

HOUSE COMMITTEE OF REFERENCE AMENDMENT  
Committee on Finance.

HB25-1292 be amended as follows:

1 Amend the Transportation, Housing, and Local Government Report,  
2 dated March 25, 2025, page 1, strike line 21.

3 Page 2 of the report, strike lines 1 through 6 and substitute:  
4 "Page 6 of the printed bill, strike lines 24 through 27.

5 Page 7 of the bill, strike lines 1 through 10 and substitute:

6 **"(4) Compensation to department for right-of-way access.**

7 (a) (I) A TRANSMISSION DEVELOPER SHALL COMPENSATE THE  
8 DEPARTMENT FOR ITS CO-LOCATION OF HIGH VOLTAGE LINES IN A STATE  
9 HIGHWAY RIGHT-OF-WAY. A TRANSMISSION DEVELOPER MAY  
10 COMPENSATE THE DEPARTMENT THROUGH SURCHARGES AS PROVIDED IN  
11 SUBSECTION (4)(b) OF THIS SECTION OR THROUGH A PUBLIC-PRIVATE  
12 INITIATIVE AS PROVIDED IN SUBSECTION (4)(c) OF THIS SECTION.

13 (II) THE SURCHARGES FOR A TRANSMISSION DEVELOPER'S USE OF  
14 A STATE HIGHWAY RIGHT-OF-WAY IS AN ALTERNATIVE METHOD TO  
15 COMPENSATING THE STATE THROUGH IN-KIND INFRASTRUCTURE  
16 EXCHANGE IN A PUBLIC-PRIVATE INITIATIVE, AS DEFINED IN SECTION  
17 43-1-1201 (3). THE ENTITY REQUESTING ACCESS TO THE RIGHT-OF-WAY  
18 HAS THE DISCRETION TO CHOOSE WHICH PROCESS IT WILL USE TO  
19 COMPENSATE THE STATE FOR ITS USE OF THE RIGHT-OF-WAY.

20 (III) A TRANSMISSION DEVELOPER MAY ENTER INTO A  
21 PUBLIC-PRIVATE INITIATIVE TO COMPENSATE THE DEPARTMENT FOR  
22 ACCESS TO THE STATE HIGHWAY RIGHT-OF-WAY AFTER RULEMAKING  
23 PURSUANT TO SUBSECTION (6) OF THIS SECTION IS COMPLETE. THE OPTION  
24 TO COMPENSATE THE DEPARTMENT FOR ACCESS TO THE STATE HIGHWAY  
25 RIGHT-OF-WAY BY PAYING SURCHARGES IS AVAILABLE BEGINNING ON  
26 JULY 1, 2027.

27 (b) THE DEPARTMENT MAY IMPOSE SURCHARGES ON A  
28 TRANSMISSION DEVELOPER FOR ITS ACCESS TO A STATE HIGHWAY  
29 RIGHT-OF-WAY, INCLUDING A ONE-TIME SURCHARGE TO COVER THE COSTS  
30 OF A PERMIT FOR THE USE OF THE RIGHT-OF-WAY AND AN ANNUAL USE  
31 SURCHARGE FOR THE USE OF THE RIGHT-OF-WAY. THE DEPARTMENT SHALL  
32 ESTABLISH THE SURCHARGES BY RULE PURSUANT TO SUBSECTION  
33 (6)(b)(IV) OF THIS SECTION.

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

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