

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 17-1155.01 Esther van Mourik x4215

**SENATE BILL 17-301**

---

**SENATE SPONSORSHIP**

**Scott and Marble,**

**HOUSE SPONSORSHIP**

**Becker K. and Saine,**

---

**Senate Committees**

Agriculture, Natural Resources, & Energy  
Finance  
Appropriations

**House Committees**

Judiciary  
Finance  
Appropriations

---

**A BILL FOR AN ACT**

101 **CONCERNING ENERGY-RELATED STATUTES.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

**Section 1** of the bill provides a nonstatutory legislative declaration about the changes in law set forth in section 2 of the bill.

**Section 2** directs the public utilities commission to adopt rules under which investor-owned utilities may submit plans for the acquisition of natural gas reserves to meet their long-term supply needs, subject to the commission's review and approval of applications.

**Section 3** repeals the wind for schools grant program.

**Section 4** repeals the renewable energy and energy efficiency for

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*Dashes through the words indicate deletions from existing statute.*

HOUSE  
Amended 2nd Reading  
May 9, 2017

SENATE  
Amended 3rd Reading  
May 9, 2017

SENATE  
Amended 2nd Reading  
May 8, 2017

schools loan program.

**Section 5** removes the Colorado energy office's (office) involvement with the forest service and the air quality control commission to support the increased use of woody biomass in bio-heating.

**Section 6** removes the office's involvement in grants with the Colorado energy research institute for the development of a central resource for building trade professionals.

**Section 7:**

- ! Specifies nuclear and hydroelectric power as a cleaner energy source that the office should promote;
- ! Amends the office's requirement to develop and encourage increased utilization of energy curricula, and expands the collaborative groups to include the energy industry and executive departments;
- ! Repeals certain programs for which the office is responsible; and
- ! Requires the director of the office and the executive director of the department of natural resources, or their designees, to convene stakeholders for one or more meetings before November 1, 2017, to identify voluntary methods to address funding shortfalls associated with the long-term management of abandoned oil and gas facilities.

**Section 8** renames the clean and renewable energy fund as the energy fund and continues the general fund transfer to the energy fund for 4 years and adds the authority to spend the money in the fund for educating the general public on energy issues and opportunities.

**Section 9** adds 4 years of funding for the innovative energy fund from the general fund and removes the requirement that the funds used in the innovative energy fund for grants or loans shall be limited to innovative energy efficiency projects and policy development.

**Section 10** repeals the office's authority to submit a proposal for credentialing photovoltaic installers.

**Section 11** repeals the green building incentive pilot program.

**Section 12** repeals the "Colorado Clean Energy Finance Program Act".

**Section 13** removes the office's responsibility to maintain a list of solar installers, the requirement for a builder to offer that list to customers, and the requirement for the office to offer training on solar installations.

**Section 14** removes a requirement for a 2018 study by the office on alternative fuel truck emissions.

**Section 15** removes an obsolete section of law pertaining to a computer system for tracking the movement of gasoline or special fuel in the state.

**Section 16** removes the office as the administrator of the Colorado carbon fund special license plate.

**Section 17** increases the registration fee on electric motor vehicles and the portion of the fee that is earmarked for the highway users tax fund to offset the reduced gas tax collected as a result of the vehicle's increased efficiency.

Current law authorizes a homeowner to finance certain energy efficiency improvements to the home through a loan pursuant to the property assessed clean energy program (PACE). PACE requires an applicant to file a title commitment on the home and a hearing must be held in order to seek a voluntary subordination of existing liens to PACE's junior lien. **Sections 18 through 21** exempt a homeowner from the title commitment and hearing requirements if the owner is not seeking to subordinate the priority of existing liens and clarifies that housing authorities can use PACE as a completely voluntary assessment.

**Sections 22 and 23** make conforming amendments.

---

1 *Be it enacted by the General Assembly of the State of Colorado:*

2

3 **SECTION 1.** In Colorado Revised Statutes, 23-31-313, **amend**  
4 (7)(b) as follows:

5 **23-31-313. Healthy forests - vibrant communities - funds**  
6 **created - repeal. (7) Enhanced economic opportunities.** In order to  
7 support local business development and job creation through the  
8 implementation of forest treatments, the forest service shall:

9 (b) Work with ~~the Colorado energy office created in section~~  
10 ~~24-38.5-101, C.R.S., and the air quality control commission created in~~  
11 ~~section 25-7-104 C.R.S.,~~ to support the appropriately increased use of  
12 woody biomass in bio-heating.

13 **SECTION 2.** In Colorado Revised Statutes, 23-41-114, **amend**  
14 (4)(b)(VI)(A) as follows:

15 **23-41-114. Colorado energy research institute - creation.**  
16 (4) The institute shall conduct:

1 (b) The following specific research and educational programs  
2 designed to meet the information needs of the department of natural  
3 resources, other agencies of the state's executive branch, the legislature,  
4 and the public:

5 (VI) (A) To provide grants ~~through the Colorado energy office~~  
6 ~~created in section 24-38.5-101, C.R.S.~~, for the development of a central  
7 resource for building trade professionals, including contractors,  
8 engineers, architects, and designers, for the purpose of increasing  
9 available tools and education to advance energy-efficient design and  
10 construction.

11 **SECTION 3.** In Colorado Revised Statutes, 24-38.5-102, **repeal**  
12 **(1)(g)** as follows:

13 **24-38.5-102. Colorado energy office - duties and powers.**

14 (1) The Colorado energy office shall:

15 ~~■ ■~~

16 (g) ~~Work with the Colorado energy research institute to provide~~  
17 ~~grants to advance energy-efficient design and construction as specified in~~  
18 ~~section 23-41-114 (4)(b)(VI), C.R.S.;~~

19 ~~■ ■~~

20 **SECTION 4.** In Colorado Revised Statutes, 24-38.5-102.4,  
21 **amend** (1)(a)(I), (2)(a), and (2)(b); and **add** (1)(a)(IV) as follows:

22 **24-38.5-102.4. Clean and renewable energy fund - creation -**  
23 **use of fund - definitions - repeal.** (1) (a) (I) The **clean and renewable**  
24 energy fund is hereby created in the state treasury. The principal of the  
25 fund ~~shall consist~~ CONSISTS of ~~moneys~~ MONEY transferred to the fund  
26 from the general fund, ~~moneys~~ MONEY transferred to the fund at the end  
27 of the 2006-07 state fiscal year and at the end of each succeeding state

1 fiscal year from ~~moneys~~ MONEY received by the Colorado energy office,  
2 ~~moneys~~ MONEY received pursuant to the federal "American Recovery and  
3 Reinvestment Act of 2009", Pub.L. 111-5, or any amendments thereto, or  
4 from revenue contracts, court settlement funds, supplemental  
5 environmental program funds, repayment or return of funds from eligible  
6 public depositories, and gifts, grants, and donations, and any other  
7 ~~moneys~~ MONEY received by the Colorado energy office. Interest and  
8 income earned on the deposit and investment of ~~moneys~~ MONEY in the  
9 clean and renewable energy fund ~~shall be~~ ARE credited to the fund.  
10 ~~Moneys~~ MONEY in the fund at the end of any state fiscal year ~~shall remain~~  
11 REMAINS in the fund and ~~shall~~ MAY not be credited to the state general  
12 fund or any other fund. ~~Moneys~~ MONEY in the fund ~~shall~~ MAY not be  
13 transferred to the innovative energy fund created in section  
14 24-38.5-102.5.

15 (IV) (A) ON JULY 1, 2017, AND EACH JULY 1 THEREAFTER  
16 THROUGH JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER ONE  
17 MILLION ONE HUNDRED THOUSAND DOLLARS TO THE CLEAN AND  
18 RENEWABLE ENERGY FUND FROM THE GENERAL FUND.

19 (B) THIS SUBSECTION (1)(a)(IV) IS REPEALED, EFFECTIVE JULY 1,  
20 2021.

21 (2) (a) All ~~moneys~~ MONEY in the clean and renewable energy fund  
22 ~~are~~ IS continuously appropriated to the Colorado energy office for the  
23 purposes of advancing energy efficiency and renewable energy  
24 throughout the state.

25 (b) The Colorado energy office may expend ~~moneys~~ MONEY from  
26 the clean and renewable energy fund:

27 (I) To attract renewable energy industry investment in the state;

1 (II) To assist in technology transfer into the marketplace for newly  
2 developed energy efficiency and renewable energy technologies;

3 (III) To provide market incentives for the purchase and  
4 distribution of energy efficient and renewable energy products;

5 (IV) To assist in the implementation of energy efficiency projects  
6 throughout the state;

7 (V) To aid governmental agencies in energy efficiency  
8 government initiatives;

9 (VI) To facilitate widespread implementation of renewable energy  
10 technologies; and

11 (VII) TO EDUCATE THE GENERAL PUBLIC ON ENERGY ISSUES AND  
12 OPPORTUNITIES; AND

13 ~~(VII)~~ (VIII) In any other manner that serves the purposes of  
14 advancing energy efficiency and renewable energy throughout the state.

15 **SECTION 5.** In Colorado Revised Statutes, 24-38.5-102.5,  
16 **amend** (1)(a) [REDACTED] as follows:

17 **24-38.5-102.5. Innovative energy fund - creation - use of fund**  
18 **- definitions - repeal.** (1) (a) (I) The innovative energy fund is hereby  
19 created in the state treasury. The principal of the fund ~~shall consist~~  
20 CONSISTS of ~~moneys~~ MONEY transferred to the fund by the general  
21 assembly, ~~moneys~~ MONEY transferred at the end of each state fiscal year  
22 from ~~moneys~~ MONEY received by the Colorado energy office, ~~moneys~~  
23 ~~received pursuant to section 39-29-108 (2), C.R.S.,~~ or from revenue  
24 contracts, court settlement funds, supplemental program funds, repayment  
25 or return of funds from eligible public depositories, and gifts, grants, and  
26 donations, and any other ~~moneys~~ MONEY received by the Colorado energy  
27 office. Interest and income earned on the deposit and investment of

1 ~~moneys~~ MONEY in the innovative energy fund ~~shall be~~ IS credited to the  
2 fund. ~~Moneys~~ MONEY in the fund at the end of any state fiscal year ~~shall~~  
3 ~~remain~~ REMAINS in the fund and ~~shall~~ MAY not be credited to the state  
4 general fund or any other fund. ~~Moneys~~ MONEY in the fund ~~shall~~ MAY not  
5 be transferred to the clean and renewable energy fund created in section  
6 24-38.5-102.4.

7 (II) (A) ON JULY 1, 2017, AND EACH JULY 1 THEREAFTER  
8 THROUGH JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER ONE  
9 MILLION   DOLLARS TO THE INNOVATIVE ENERGY FUND FROM THE  
10 GENERAL FUND.

11 (B) THIS SUBSECTION (1)(a)(II) IS REPEALED, EFFECTIVE JULY 1,  
12 2021.

13

14 **SECTION 6.** In Colorado Revised Statutes, **repeal** part 2 of  
15 article 38.5 of title 24 as follows:

16

PART 2

17

GREEN BUILDING INCENTIVE

18

PILOT PROGRAM

19

**24-38.5-201. Legislative declaration.** ~~(1) The general assembly~~  
20 ~~hereby finds and declares that:~~

21

~~(a) An incentive-based green building pilot program will strive to~~  
22 ~~reduce electricity, gas, and water use in older homes while providing an~~  
23 ~~incentive for homebuyers to purchase new residential construction that~~  
24 ~~meets stringent energy efficiency standards;~~

25

~~(b) Providing incentives for new residential construction that~~  
26 ~~meets stringent energy efficiency standards and improving energy~~  
27 ~~efficiency in existing residences can stimulate local and state economies~~

1 and provide opportunities for job growth in green jobs and industries that  
2 are focused on improving energy efficiency of both new and existing  
3 residences; and

4 (c) ~~An incentive-based green building pilot program will benefit~~  
5 ~~homebuyers who are attempting to purchase highly energy efficient new~~  
6 ~~residential construction and retrofit existing homes in an attempt to~~  
7 ~~reduce energy and water consumption.~~

8 **24-38.5-202. Definitions.** ~~As used in this part 2, unless the~~  
9 ~~context otherwise requires:~~

10 (1) ~~"Energy code" means the 2006 international energy~~  
11 ~~conservation code, or any successor edition, published by the~~  
12 ~~international code council or any state or local energy code that has more~~  
13 ~~recent or more stringent requirements.~~

14 (2) ~~"Energy efficiency improvement" means:~~

15 (a) ~~An upgrade to a structure, appliance, fixture, plumbing,~~  
16 ~~heating or cooling system, or water heater in any existing residence that~~  
17 ~~is intended to reduce the consumption of electricity, natural gas, water, or~~  
18 ~~any other fuel or energy source; and~~

19 (b) ~~The installation or upgrade of building insulation, air sealing~~  
20 ~~measures, and duct sealing in any existing residence.~~

21 (3) ~~"Existing residence" means a residence, either single-family~~  
22 ~~detached or multi-family, that:~~

23 (a) ~~Is located in Colorado;~~

24 (b) ~~Is used as the qualified homebuyer's primary residence; and~~

25 (c) ~~Has a current home energy rating, as determined by a~~  
26 ~~recognized green building rating system, that is below minimum~~  
27 ~~standards, as determined by the energy code.~~



1           (4) "~~Green building incentive pilot program~~" or "~~pilot program~~"  
2 means the ~~green building incentive pilot program~~ described in section  
3 ~~24-38.5-203~~.

4           (5) "~~Highly efficient new residential construction~~" means a new  
5 single-family detached residence or new multi-family residence located  
6 in Colorado that is designed and constructed to be at least twenty-five  
7 percent more efficient than the energy code's requirements, as  
8 documented by a recognized green building rating system.

9           (6) "~~Home energy audit~~" means an inspection, survey, and  
10 analysis of a home's structure and systems in order to quantify the  
11 building's projected energy consumption.

12           (7) "~~Home energy rating~~" means an objective and standard  
13 measurement of a home's energy efficiency relative to standards  
14 contained in an energy code, such as those developed by the residential  
15 energy services network or any successor organization.

16           (8) "~~Qualified homebuyer~~" means a person that has entered into  
17 a sales contract to purchase highly efficient new residential construction  
18 and will be selling the person's existing residence in order to purchase the  
19 highly efficient new residential construction as the person's primary  
20 residence.

21           (9) "~~Recognized green building rating system~~" means a system of  
22 rules for comparing the performance of a whole building or building  
23 system to the energy code, to a problem, or to a test case that serves as a  
24 basis for evaluation or comparison. "~~Recognized green building rating~~  
25 system" includes, but is not limited to:

26           (a) The federal energy star program, jointly operated by the United  
27 States environmental protection agency and the United States department

1 of energy, or its successor program;

2 (b) ~~The January 2008 version, or any successor standard, of the~~  
3 ~~"LEED for Homes Rating System" administered by the United States~~  
4 ~~green building council or its successor organization;~~

5 (c) ~~The national green building standard, commonly cited as~~  
6 ~~ANSI/ICC 700-2008, established by the national association of home~~  
7 ~~builders and the international council code, or any successor standard; and~~

8 (d) ~~Energy audits that are performed by the electric utility, or its~~  
9 ~~designee, providing service to the residence.~~

10 **24-38.5-203. Green building incentive pilot program.**

11 (1) ~~Except as provided in paragraph (b) of subsection (9) of this section,~~  
12 ~~the Colorado energy office shall establish and administer a green building~~  
13 ~~incentive pilot program in accordance with the requirements established~~  
14 ~~in this part 2.~~

15 (2) (a) ~~A qualified homebuyer may submit an application,~~  
16 ~~provided by the Colorado energy office, to the Colorado energy office for~~  
17 ~~a grant to make energy efficiency improvements to the homebuyer's~~  
18 ~~existing residence that the homebuyer is selling in preparation for~~  
19 ~~purchasing a highly efficient new residential construction.~~

20 (b) ~~The Colorado energy office shall award a larger grant to a~~  
21 ~~qualified homebuyer with an existing residence that has a home energy~~  
22 ~~rating or home energy audit showing greater inefficiency.~~

23 (3) ~~The energy efficiency improvements shall be performed by~~  
24 ~~contractors approved by the Colorado energy office as specified in~~  
25 ~~subsection (6) of this section.~~

26 (4) ~~The Colorado energy office shall require the qualified~~  
27 ~~homebuyer to submit documentation.~~

1           ~~(a) That the home energy rating of the qualified homebuyer's~~  
2 ~~existing residence is below the energy code's requirements;~~

3           ~~(b) That the qualified homebuyer has entered into a sales contract~~  
4 ~~to purchase a highly efficient new residential construction;~~

5           ~~(c) Of the estimated completion date of the qualified homebuyer's~~  
6 ~~highly efficient new residential construction;~~

7           ~~(d) Of the name or names of the contractors that will perform the~~  
8 ~~energy efficiency improvements on the existing residence; and~~

9           ~~(e) That the highly efficient new residential construction meets the~~  
10 ~~definition specified in section 24-38.5-202(5). The qualified homebuyer~~  
11 ~~may seek such documentation from the home builder, who may then~~  
12 ~~submit the documentation on behalf of the qualified homebuyer.~~

13           ~~(5) Energy efficiency improvements made to an existing residence~~  
14 ~~shall be completed in a manner that is consistent with a home energy~~  
15 ~~rating or a home energy audit, and shall result in improved energy~~  
16 ~~efficiency. Retrofits and upgrades to improve the energy efficiency of a~~  
17 ~~qualified homebuyer's existing residence shall be completed before the~~  
18 ~~closing of the sale of the residence.~~

19           ~~(6) The Colorado energy office shall create a list of contractors~~  
20 ~~eligible to perform energy efficiency improvements to a qualified~~  
21 ~~homebuyer's existing residence.~~

22           ~~(7) In order to confirm that the qualified homebuyer met the~~  
23 ~~requirements of the pilot program, the qualified homebuyer shall submit~~  
24 ~~to the Colorado energy office copies of closing documentation for the~~  
25 ~~highly efficient new residential construction no later than thirty days after~~  
26 ~~the construction is complete. If construction is delayed and not completed~~  
27 ~~by the estimated completion date, the Colorado energy office may grant~~

1 a waiver or extension for submission of this documentation.

2 (8) ~~If the purchase of the highly efficient new residential~~  
3 ~~construction is not finalized for any reason, including but not limited to~~  
4 ~~the cancellation of the sale by the qualified homebuyer or the failure of~~  
5 ~~the qualified homebuyer to secure financing, the qualified homebuyer~~  
6 ~~shall reimburse the total amount of the grant to the Colorado energy~~  
7 ~~office within thirty days after such cancellation or failure.~~

8 (9) (a) ~~Funding for the pilot program shall be provided from~~  
9 ~~federal funds transferred to the Colorado energy office that the Colorado~~  
10 ~~energy office has already received prior to August 10, 2011, or may~~  
11 ~~receive after August 10, 2011. The Colorado energy office may require~~  
12 ~~additional documentation or information from the qualified homebuyer~~  
13 ~~as required to secure any additional federal funds.~~

14 (b) ~~The Colorado energy office shall not establish the pilot~~  
15 ~~program set forth in this part 2 if federal funds are not available.~~

16

17 **SECTION 7.** In Colorado Revised Statutes, **amend** 39-27-109.7  
18 as follows:

19 **39-27-109.7. Data collection services.** In order to track the  
20 movement of gasoline or special fuel within this state and thereby  
21 facilitate and expedite the collection of excise taxes imposed pursuant to  
22 this part 1, the executive director of the department of revenue may enter  
23 into a contract with one or more private entities for the provision of a  
24 computer-based program to monitor and track the data that licensees are  
25 required to report to the department pursuant to this part 1. Such  
26 computer-based program shall be funded solely with moneys from the  
27 highway users tax fund. ~~except that, for the state fiscal year 2009-10, up~~

1 to thirty-seven thousand six hundred thirty dollars for the computer-based  
2 program to monitor and track exempt dyed diesel fuel that is blended with  
3 biodiesel fuel after withdrawal at a terminal rack or refinery rack pursuant  
4 to ~~section 39-27-102.5 (2) (a)~~ may be funded by moneys received by the  
5 ~~governor's energy office created in section 24-38.5-101, C.R.S., as said~~  
6 ~~office existed prior to July 1, 2012, from the United States department of~~  
7 ~~energy.~~ The department shall update the computer-based program to  
8 monitor and track the data that liquefied petroleum licensees are required  
9 to report to the department pursuant to this part 1 based on the changes in  
10 House Bill 15-1228, enacted in 2015.

11 **SECTION 8.** In Colorado Revised Statutes, 42-3-228, **amend** (2)  
12 and (3) as follows:

13 **42-3-228. Special plates - Colorado carbon fund.** (2) The  
14 Colorado carbon fund ~~established by the Colorado energy office,~~ may  
15 design the Colorado carbon fund special license plates. The design for the  
16 special license plates shall conform with standards established by the  
17 department and shall be subject to the department's approval.

18 (3) A person may apply for the Colorado carbon fund special  
19 license plates if the person pays the taxes and fees required under this  
20 section and provides to the department or an authorized agent a  
21 certificate, issued by ~~the Colorado energy office, or a successor office,~~  
22 NATURAL CAPITALISM SOLUTIONS, A 501 (c)(3) NONPROFIT ORGANIZATION,  
23 confirming that such person has made to the Colorado carbon fund, or its  
24 successor, the donation required to qualify for the special license plates.

25 

26 **SECTION 9.** In Colorado Revised Statutes, 29-4-226, **amend** (1)  
27 introductory portion as follows:

1           **29-4-226. Exemption from special assessments.** (1) The  
2 following shall be exempt from the payment of any special assessments  
3 to the state, any county, city and county, municipality, or other political  
4 subdivision of the state, EXCEPT FOR ASSESSMENTS ISSUED UNDER PART 1  
5 OF ARTICLE 20 OF TITLE 32:

6           **SECTION 10.** In Colorado Revised Statutes, 32-20-105, **amend**  
7 (3) introductory portion as follows:

8           **32-20-105. District - purpose - general powers and duties -**  
9 **new energy improvement program.** (3) The district shall establish,  
10 develop, finance, and administer a new energy improvement program.  
11 However, the district may conduct the program within any given county  
12 only if the board of county commissioners of the county has adopted a  
13 resolution authorizing the district to conduct the program within the  
14 county. If a county adopts a resolution authorizing the district to conduct  
15 the program within the county, the county treasurer shall retain a  
16 collection fee as specified in section 30-1-102 (1)(c) ~~C.R.S.~~, for each  
17 special assessment that it collects as part of the program. The board of  
18 county commissioners of any county that has adopted a resolution  
19 authorizing the district to conduct the program within the county may  
20 subsequently adopt a resolution deauthorizing the district from  
21 conducting the program within the county. However, if the county adopts  
22 a deauthorizing resolution, the county shall continue to meet all of its  
23 obligations under this ~~article~~ ARTICLE 20 as to program financing  
24 obligations existing on the effective date of the deauthorization until any  
25 and all special assessments within the county have been paid in full and  
26 remitted to the district. The district shall design the program to allow an  
27 owner of eligible real property to apply to join the district, receive

1 reimbursement or a direct payment from the district, and consent to the  
2 levying of a special assessment on the eligible real property specially  
3 benefited by a new energy improvement for which the district makes  
4 reimbursement or a direct payment. The district shall establish an  
5 application process for the program that allows an owner of eligible real  
6 property to become a qualified applicant by submitting an application to  
7 the district and that may include one or more deadlines for the filing of an  
8 application. EXCEPT AS SPECIFIED IN SECTION 32-20-111, the application  
9 process must require the applicant to submit with the application a  
10 commitment of title insurance issued by a duly licensed Colorado title  
11 insurance company within thirty days before the date the application is  
12 submitted. The district may charge program application fees. In order to  
13 administer the program, the district, acting directly or through a program  
14 administrator or other agents, employees, or professionals as the district  
15 may appoint, hire, retain, or contract with, may aggregate qualified  
16 applicants into one or more bond issues and shall:


17 **SECTION 11.** In Colorado Revised Statutes, 32-20-106, **amend**  
18 (3)(a) introductory portion as follows:

19 **32-20-106. Special assessments - determination of special**  
20 **benefits - notice and hearing requirements - certification of**  
21 **assessment roll - manner of collection.** (3) (a) The district may levy a  
22 special assessment against eligible real property specially benefited by a  
23 new energy improvement based on the cost to the district of the new  
24 energy improvement. The district shall initiate the levy of any special  
25 assessment by the adoption of a resolution of the board that sets the  
26 special assessment, approves the preparation of a preliminary special  
27 assessment roll, and sets a date for a public hearing regarding the special

1 assessment roll. The district shall prepare a preliminary special  
2 assessment roll listing all special assessments to be levied. The district  
3 may post notice of the hearing on the special assessment on any district  
4 internet website and shall, EXCEPT AS SPECIFIED IN SECTION 32-20-111,  
5 send notice that the special assessment roll has been completed and notice  
6 of a hearing on the special assessment roll no later than thirty days before  
7 the hearing date to:

8 **SECTION 12.** In Colorado Revised Statutes, **add** 32-20-111 as  
9 follows:

10 **32-20-111. Procedure if lien subordination not sought.** THE  
11 PROVISIONS OF THIS ARTICLE 20 PERTAINING TO THE REQUIREMENT OF  
12 TITLE INSURANCE CONTAINED IN SECTION 32-20-105 (3) AND THE  
13 PROVISION OF NOTICE, OBJECTION, AND APPEAL CONTAINED IN SECTION  
14 32-20-106 (3)(a)(I), (3)(a)(II), (3)(b), AND (3)(c), AND ALL SECTIONS  
15 REFERENCING THESE SECTIONS, DO NOT APPLY TO RESIDENTIAL ELIGIBLE  
16 REAL PROPERTY IF THE PROPERTY OWNER OR PRIVATE THIRD PARTY THAT  
17 IS FINANCING THE IMPROVEMENTS ARE NOT SEEKING TO SUBORDINATE THE  
18 PRIORITY OF EXISTING MORTGAGES PURSUANT TO SECTION 32-20-105  
19 (3)(i).

20   
21 **SECTION 13. Safety clause.** The general assembly hereby finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, and safety.