

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 17-0929.01 Esther van Mourik x4215

**SENATE BILL 17-179**

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**SENATE SPONSORSHIP**

**Gardner and Kerr,**

**HOUSE SPONSORSHIP**

**Herod and Sias,**

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**Senate Committees**

Finance

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE LIMITATION ON THE AMOUNT OF FEES THAT CAN BE**  
102            **ASSESSED FOR ALLOWING SOLAR ENERGY DEVICE**  
103            **INSTALLATIONS, AND, IN CONNECTION THEREWITH, EXTENDING**  
104            **THE REPEAL DATE.**

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**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>.)*

The bill extends the repeal date of existing laws that limit the amount of permit, plan review, or other fees that counties, municipalities, or the state may charge for installing solar energy devices or systems.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
2nd Reading Unamended  
February 28, 2017

The bill also clarifies that the statutory limitations on the amount of fees applies to any related or associated fees, not just to permit or plan review fees.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-48.5-113, **amend**  
3 (1)(a) introductory portion and (2) as follows:

4 **24-48.5-113. Limit on solar device fees - repeal.** (1) An agency,  
5 institution, authority, or political subdivision of the state shall:

6 (a) Not charge permit, application review, or ANY other RELATED  
7 OR ASSOCIATED fees to install an active solar electric or solar thermal  
8 device or system that, in aggregate, exceed:

9 (2) This section is repealed, effective ~~July 1, 2018~~ JULY 1, 2025.

10 **SECTION 2.** In Colorado Revised Statutes, 30-28-113, **amend**  
11 (1)(b)(II) as follows:

12 **30-28-113. Regulation of size and use - districts - repeal.**

13 (1) (b) (II) A county shall not charge permit, plan review, or ANY other  
14 RELATED OR ASSOCIATED fees to install an active solar electric or solar  
15 thermal device or system that, in aggregate, exceed the lesser of the  
16 county's actual costs in issuing the permit or five hundred dollars for a  
17 residential application or one thousand dollars for a nonresidential  
18 application if the device or system produces fewer than two megawatts of  
19 direct current electricity or an equivalent-sized thermal energy system, or  
20 that exceed the county's actual costs in issuing the permit if the device or  
21 system produces at least two megawatts of direct current electricity or an  
22 equivalent-sized thermal energy system. The county shall clearly and  
23 individually identify all fees and taxes assessed on an application subject  
24 to this ~~subparagraph (H)~~ SUBSECTION (1)(b)(II) on the invoice. The

1 general assembly hereby finds that there is a statewide need for certainty  
2 regarding the fees that can be assessed for permitting such devices or  
3 systems, and therefore declares that this ~~subparagraph (H)~~ SUBSECTION  
4 (1)(b)(II) is a matter of statewide concern. This ~~subparagraph (H)~~  
5 SUBSECTION (1)(b)(II) is repealed, effective ~~July 1, 2018~~ JULY 1, 2025.

6 **SECTION 3.** In Colorado Revised Statutes, 31-15-602, **amend**  
7 (4)(b) as follows:

8 **31-15-602. Energy-efficient building codes - legislative**  
9 **declaration - definitions - repeal.** (4) (b) (I) A municipality shall not  
10 charge permit, plan review, or ANY other RELATED OR ASSOCIATED fees  
11 to install an active solar electric or solar thermal device or system that, in  
12 aggregate, exceed the lesser of the municipality's actual costs in issuing  
13 the permit or five hundred dollars for a residential application or one  
14 thousand dollars for a nonresidential application if the device or system  
15 produces fewer than two megawatts of direct current electricity or an  
16 equivalent-sized thermal energy system, or that exceed the municipality's  
17 actual costs in issuing the permit if the device or system produces at least  
18 two megawatts of direct current electricity or an equivalent-sized thermal  
19 energy system. The municipality shall clearly and individually identify all  
20 fees and taxes assessed on an application subject to this ~~subparagraph (I)~~  
21 SUBSECTION (4)(b)(I) on the invoice. The general assembly hereby finds  
22 that there is a statewide need for certainty regarding the fees that can be  
23 assessed for permitting such devices or systems, and therefore declares  
24 that this ~~paragraph (b)~~ SUBSECTION (4)(b) is a matter of statewide  
25 concern.

26 (II) This ~~paragraph (b)~~ SUBSECTION (4)(b) is repealed, effective  
27 ~~July 1, 2018~~ JULY 1, 2025.

1           **SECTION 4. Act subject to petition - effective date.** This act  
2 takes effect at 12:01 a.m. on the day following the expiration of the  
3 ninety-day period after final adjournment of the general assembly (August  
4 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
5 referendum petition is filed pursuant to section 1 (3) of article V of the  
6 state constitution against this act or an item, section, or part of this act  
7 within such period, then the act, item, section, or part will not take effect  
8 unless approved by the people at the general election to be held in  
9 November 2018 and, in such case, will take effect on the date of the  
10 official declaration of the vote thereon by the governor.