAVENE:

19 (I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR
20 PROCEDURES;

21 (II) MUNICIPAL ELECTRICAL PERMITTING REQUIREMENTS OR
22 PROCEDURES;

23 (III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

24 (IV) MUNICIPAL ELECTRICAL INSPECTION REQUIREMENTS; OR

25 (V) NATIONAL ELECTRIC CODE REQUIREMENTS OR REGULATIONS
26 RELATED TO ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS."

27 Page 14, after line 5 insert:

28 "(e) THE REQUIREMENTS OF THIS SUBSECTION (4) DO NOT APPLY TO
29 MUNICIPALITIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
30 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION."

31 Page 14, after line 24 insert:

32 "(e) THE REQUIREMENTS OF THIS SUBSECTION (5) DO NOT APPLY TO
33 MUNICIPALITIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
34 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION."

35 Page 16, after line 7 insert:

1 "(e) THE REQUIREMENTS OF THIS SUBSECTION (6) DO NOT APPLY TO
2 MUNICIPALITIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
3 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION."

4 Page 16, after line 15 insert:

5 "(b) THE COLORADO ENERGY OFFICE SHALL USE MONEY IN THE
6 ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, TO
7 PROVIDE TECHNICAL ASSISTANCE TO MUNICIPALITIES IN ACCORDANCE
8 WITH THIS SUBSECTION (7)."

9 Reletter succeeding paragraph accordingly.

10 Page 16, line 20, after "(1)(n)" insert "and (1)(o)".

11 Page 17, line 3, strike "network; AND" and substitute "network;

12 (n) DEVELOP AND PUBLISH AN EV CHARGER PERMITTING MODEL
13 CODE THAT CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER
14 PERMIT STANDARDS AND PERMITTING PROCESSES FOR COUNTIES AND
15 MUNICIPALITIES IN ACCORDANCE WITH SECTIONS 30-28-213 (3) AND
16 31-23-316 (3); AND".

17 Reletter succeeding paragraph accordingly.

18 Page 17, strike line 8 and substitute "SECTIONS 30-28-213 (7) AND
19 31-23-316 (7).

20 **SECTION 5.** In Colorado Revised Statutes, 24-38.5-103, **amend**
21 (1)(a) as follows:

22 **24-38.5-103. Electric vehicle grant fund - creation -**
23 **administration - legislative declaration.** (1) (a) (I) There is ~~hereby~~
24 created in the state treasury the electric vehicle grant fund, referred to in
25 this section as the "fund". The Colorado energy office shall use the fund
26 to:

27 (A) Provide grants to state agencies, public universities, public
28 transit agencies, local governments, landlords of multifamily apartment
29 buildings, private nonprofit or for-profit corporations, and the unit
30 owners' associations of common interest communities as defined in article
31 33.3 of title 38 to install charging stations for electric vehicles;

32 ~~(B) The Colorado energy office may also use the fund for~~ COVER
33 the administrative costs of providing ~~these~~ grants PURSUANT TO
34 SUBSECTION (1)(a)(I)(A) OF THIS SECTION; AND

35 (C) PROVIDE ANALYSIS AND TECHNICAL SUPPORT RELATED TO THE

1 DEVELOPMENT, PERMITTING, AND ENERGIZATION OF ELECTRIC VEHICLE
2 CHARGING STATIONS, INCLUDING PROVIDING TECHNICAL ASSISTANCE TO
3 COUNTIES AND MUNICIPALITIES IN ACCORDANCE WITH SECTIONS
4 30-28-213 (7) AND 31-23-316 (7).

5 (II) The Colorado energy office shall prioritize ~~these~~ grants
6 PROVIDED PURSUANT TO SUBSECTION (1)(a)(I) OF THIS SECTION based
7 upon:

8 ~~(I) Repeated.~~

9 ~~(H)~~ (A) The extent to which the proposed recipients' charging
10 locations are likely to effectively serve existing electric vehicles or
11 encourage the acquisition of additional electric vehicles;

12 ~~(HH)~~ (B) The extent to which one or more charging stations would
13 not be installed but for the financial assistance provided by a grant from
14 the fund; and

15 ~~(IV)~~ (C) Any other criteria defined by the Colorado energy
16 office.".

17 Renumber succeeding section accordingly.

18 Page 1, line 101, strike "EXPEDITING" and substitute "STREAMLINING".

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