

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Evans

1 Strike the Energy and Environment Committee Report, dated March 27,
2 2024, and substitute:

3 "Amend printed bill, strike everything below the enacting clause and
4 substitute:

5 "SECTION 1. In Colorado Revised Statutes, **add** 30-28-213 as
6 follows:

7 **30-28-213. Electric motor vehicle charging systems - county**
8 **permitting - model code - technical assistance - definitions.**

9 (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
10 OTHERWISE REQUIRES:

11 (a) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY
12 OFFICE CREATED IN SECTION 24-38.5-101.

13 (b) (I) "COUNTY PERMITTING AGENCY" MEANS THE ENTITY OR
14 ENTITIES FOR A COUNTY THAT ARE RESPONSIBLE FOR ISSUING AN EV
15 CHARGER PERMIT FOR THE CONSTRUCTION OF AN ELECTRIC MOTOR
16 VEHICLE CHARGING SYSTEM.

17 (II) "COUNTY PERMITTING AGENCY" MAY INCLUDE:

18 (A) A COUNTY BUILDING DEPARTMENT OR AGENCY;

19 (B) A COUNTY PLANNING DEPARTMENT OR AGENCY; OR

20 (C) A COUNTY PUBLIC WORKS OR ROAD AND BRIDGE DEPARTMENT
21 OR AGENCY.

22 (c) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE
23 MEANING SET FORTH SECTION 24-4-109 (2)(b)(II).

24 (d) "ELECTRIC MOTOR VEHICLE CHARGING SYSTEM" OR "CHARGING
25 SYSTEM" HAS THE MEANING SET FORTH IN SECTION 38-12-601 (6)(a).

26 (2) (a) ON OR BEFORE MARCH 31, 2025, THE COLORADO ENERGY
27 OFFICE SHALL PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT
28 CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT
29 OBJECTIVE STANDARDS AND PERMITTING PROCESSES FOR COUNTIES.

30 (b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
31 THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (2)(a) OF THIS
32 SECTION MUST BE DEVELOPED IN CONSULTATION WITH COUNTIES,
33 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,
34 AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE
35 COLORADO ENERGY OFFICE.

36 (c) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
37 THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION
38 (2) MUST APPLY ONLY TO A COUNTY'S LAND USE AND ZONING PERMITTING
39 PROCESSES AND MUST NOT CONTRAVENE:

1 (I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR
2 PROCEDURES;
3 (II) COUNTY ELECTRICAL PERMITTING REQUIREMENTS OR
4 PROCEDURES;
5 (III) STATE ELECTRICAL INSPECTION REQUIREMENTS;
6 (IV) COUNTY ELECTRICAL INSPECTION REQUIREMENTS; OR
7 (V) NATIONAL ELECTRIC CODE REQUIREMENTS OR REGULATIONS
8 RELATED TO ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS.
9 (3)(a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
10 ASSISTANCE TO COUNTIES TO ASSIST A COUNTY IN COMPLYING WITH THE
11 REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:
12 (I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF COUNTY
13 CODES; AND
14 (II) MATERIALS AND SUPPORT FOR TRAINING COUNTY PERMITTING
15 AGENCY STAFF WITH INTERPRETING AND APPLYING EV CHARGER PERMIT
16 STANDARDS AND PROCESSES.
17 (b) THE COLORADO ENERGY OFFICE SHALL USE MONEY IN THE
18 ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, TO
19 PROVIDE TECHNICAL ASSISTANCE TO COUNTIES IN ACCORDANCE WITH THIS
20 SUBSECTION (3).
21 (c) THE COLORADO ENERGY OFFICE SHALL PRIORITIZE PROVIDING
22 TECHNICAL ASSISTANCE TO COUNTIES THAT HAVE A SIGNIFICANT NUMBER
23 OF DISPROPORTIONATELY IMPACTED COMMUNITIES.
24 **SECTION 2.** In Colorado Revised Statutes, **add** 31-23-316 as
25 follows:
26 **31-23-316. Electric motor vehicle charging systems -**
27 **municipal permitting - model code - technical assistance - definitions.**
28 (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
29 OTHERWISE REQUIRES:
30 (a) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY
31 OFFICE CREATED IN SECTION 24-38.5-101.
32 (b) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE
33 MEANING SET FORTH SECTION 24-4-109 (2)(b)(II).
34 (c) "ELECTRIC MOTOR VEHICLE CHARGING SYSTEM" OR "CHARGING
35 SYSTEM" HAS THE MEANING SET FORTH IN SECTION 38-12-601 (6)(a).
36 (d) (I) "MUNICIPAL PERMITTING AGENCY" MEANS THE ENTITY OR
37 ENTITIES FOR A MUNICIPALITY THAT ARE RESPONSIBLE FOR ISSUING AN EV
38 CHARGER PERMIT FOR THE CONSTRUCTION OF AN ELECTRIC MOTOR
39 VEHICLE CHARGING SYSTEM.
40 (II) "MUNICIPAL PERMITTING AGENCY" MAY INCLUDE:
41 (A) A MUNICIPAL BUILDING DEPARTMENT OR AGENCY;
42 (B) A MUNICIPAL PLANNING DEPARTMENT OR AGENCY; OR
43 (C) A MUNICIPAL PUBLIC WORKS OR ROAD AND BRIDGE

1 DEPARTMENT OR AGENCY.

2 (2) (a) ON OR BEFORE MARCH 31, 2025, THE COLORADO ENERGY
3 OFFICE SHALL PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT
4 CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT
5 OBJECTIVE STANDARDS AND PERMITTING PROCESSES FOR MUNICIPALITIES.

6 (b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
7 THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (2)(a) OF THIS
8 SECTION MUST BE DEVELOPED IN CONSULTATION WITH MUNICIPALITIES,
9 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,
10 AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE
11 COLORADO ENERGY OFFICE.

12 (c) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
13 THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION
14 (2) MUST APPLY ONLY TO A MUNICIPALITY'S LAND USE AND ZONING
15 PERMITTING PROCESSES AND MUST NOT CONTRAVENE:

16 (I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR
17 PROCEDURES;

18 (II) MUNICIPAL ELECTRICAL PERMITTING REQUIREMENTS OR
19 PROCEDURES;

20 (III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

21 (IV) MUNICIPAL ELECTRICAL INSPECTION REQUIREMENTS; OR

22 (V) NATIONAL ELECTRIC CODE REQUIREMENTS OR REGULATIONS
23 RELATED TO ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS.

24 (3) (a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
25 ASSISTANCE TO MUNICIPALITIES TO ASSIST A MUNICIPALITY IN COMPLYING
26 WITH THE REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:

27 (I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF MUNICIPAL
28 CODES; AND

29 (II) MATERIALS AND SUPPORT FOR TRAINING MUNICIPAL
30 PERMITTING AGENCY STAFF WITH INTERPRETING AND APPLYING EV
31 CHARGER PERMIT STANDARDS AND PROCESSES.

32 (b) THE COLORADO ENERGY OFFICE SHALL USE MONEY IN THE
33 ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, TO
34 PROVIDE TECHNICAL ASSISTANCE TO MUNICIPALITIES IN ACCORDANCE
35 WITH THIS SUBSECTION (3).

36 (c) THE COLORADO ENERGY OFFICE SHALL PRIORITIZE PROVIDING
37 TECHNICAL ASSISTANCE TO MUNICIPALITIES THAT HAVE A SIGNIFICANT
38 NUMBER OF DISPROPORTIONATELY IMPACTED COMMUNITIES.

39 **SECTION 3.** In Colorado Revised Statutes, 24-38.5-102, **amend**
40 **(1)(l); and add (1)(n) and (1)(o) as follows:**

41 **24-38.5-102. Colorado energy office - duties and powers -**
42 **definitions.** (1) The Colorado energy office shall:

43 (l) Develop basic consumer education or guidance about leased

1 solar installation and purchased solar installation in consultation with
2 industries that offer these options to consumers; and

3 (n) DEVELOP AND PUBLISH AN EV CHARGER PERMITTING MODEL
4 CODE THAT CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER
5 PERMIT STANDARDS AND PERMITTING PROCESSES FOR COUNTIES AND
6 MUNICIPALITIES IN ACCORDANCE WITH SECTIONS 30-28-213 (2) AND
7 31-23-316 (2); AND

8 (o) PROVIDE ASSISTANCE AND SUPPORT TO A BOARD OF COUNTY
9 COMMISSIONERS OR THE GOVERNING BODY OF A MUNICIPALITY IN
10 DEVELOPING ORDINANCES OR RESOLUTIONS FOR THE PERMITTING OF
11 ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS IN ACCORDANCE WITH
12 SECTIONS 30-28-213 (3) AND 31-23-316 (3).

13 **SECTION 4.** In Colorado Revised Statutes, 24-38.5-103, **amend**
14 (1)(a) as follows:

15 **24-38.5-103. Electric vehicle grant fund - creation -**
16 **administration - legislative declaration.** (1) (a) (I) There is hereby
17 created in the state treasury the electric vehicle grant fund, referred to in
18 this section as the "fund". The Colorado energy office shall use the fund
19 to:

20 (A) Provide grants to state agencies, public universities, public
21 transit agencies, local governments, landlords of multifamily apartment
22 buildings, private nonprofit or for-profit corporations, and the unit
23 owners' associations of common interest communities as defined in article
24 33.3 of title 38 to install charging stations for electric vehicles;

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

28 (C) PROVIDE ANALYSIS AND TECHNICAL SUPPORT RELATED TO THE
29 DEVELOPMENT, PERMITTING, AND ENERGIZATION OF ELECTRIC VEHICLE
30 CHARGING STATIONS, INCLUDING PROVIDING TECHNICAL ASSISTANCE TO
31 COUNTIES AND MUNICIPALITIES IN ACCORDANCE WITH SECTIONS
32 30-28-213 (3) AND 31-23-316 (3).

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

36 ~~(I) Repealed.~~

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

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

43 ~~(IV)~~ (C) Any other criteria defined by the Colorado energy office.

1 **SECTION 5. 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; except
4 that, if a referendum petition is filed pursuant to section 1 (3) of article V
5 of the state constitution against this act or an item, section, or part of this
6 act within such period, then the act, item, section, or part will not take
7 effect unless approved by the people at the general election to be held in
8 November 2024 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor."."

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