

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

\_\_\_\_\_  
May 3, 2023  
Date

Committee on Agriculture, Water & Natural Resources.

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

SB23-092 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 10, strike lines 6 and 7 and substitute "IN  
2 SECTION 25-7-102 (2)(g); EXCEPT THAT, IF THE SOURCE IS LOCATED IN A  
3 DISPROPORTIONATELY IMPACTED COMMUNITY, THE COMMISSION SHALL".

4 Page 14, strike lines 11 through 13 and substitute:

5 "(II) UTILIZING TRANSLUCENT PANELS OR PANELS WITH TUBULAR  
6 OR OTHER INNOVATIVE PANEL GEOMETRY THAT SUPPORTS AGRIVOLTAICS;  
7 (III) INCORPORATING ALTERNATIVE SOLAR TRACKING ALGORITHMS  
8 THAT ARE TAILORED TO OPTIMIZE VEGETATIVE GROWTH;"

9 Page 14, after line 15 insert:

10 "(V) INCORPORATING MODIFIED WIRE MANAGEMENT SYSTEMS  
11 THAT SUPPORT LIVESTOCK, INCLUDING RAISING, LOWERING, OR BURYING  
12 WIRING;

13 (VI) INCORPORATING INNOVATIVE PHOTOVOLTAIC RACKING  
14 STRUCTURES, INCLUDING TENSIONED WIRE RACKING SYSTEMS,  
15 SUSPENSION-BASED SYSTEMS, OR OTHER DYNAMIC PHOTOVOLTAIC  
16 RACKING SYSTEMS OR ARRANGEMENTS;

17 (VII) INCORPORATING AGRICULTURAL INFRASTRUCTURE THAT IS  
18 TYPICALLY FOUND ON A FARM OR RANCH OPERATION, SUCH AS  
19 AGRICULTURAL FENCES, WATER SOURCES AND DISTRIBUTION, WATER  
20 TROUGHS AND TANKS, CORRALS, LIVESTOCK PENS, OR PRODUCE HANDLING  
21 EQUIPMENT; AND

22 (VIII) INCORPORATING AGRICULTURAL STRUCTURES THAT ARE  
23 TYPICALLY FOUND ON AN AGRICULTURAL OPERATION, SUCH AS A TRACTOR  
24 SHED, BARN, OR STRUCTURES FOR EQUIPMENT STORAGE, PRODUCE

1 WASHING, STORAGE, PROCESSING, OR CHILLING AND PACKAGING."

2 Page 14, line 19, before "MINIMIZE" insert "ARE PLANNED WITH THE  
3 INTENT TO".

4 Page 19, after line 1 insert:

5 "SECTION 10. In Colorado Revised Statutes, 43-4-217, amend  
6 (6)(a) as follows:

7 **43-4-217. Additional funding - road usage fees - rules -**  
8 **legislative declaration - definitions.** (6) (a) A distributor is not required  
9 to pay the road usage fee imposed by subsection (3) or (4) of this section  
10 or the bridge and tunnel impact fee imposed as authorized by section  
11 43-4-805 (5)(g.5), if the distributor would otherwise be liable for the  
12 excise tax on the gasoline or special fuel subject to the fee but is allowed  
13 to sell the gasoline or special fuel without payment of the applicable  
14 excise tax pursuant to ~~section 39-27-102(1)(b)(II) or section 39-27-102.5~~  
15 ~~(2)(b)~~ SECTION 39-27-102.5."

16 Renumber succeeding sections accordingly.

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