

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

ENGROSSED

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

LLS NO. 23-0519.01 Christopher McMichael x4775

HOUSE BILL 23-1051

HOUSE SPONSORSHIP

Lukens and Holtorf, Bockenfeld

SENATE SPONSORSHIP

Roberts and Pelton R.,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF HIGH COST SUPPORT MECHANISM**
102 **FUNDING FOR RURAL TELECOMMUNICATIONS PROVIDERS, AND,**
103 **IN CONNECTION THEREWITH, ALIGNING THE REPEAL DATE OF**
104 **SUCH HIGH COST SUPPORT MECHANISM FUNDING WITH THE**
105 **SUNSET REPEAL DATE OF THE HIGH COST SUPPORT MECHANISM.**

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 high cost support mechanism provides high cost support funding to telecommunications and broadband service providers 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.

HOUSE
Amended 2nd Reading
February 2, 2023

provide service in high-cost areas of the state. The bill continues support funding from the high cost support mechanism to 11 rural telecommunications providers in Colorado. The bill continues support funding to the 11 rural telecommunications providers until September 1, 2024. The date aligns with the department of regulatory agencies' 2023 sunset review of the high cost support mechanism and the final determination of the high cost support mechanism by the general assembly in 2024.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) High cost support mechanism funding helps provide affordable
5 and reliable telecommunication and broadband service for many rural
6 communities in Colorado;

7 (b) Twelve rural telecommunications providers currently receive
8 funding under the high cost support mechanism;

9 (c) Funding for those twelve rural telecommunications providers
10 is currently set to expire on December 1, 2023, but the high cost support
11 mechanism is not scheduled for sunset review and repeal by the
12 department of regulatory agencies until September 1, 2024; and

13 (d) Aligning the expiration date of high cost support mechanism
14 funding for those twelve rural telecommunications providers with the
15 scheduled sunset date of the high cost support mechanism would continue
16 high cost support funding for telecommunication and broadband services
17 for rural Coloradans until the completion of the sunset review process in
18 2024.

19 **SECTION 2.** In Colorado Revised Statutes, 40-15-208, **amend**
20 (4) as follows:

21 **40-15-208. High cost support mechanism - Colorado high cost**

1 **administration fund - creation - purpose - operation - rules - report**
2 **- repeal.** (4) Notwithstanding any other provision to the contrary in
3 sections 40-15-207 and 40-15-502 or this section, rural
4 telecommunications providers receiving support from the high cost
5 support mechanism as of January 1, 2017, will continue to receive
6 support, on a quarterly basis and by the end of the month following the
7 previous quarter, at the same level of reimbursement established by
8 averaging the payments received for calendar years 2015 and 2016, for
9 the period of January 1, 2019, through ~~December 1, 2023~~ SEPTEMBER 1,
10 2024. The commission shall administer the high cost support mechanism
11 to ensure compliance with this section.

12 **SECTION 3. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly; except
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V
16 of the state constitution against this act or an item, section, or part of this
17 act within such period, then the act, item, section, or part will not take
18 effect unless approved by the people at the general election to be held in
19 November 2024 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.