



## 2017 Legislation - Colorado General Assembly Final Report - May 17, 2017

Following is an assessment by the [Rocky Mountain Climate Organization](#) (RMCO) of bills that were under consideration during the 2017 session of the Colorado General Assembly and that RMCO thinks would be of interest to partner representatives, Colorado Climate Network member officials and staff, and members of the Climate Action Panel convened by RMCO in 2006-2007.

It is divided into seven categories that are representative of the Network's [Agenda for State Policies](#) and the Climate Action Panel recommendations:

- Meeting state emissions reduction goals
- Access to clean energy sources
- Investing in energy efficiency
- Statewide transportation system policies
- Waste reduction and diversion policies
- State climate preparedness policies
- State technical and funding assistance for local programs

### Highlights of the 2017 session:

The 2017 session can be characterized as largely a standoff between the House, where Democrats are in the majority, and the Senate, where Republicans are in charge. Generally, bills that would advance clean energy, energy efficiency, multi-modal transportation, and waste management passed in the House, only to be killed in the Senate, and bills that would impede or roll back climate action were passed by the Senate and killed in the House. As in the 2016 session, a bill that would have required the state to set emissions reduction goals in its climate action plans was defeated. Nonetheless, modest advances were made regarding renewable energy sources, energy efficiency, transportation funding, Colorado Water Plan implementation funding, and consolidating and funding wildfire prevention and forest health grant programs.

RMCO tracked a total of 21 bills during the session. Of these, 10 passed, all of which can be characterized as positive regarding climate and clean energy policy. Of the 11 bills that were defeated, 9 can be characterized as positive regarding climate and clean energy matters if they had passed, 1 as negative, and 1 as a mixed bag.

**Meeting state emissions reduction goals:**

- Defeated was [HB 17-1366](#), requiring the state’s designated climate specialist to include in updates of the state’s climate action plan currently required under state law measurable goals for reduction of heat-trapping emissions that are at least as ambitious as the goals established by a 2008 [executive order](#) by Gov. Bill Ritter, Jr. - a 20 percent reduction of heat-trapping gases by 2020, and 80 percent by 2050, both compared to 2005 levels.

**Access to clean energy sources:**

- Defeated was [SB17-301](#), a multi-objective complicated bill that would have extended funding for the Colorado Energy Office past the current fiscal year, but that also redirected its activities to focus more on fossil and nuclear fuels, would have increased registration fees for alternative fuel vehicles, and enabled regulated utilities to acquire natural gas reserves, a policy that could have far-reaching negative implications for ratepayers and reductions in emissions from fossil fuels.
- Also defeated was [HB17-1339](#), an innovative bill that would have enabled regulated utilities to utilize bond securitization to refinance undepreciated assets of retired coal plants, with some of the savings allocated to assistance for communities impacted by coal industry closures.
- Killed were several bills that would have facilitated transition to renewable energy sources, such as provisions for battery storage and electric grid modernization.

**Investing in energy efficiency:**

- [HB17-1227](#) passed, extending for 10 years energy demand reduction (demand-side management) requirements for regulated utilities.
- Also passing was [HB17-1116](#), extending authorization for up to \$13 million in severance taxes for low-income energy-assistance programs through FY 2023-24.

**Statewide transportation system policies:**

- Killed was [HB17-1242](#), which would have referred to voters a measure to increase sales taxes to fund highway improvements and multi-modal transportation, but passing was [SB17-267](#), which authorizes lease-purchase financing for about \$1.8 billion in transportation improvements but does not specify multi-modal transportation funding, leaving it up to the Transportation Commission to decide on projects to be funded.
- [HB17-1018](#) passed, extending the sunset date for authority of local Regional Transportation Authorities to utilize voter-approved property tax mil levies as a funding source.

- Killed was [SB17-188](#), which would have repealed the state income tax credit for innovative, vehicles, including electric vehicles and plug-in hybrids.

**Waste reduction and diversion policies:**

- Not passed was [HB17-1275](#), which would have enabled collection of data regarding solid waste diversion rates from landfills and provided for technical assistance to local governments to do so.

**State climate preparedness policies:**

- The annual Colorado Water Conservation Board construction fund bill ([HB17-1248](#)) passed, providing funding for its alternative agricultural transfer methods grant program, watershed restoration grants, and implementation of the Colorado Water Plan.
- Also signed into law was [SB17-50](#), consolidating and funding existing grant programs for wildfire reduction and forest health under the State Forest Service.

**State technical and funding assistance for local programs:**

- No bills this session.

Bill	Description	Status
<b>Meeting State Emissions Reduction Goals</b>		
<a href="#">HB 17-1366</a> Measurable goals in Colorado’s climate action plan	Requires the state’s designated climate specialist to develop and report annually to legislative committees a periodic update of a climate action plan with measurable goals based on the best available science that are at least as ambitious as the goals established by a 2008 <a href="#">executive order</a> by Gov. Bill Ritter, Jr. - a 20 percent reduction of heat-trapping gases by 2020, and 80 percent by 2050, both compared to 2005 levels. The new bill also calls for near-term, mid-term, and long-term targets for meeting those goals, and for tracking progress on meeting those goals.	KILLED by Senate State, Veterans, and Military Affairs Cte. after passing House
<b>Access to Clean Energy Sources</b>		
<a href="#">HB17-1225</a> Electric Regional Transmission Organization hearing	Calls for a legislative hearing by the interim Transportation Legislative Review Committee on the Regional Transmission Organization choices available to retail electric utilities.	KILLED by Senate committee on Legislative Council after passing House

Bill	Description	Status
<a href="#">HB17-1299</a> Transportation Legislation Review Committee interim hearing electric utility energy storage	Directs the interim Transportation Legislative Review Committee to hold a hearing on incorporation of energy storage systems in electric resource acquisition plans.	KILLED by Senate State, Veterans, and Military Affairs Cte. after passing House
<a href="#">HB17-1339</a> Colorado energy impact assistance act	Authorizes regulated utilities to seek PUC approval to use bond securitization to refinance undepreciated assets of retired coal plants, with some of the savings allocated to assistance for communities impacted by coal industry closures.	KILLED by Senate State, Veterans, and Military Affairs Cte. after passing House
<a href="#">SB17-089</a> Allow electric utility customers install energy storage equipment	Establishes rights of residential and commercial property owners to install and use electricity storage systems on their property.	KILLED by Senate Business, Labor, & Technology Cte.
<a href="#">SB17-145</a> Electric utility distribution grid resource acquisition plan	Requires investor-owned and rural electric co-op utilities to prepare for PUC review proposals that integrate distributed energy resources into their plans to acquire new infrastructure.	KILLED by Senate Agriculture, Natural Resources and Energy Cte.
<a href="#">SB17-179</a> Fee limits for solar energy device installations	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.	SIGNED INTO LAW by Governor Hickenlooper
<a href="#">SB17-301</a> Concerning energy-related statutes	A controversial, multi-objective bill that funds the Colorado Energy Office at \$2.1 million per year from the General Fund for FY 2017-18 through FY 2020-21, and redirects its activities to include more of a focus on fossil and nuclear fuels, directs the PUC to adopt rules enabling acquisitions of natural gas energy reserves by regulated utilities, and increases fees on alternative vehicle registrations to help fund highway construction.	KILLED after Senate passage, amendments in House on final day of the session, and Senate voting not to concur with House amendments
<b>Investing in Energy Efficiency</b>		
<a href="#">HB17-1116</a> Continue Low-income Household Energy Assistance	Extends authorization for up to \$13 million of severance taxes for low-income energy-assistance programs through FY2023-24. Under current law, funding for these programs expires after FY2018-19. The programs provide direct energy bill assistance to low-income households and energy-efficiency improvements for low-income homeowners.	Passed House and Senate, pending action by Governor
<a href="#">HB17-1227</a> Electric demand-side management program extension	Extends to 2028 investor-owned utilities energy efficiency performance (demand-side management program) standards established by the legislature in 2007, requiring a 5 percent reduction in demand in 2028 from a base year of 2018.	Passed House and Senate, pending action by Governor
<a href="#">SB17-105</a> Consumer right to	Establishes comprehensive billing format for investor-owned utilities to show	Passed Senate and House,

<b>Bill</b>	<b>Description</b>	<b>Status</b>
know electric utility charges	sources and costs of electricity provided to consumers.	pending action by Governor
<a href="#">SB17-252</a> Utility cost-saving contract for local governments	Adds utility meters as an eligible cost-saving element in energy-performance contracts issued by local governments.	Passed Senate and House, pending action by Governor
<b>Statewide Transportation System Policies</b>		
<a href="#">HB17-1018</a> Extend voter approval window for regional transportation authority mill levy	Extends the sunset date for authority of local Regional Transportation Authorities to utilize voter-approved property tax mil levies as a funding source.	SIGNED INTO LAW by Governor Hickenlooper
<a href="#">HB17-1232</a> Public utilities alternative fuel motor vehicles	Authorizes investor-owned utilities to invest in alternate vehicle (electric and compressed natural gas) infrastructure and build costs into ratebases.	KILLED by Senate State, Veterans, and Military Affairs Cte. after passing House
<a href="#">SB17-188</a> Repeal income tax credit innovative motor vehicles	Eliminates the income tax credit for innovative vehicles, including electric vehicles and plug-in hybrids.	DEEMED LOST due to not being voted on by the full Senate
<a href="#">HB17-1242</a> New transportation infrastructure funding revenue	Voter-referred measure that increases sales tax to fund highway improvements and multi-modal transportation.	KILLED by Senate Finance Cte. after passing House
<a href="#">SB17-267</a> Sustainability of rural Colorado	A multi-objective bill that removes a hospital provider fee from TABOR restrictions, backfills state 2017-18 budget cuts to hospitals, increases marijuana retail taxes with a portion going to public school funding, and authorizes the Department of Transportation to enter lease-purchase agreements between FY 2018-19 and FY 2021-22 that will make \$1.8 billion available for transportation projects. The specific projects funded will be determined by the Transportation Commission, subject to the requirement that at least 25 percent of funds, or \$450 million, be spent for projects in counties with fewer than 50,000 people.	Passed Senate and House, pending action by Governor
<b>Waste Reduction and Diversion Policies</b>		
<a href="#">HB17-1275</a> Increase solid waste diversion	Enables collection of data regarding solid waste diversion rates from landfills and provides for technical assistance to local governments to do so.	KILLED by Senate State, Veterans, and Military Affairs Cte. after passing House

Bill	Description	Status
<b>State Climate Preparedness Policies</b>		
<a href="#">HB17-1219</a> Colorado Water Conservation Board agricultural lands following pilot program extension	Extends until 2023 the Colorado Water Conservation Board’s (CWCB) pilot program to demonstrate the practice of fallowing agricultural irrigation land and leasing the associated water rights for temporary municipal, agricultural, environmental, industrial, or recreational use. Also increases the number of projects CWCB may authorize from 10 to 15 projects.	Passed House and Senate, pending action by Governor
<a href="#">HB 17-1248</a> Colorado Water Conservation Board Construction Fund project	An annual bill that allocates funds from the CWCB construction funds for a variety of construction projects, planning studies, and programs, including \$1,000,000 for continuation of the alternative agricultural transfer methods grant program, \$5,000,000 for continuation of the watershed restoration program, and \$10,000,000 for implementation of the Colorado Water Plan. The water plan funding is allocated as follows: <ul style="list-style-type: none"> <li>• Up to \$2,000,000 for multi-beneficial projects and those projects identified in basin implementation plans to address the water supply and demand gap;</li> <li>• Up to \$1,000,000 to implement long-term strategies for conservation, land use, and drought planning;</li> <li>• Up to \$3,000,000 to facilitate the development of additional storage, artificial recharge into aquifers, and dredging existing reservoirs to restore the reservoirs' full decreed storage capacity;</li> <li>• Up to \$1,000,000 for water education, outreach, and innovation efforts;</li> <li>• Up to \$1,000,000 to provide technical assistance and project for agricultural projects;</li> <li>• Up to \$1,000,000 for watershed health, environment, and recreation; and</li> <li>• Up to \$1,000,000 to complete an update to the. Statewide Water Supply Initiative.</li> </ul>	Passed House and Senate, pending action by Governor
<a href="#">SB17-50</a> Consolidation of grant programs relating to forest management	Consolidates existing state grant programs related to forest management under the Colorado State Forest Service at Colorado State University and gives it the authority to spend unencumbered balances in certain cash funds. The bill: <ul style="list-style-type: none"> <li>• Renames the Forest Restoration Program Cash Fund to the Wildfire Risk Reduction and Forest Health Grant Program Cash Fund and extends its repeal date from July 1, 2018, to September 1, 2023;</li> </ul>	SIGNED INTO LAW by Governor Hickenlooper

Bill	Description	Status
	<ul style="list-style-type: none"> <li>• Repeals the Wildfire Risk Reduction Grant Program in the Department of Natural Resources on December 31, 2017, and transfers the balance to the Wildfire Risk Reduction and Forest Health Grant Program Cash Fund;</li> <li>• Authorizes \$2.5 million in transfers from the Severance Tax Operational Fund from July 1, 2017, to September 1, 2023, to the Wildfire Risk Reduction and Forest Health Grant Program Cash Fund;</li> <li>• Allows the State Forest Service to use up to \$1.0 million of the unencumbered balance of the Wildfire Risk Reduction and Forest Health Grant Program Cash Fund with spending direction; and</li> <li>• Establishes eligibility and funding criteria for the grant programs.</li> </ul>	
<b>State Technical and Funding Assistance for Local Programs</b>		
No bills this session		