

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 29, 2021

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

SB21-246 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 4, after line 11 insert:

2 "SECTION 2. In Colorado Revised Statutes, 38-33.3-106.7,
3 **amend** (1)(b)(IV) and (1)(b)(V); and **add** (1)(b)(VI) as follows:

4 **38-33.3-106.7. Unreasonable restrictions on energy efficiency**
5 **measures - definitions.** (1) (b) As used in this section, "energy
6 efficiency measure" means a device or structure that reduces the amount
7 of energy derived from fossil fuels that is consumed by a residence or
8 business located on the real property. "Energy efficiency measure" is
9 further limited to include only the following types of devices or
10 structures:

11 (IV) An energy-efficient outdoor lighting device, including
12 without limitation a light fixture containing a coiled or straight
13 fluorescent light bulb, and any solar recharging panel, motion detector, or
14 other equipment connected to the lighting device; ~~and~~

15 (V) A retractable clothesline; AND

16 (VI) A HEAT PUMP."

17 Renumber succeeding sections accordingly.

18 Page 4, line 16, after "(1.2)" insert "(a)".

19 Page 4, line 21, strike "(a)" and substitute "(I)".



1 Page 4, line 23, strike "(b)" and substitute "(II)".

2 Page 4, after line 24 insert:

3 "(b) "BENEFICIAL ELECTRIFICATION" DOES NOT INCLUDE:

4 (I) RETAIL DISTRIBUTED GENERATION, AS DEFINED IN SECTION
5 40-2-124 (1)(a)(VIII); OR

6 (II) AN ENERGY STORAGE SYSTEM, AS DEFINED IN SECTION
7 40-2-130 (2)(a)."

8 Page 6, line 11, strike "CONSTRUCTION," and substitute "MECHANICAL,".

9 Page 6, lines 21 and 22, strike "ASSEMBLE, MAINTAIN, AND UPDATE AT
10 LEAST EVERY SIX MONTHS" and substitute "OBTAIN FROM THE COLORADO
11 DEPARTMENT OF LABOR AND EMPLOYMENT AND SHALL MAKE USE OF".

12 Page 6, strike lines 26 and 27 and substitute "APPRENTICESHIP PROGRAMS
13 THAT ARE REGISTERED WITH THE UNITED STATES DEPARTMENT OF".

14 Page 7, strike lines 4 and 5.

15 Page 7, strike lines 13 through 27.

16 Page 8, strike lines 1 through 9 and substitute:

17 "(c) AS A CONDITION FOR CUSTOMER PARTICIPATION IN BENEFICIAL
18 ELECTRIFICATION PROGRAMS WHERE A REBATE IS PAID DIRECTLY TO THE
19 CUSTOMER AFTER INSTALLATION IS COMPLETE, EACH INVESTOR-OWNED
20 ELECTRIC UTILITY SHALL REQUIRE ITS RESIDENTIAL CUSTOMERS TO VERIFY
21 THAT THEY USED LICENSED ELECTRICIANS AND PLUMBERS OR PROPERLY
22 SUPERVISED APPRENTICES ON ALL PLUMBING AND ELECTRICAL WORK
23 PERFORMED BY A CONTRACTOR ON RESIDENTIAL INSTALLATIONS THAT
24 QUALIFY FOR A BENEFICIAL ELECTRIFICATION REBATE.

25 (4) THE FOLLOWING REQUIREMENTS APPLY TO BENEFICIAL
26 ELECTRIFICATION PROJECTS IN NEW OR EXISTING INDUSTRIAL,
27 COMMERCIAL, OR MULTIFAMILY RESIDENTIAL BUILDINGS:

28 (a) FOR PLUMBING, MECHANICAL, OR ELECTRICAL PROJECTS
29 UNDERTAKEN BY A COMMERCIAL OR INDUSTRIAL CUSTOMER IN A BUILDING
30 THAT CONTAINS TWENTY THOUSAND SQUARE FEET OR MORE OF
31 CONDITIONED FLOOR SPACE AND FOR WHICH A REBATE IS TO BE PROVIDED
32 DIRECTLY TO THE CUSTOMER AS PART OF A BENEFICIAL ELECTRIFICATION
33 PROGRAM, THE UTILITY SHALL CONDITION PAYMENT OF THE REBATE ON



1 THE CUSTOMER'S EXCLUSIVE USE OF CONTRACTORS FROM THE CERTIFIED
2 CONTRACTOR LIST UNLESS THE WORK IS DONE BY EMPLOYEES OF THE
3 UTILITY.

4 (b) (I) FOR PLUMBING, MECHANICAL, OR ELECTRICAL PROJECTS
5 THAT INVOLVE THE BENEFICIAL ELECTRIFICATION OF CENTRAL BUILDING
6 SYSTEMS IN A MULTIFAMILY BUILDING THAT CONTAINS TWENTY
7 THOUSAND SQUARE FEET OR MORE OF CONDITIONED FLOOR SPACE AND FOR
8 WHICH A REBATE IS TO BE PROVIDED DIRECTLY TO THE BUILDING OWNER
9 AS PART OF A BENEFICIAL ELECTRIFICATION PROGRAM, THE UTILITY SHALL
10 CONDITION PAYMENT OF THE REBATE ON THE BUILDING OWNER'S
11 EXCLUSIVE USE OF CONTRACTORS THAT PARTICIPATE IN".

12 Page 8, line 14, strike "CUSTOMER" and substitute "BUILDING OWNER".

13 Page 12, line 7, strike "COST RECOVERY" and substitute "AN ELECTRIC
14 UTILITY TO RECOVER ITS PRUDENTLY INCURRED COSTS".

15 Page 12, line 14, strike "SHALL CONSIDER THE FOLLOWING" and substitute
16 "MAY CONSIDER".

17 Page 12, line 16, change the colon to a comma and add "WHICH MAY
18 INCLUDE:".

19 Page 12, line 25, strike "AND" and substitute "OR".

20 Page 13, strike lines 5 through 7 and substitute "A TEN-YEAR BENEFICIAL
21 ELECTRIFICATION TARGET AND OBJECTIVE CRITERIA FOR MEASURING
22 PROGRESS TOWARD ATTAINMENT OF THE TARGET, WHICH CRITERIA MAY
23 INCLUDE THE LEVEL OF SUBSTITUTION".

24 Page 14, line 12, strike the colon and substitute "ARE ENCOURAGED TO:".

25 Page 14, strike line 13.

26 Page 14, line 14, strike "(I)" and substitute "(a)".

27 Page 14, line 18, strike "(II)" and substitute "(b)".

28 Page 14, line 22, strike "(III)" and substitute "(c)".

29 Page 14, line 25, strike "(IV)" and substitute "(d)".



- 1 Page 14, line 27, change the semicolon to a period.
- 2 Page 15, strike lines 1 through 6.

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