

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 7, 2025
Date

Committee on Finance.

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

HB25-1292 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, strike lines 17 and 18 and substitute:

2 "(a) "HIGH VOLTAGE LINE" MEANS ANY LINE FOR THE
3 TRANSMISSION OF ELECTRIC CURRENT WITH A NOMINAL VOLTAGE IN
4 EXCESS OF SIXTY-NINE KILOVOLTS THAT IS CO-LOCATED LONGITUDINALLY
5 IN A STATE HIGHWAY RIGHT-OF-WAY, AND ALL SUPPORTING STRUCTURES
6 AND ACCESSORIES NECESSARY FOR SUCH LINE. "HIGH VOLTAGE LINE"
7 DOES NOT INCLUDE ANY LINE FOR THE TRANSMISSION OF ELECTRIC
8 CURRENT THAT CROSSES A STATE HIGHWAY RIGHT-OF-WAY."

9 Amend the Transportation, Housing, and Local Government Report,
10 dated March 25, 2025, page 1, strike lines 16 through 21 and substitute:

11 "Page 5, strike lines 18 through 27.

12 Page 6, strike lines 1 through 27 and substitute:

13 **"(3) High voltage line or facility site priorities - reports.**
14 (a) BEGINNING ON JANUARY 1, 2027, WITHIN THIRTY CALENDAR DAYS OF
15 FILING FOR A LOCAL PERMIT FOR THE CONSTRUCTION OR DEVELOPMENT OF
16 HIGH VOLTAGE LINES OR FACILITIES NECESSARY FOR HIGH VOLTAGE
17 TRANSMISSION, A TRANSMISSION DEVELOPER SHALL MAKE AVAILABLE ON
18 A PUBLIC-FACING PROJECT WEBSITE OR UTILITY WEBSITE A REPORT THAT:
19 (I) DESCRIBES THE ANALYSIS UNDERTAKEN FOR ROUTE SELECTION;
20 (II) DEMONSTRATES THAT THE TRANSMISSION DEVELOPER
21 CONSIDERED OR IS CONSIDERING DEVELOPMENT SITES IN THE FOLLOWING
22 ORDER OF PRIORITY:
23 (A) FIRST, EXISTING UTILITY CORRIDORS, WHERE ADDING NEW

1 LINES OR MAKING IMPROVEMENTS TO EXISTING LINES CAN ACHIEVE
2 EXPANDED ELECTRIC CAPACITY AT THE LOWEST POSSIBLE COST;
3 (B) SECOND, STATE HIGHWAY RIGHTS-OF-WAY; AND
4 (C) LAST, NEW UTILITY CORRIDORS; AND
5 (III) INCLUDES AN EVALUATION OF THE ECONOMIC IMPACTS,
6 ENGINEERING CONSIDERATIONS, AND RELIABILITY OF THE ELECTRIC
7 SYSTEM.
8 (b) A TRANSMISSION DEVELOPER SHALL UPDATE THE REPORT
9 DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION IF THE TRANSMISSION
10 DEVELOPER MATERIALLY CHANGES THE TRANSMISSION ROUTE BEYOND
11 MINOR ROUTE ADJUSTMENTS AND SHALL MAKE THE UPDATED REPORT
12 AVAILABLE ON THE SAME PUBLIC-FACING PROJECT WEBSITE OR UTILITY
13 WEBSITE.
14 (c) NOTHING IN THIS SUBSECTION (3) REQUIRES A TRANSMISSION
15 DEVELOPER TO SELECT AN EXISTING UTILITY CORRIDOR OR A STATE
16 HIGHWAY RIGHT-OF-WAY FOR DEVELOPMENT OF HIGH VOLTAGE LINES OR
17 FACILITIES."."

18 Page 2 of the report, strike lines 1 through 6 and substitute:

19 "Page 7, strike lines 1 through 10 and substitute:
20 **"(4) Compensation to department for right-of-way access.**
21 (a) (I) A TRANSMISSION DEVELOPER SHALL COMPENSATE THE
22 DEPARTMENT FOR ITS CO-LOCATION OF HIGH VOLTAGE LINES IN A STATE
23 HIGHWAY RIGHT-OF-WAY. A TRANSMISSION DEVELOPER MAY
24 COMPENSATE THE DEPARTMENT THROUGH SURCHARGES AS PROVIDED IN
25 SUBSECTION (4)(b) OF THIS SECTION OR THROUGH A PUBLIC-PRIVATE
26 INITIATIVE AS PROVIDED IN SUBSECTION (4)(c) OF THIS SECTION.
27 (II) THE SURCHARGES FOR A TRANSMISSION DEVELOPER'S USE OF
28 A STATE HIGHWAY RIGHT-OF-WAY IS AN ALTERNATIVE METHOD TO
29 COMPENSATING THE STATE THROUGH IN-KIND INFRASTRUCTURE
30 EXCHANGE IN A PUBLIC-PRIVATE INITIATIVE, AS DEFINED IN SECTION
31 43-1-1201 (3). THE ENTITY REQUESTING ACCESS TO THE RIGHT-OF-WAY
32 HAS THE DISCRETION TO CHOOSE WHICH PROCESS IT WILL USE TO
33 COMPENSATE THE STATE FOR ITS USE OF THE RIGHT-OF-WAY.
34 (III) A TRANSMISSION DEVELOPER MAY ENTER INTO A
35 PUBLIC-PRIVATE INITIATIVE TO COMPENSATE THE DEPARTMENT FOR
36 ACCESS TO THE STATE HIGHWAY RIGHT-OF-WAY AFTER RULEMAKING
37 PURSUANT TO SUBSECTION (6) OF THIS SECTION IS COMPLETE. THE OPTION
38 TO COMPENSATE THE DEPARTMENT FOR ACCESS TO THE STATE HIGHWAY
39 RIGHT-OF-WAY BY PAYING SURCHARGES IS AVAILABLE BEGINNING ON
40 JULY 1, 2027.
41 (b) THE DEPARTMENT MAY IMPOSE SURCHARGES ON A

1 TRANSMISSION DEVELOPER FOR ITS ACCESS TO A STATE HIGHWAY
2 RIGHT-OF-WAY, INCLUDING A ONE-TIME SURCHARGE TO COVER THE COSTS
3 OF A PERMIT FOR THE USE OF THE RIGHT-OF-WAY AND AN ANNUAL USE
4 SURCHARGE FOR THE USE OF THE RIGHT-OF-WAY. THE DEPARTMENT SHALL
5 ESTABLISH THE SURCHARGES BY RULE PURSUANT TO SUBSECTION
6 (6)(b)(IV) OF THIS SECTION.

7 (c) A TRANSMISSION DEVELOPER MAY COMPENSATE THE
8 DEPARTMENT FOR ITS ACCESS TO A STATE HIGHWAY RIGHT-OF-WAY
9 THROUGH IN-KIND INFRASTRUCTURE EXCHANGE IN A PUBLIC-PRIVATE
10 INITIATIVE, AS DEFINED IN SECTION 43-1-1201 (3)."."

11 Page 8 of the bill, line 9, strike "MAY" and substitute "SHALL".

12 Page 8 of the bill, strike lines 22 and 23 and substitute:

13 "(IV) SET THE SURCHARGES FOR A TRANSMISSION DEVELOPER'S
14 ACCESS TO A STATE HIGHWAY RIGHT-OF-WAY, AS DESCRIBED IN
15 SUBSECTION (4) OF THIS SECTION, AS FOLLOWS:

16 (A) SURCHARGES MUST BE PAID AT A RATE OF SIX HUNDRED
17 DOLLARS PER MILE;

18 (B) SURCHARGES COVER A TWENTY-YEAR ACCESS TERM AND MAY
19 BE PAID AS A LUMP SUM ONE-TIME PAYMENT OF TWELVE THOUSAND
20 DOLLARS PER MILE OR AS AN ANNUAL PAYMENT OF SIX HUNDRED DOLLARS
21 PER MILE FOR EACH YEAR OF THE TWENTY-YEAR ACCESS TERM;

22 (C) BEGINNING ON JULY 1, 2028, AND ON EVERY JULY 1
23 THEREAFTER, THE DEPARTMENT MAY ADJUST THE AMOUNT OF THE
24 DOLLAR-PER-MILE SURCHARGE FOR INFLATION IN ACCORDANCE WITH THE
25 AVERAGE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES
26 DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION,
27 NATIONAL HIGHWAY CONSTRUCTION COST INDEX OR ITS APPLICABLE
28 PREDECESSOR OR SUCCESSOR INDEX FOR THE FIVE-YEAR PERIOD ENDING
29 ON THE LAST DECEMBER 31 BEFORE A STATE FISCAL YEAR FOR WHICH AN
30 INFLATION ADJUSTMENT TO THE SURCHARGE IS MADE TO BEGIN;

31 (D) THE TWENTY-YEAR ACCESS TERM COVERED BY THE
32 SURCHARGES MAY BE RENEWED EVERY TWENTY YEARS; AND

33 (E) THE DEPARTMENT SHALL ESTABLISH PRORATED SURCHARGES
34 FOR HIGH VOLTAGE LINE TRANSMISSION DEVELOPMENT PROJECTS WITH
35 INSTALLATIONS OF LESS THAN THREE HUNDRED FEET."

36 Page 8 of the bill, after line 26 insert:

37 "**SECTION 3.** In Colorado Revised Statutes, 12-10-602, **amend**
38 (9)(b)(VI) as follows:

1 **12-10-602. Definitions.** As used in this part 6, unless the context
2 otherwise requires:
3 (9) (b) "Real estate appraiser" or "appraiser" does not include:
4 (VI) A right-of-way acquisition agent, an appraiser who is
5 licensed and certified pursuant to this part 6, or any other individual who
6 has sufficient understanding of the local real estate market to be qualified
7 to make a waiver valuation when the agent, appraiser, or other qualified
8 individual is employed by or contracts with a public entity and provides
9 an opinion of value that is not represented as an appraisal and when, for
10 any purpose, the property or portion of property being valued is valued at
11 ~~twenty-five thousand dollars or less,~~ as NOT MORE THAN THE SPECIFIED
12 AMOUNT permitted by federal law and 49 CFR 24.102 (c)(2), as
13 amended;".

14 Renumber succeeding section accordingly.

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