

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0105.01 Sarah Lozano x3858

HOUSE BILL 22-1104

HOUSE SPONSORSHIP

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House Committees

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A BILL FOR AN ACT

101 CONCERNING PUBLIC RECREATIONAL TRAILS IN ELECTRIC
102 TRANSMISSION CORRIDORS OF THE STATE, AND, IN CONNECTION
103 THEREWITH, ENCOURAGING TRANSMISSION PROVIDERS TO
104 ENTER INTO WRITTEN AGREEMENTS FOR THE CONSTRUCTION
105 AND MAINTENANCE OF POWERLINE TRAILS AND REQUIRING
106 TRANSMISSION PROVIDERS TO PROVIDE INFORMATIONAL
107 RESOURCES AND NOTIFY LOCAL GOVERNMENTS REGARDING THE
108 POTENTIAL FOR POWERLINE TRAILS WHEN PLANNING FOR THE
109 EXPANSION OR CONSTRUCTION OF TRANSMISSION CORRIDORS.

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill:

- Allows transmission providers to enter into contracts with public entities or private landowners to construct and maintain public recreational trails (powerline trails) covering a tract of land where transmission lines are or will be constructed (transmission corridor);
- Allows transmission providers to include certain contractual provisions in powerline trail contracts;
- Allows transmission providers to recover costs incurred in implementing and complying with the bill through an increase in rates;
- Requires transmission providers to develop and maintain informational resources to encourage the construction of new powerline trails;
- Requires a transmission provider, when siting or expanding a transmission line, to notify local governments of the potential for a powerline trail in the associated transmission corridor;
- Requires a transmission provider, when applying for a permit with a local government to develop in an area of state interest, to demonstrate compliance with the requirement to notify local governments of the potential for a powerline trail and to develop and maintain informational resources encouraging construction of new powerline trails;
- Requires the public utilities commission to amend its rules to also require electric public utilities in the state to consider plans for the construction of new powerline trails and with the requirement to develop and maintain informational resources on powerline trails;
- Requires the Colorado electric transmission authority (CETA) to arrange for the continuation of any existing powerline trail contracts before entering into a project or divesting a facility; and
- Requires the CETA to give priority for project solicitations to electric utilities and other entities that demonstrate an interest in continuing or creating a powerline trail.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly

1 hereby finds and declares that:

2 (a) Outdoor recreation is an essential component of Colorado's
3 identity and economy and is vital to the health and enjoyment of
4 Coloradans;

5 (b) Transmission lines deliver electricity to Colorado's cities and
6 towns, and adding recreational trails in the corridors underneath those
7 transmission lines could provide additional community value and
8 benefits; and

9 (c) These recreational trails, known as powerline trails, can:

10 (I) Provide a network of safe and enjoyable routes to work and
11 school or for a recreational purpose;

12 (II) Reduce the land acquisition costs of new recreational trails;

13 (III) Bring new outdoor recreation opportunities and tourism to
14 rural areas of Colorado;

15 (IV) Provide access to scenic landscapes and cultural features of
16 Colorado; and

17 (V) Provide sustainable community connections.

18 (2) The general assembly therefore declares that the development
19 of powerline trails in the state should be encouraged, facilitated, and
20 accelerated while protecting the safety of the state's residents.

21 **SECTION 2.** In Colorado Revised Statutes, **add** article 45 to title
22 33 as follows:

23 **ARTICLE 45**

24 **Powerline Trails**

25 **33-45-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 45 IS
26 THE "POWERLINE TRAILS ACT".

27 **33-45-102. Definitions.** AS USED IN THIS ARTICLE 45, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

2 (1) "COMMISSION" MEANS THE PUBLIC UTILITIES COMMISSION OF
3 THE STATE OF COLORADO.

4 (2) "DISTRICT" MEANS A SPECIAL DISTRICT, LOCAL IMPROVEMENT
5 DISTRICT, SCHOOL DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THE
6 STATE.

7 (3) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY
8 MUNICIPALITY, COUNTY, OR CITY AND COUNTY.

9 (4) "LOCAL IMPROVEMENT DISTRICT" HAS THE MEANING SET
10 FORTH IN SECTION 32-7-103 (7).

11 (5) "POWERLINE TRAIL" MEANS A MULTIMODAL TRAIL THAT IS:

12 (a) EIGHT FEET IN WIDTH OR WIDER;

13 (b) MADE OF HARD SURFACE SUCH AS CONCRETE OR COMPACTED
14 GRAVEL;

15 (c) USED FOR RECREATIONAL PURPOSES OR COMMUTING IN A
16 MANNER THAT DOES NOT INVOLVE A MOTOR VEHICLE; AND

17 (d) LOCATED IN AN EXISTING OR FUTURE TRANSMISSION
18 CORRIDOR.

19 (6) "PUBLIC ENTITY" MEANS THE STATE, A LOCAL GOVERNMENT,
20 OR A DISTRICT.

21 (7) (a) "RECREATIONAL PURPOSE" INCLUDES WALKING, RUNNING,
22 BICYCLING, CLASS 1 OR CLASS 2 ELECTRICAL ASSISTED BICYCLING,
23 EQUESTRIAN ACTIVITIES, USE OF ELECTRIC SCOOTERS, CROSS-COUNTRY
24 SKIING, OR OTHER SIMILAR USES.

25 (b) "RECREATIONAL PURPOSE" DOES NOT INCLUDE THE USE OF A
26 MOTOR VEHICLE OR OTHER SELF-PROPELLED VEHICLE THAT IS NOT AN
27 ELECTRICAL ASSISTED BICYCLE, ELECTRIC SCOOTER, LOW-POWER

1 SCOOTER, OR MOTORIZED WHEELCHAIR, AS THOSE TERMS ARE DEFINED IN
2 SECTION 42-1-102.

3 (8) "SCHOOL DISTRICT" HAS THE MEANING SET FORTH IN SECTION
4 22-11-103 (29).

5 (9) "SPECIAL DISTRICT" HAS THE MEANING SET FORTH IN SECTION
6 32-1-103 (20).

7 (10) "TRAIL-RELATED AMENITY" MEANS A FACILITY OR FEATURE
8 OF A POWERLINE TRAIL THAT ENHANCES ITS CONVENIENCE AND
9 DESIRABILITY, INCLUDING BENCHES, RESTROOMS, SHADE STRUCTURES,
10 SIGNAGE, OR DECORATIVE VEGETATION.

11 (11) "TRANSMISSION CORRIDOR" MEANS A TRACT OF LAND OWNED,
12 OCCUPIED, OR LEASED BY A TRANSMISSION PROVIDER, OR COVERED BY AN
13 EASEMENT OR RIGHT-OF-WAY HELD BY A TRANSMISSION PROVIDER, WHERE
14 AN ELECTRIC TRANSMISSION LINE IS CONSTRUCTED, OPERATED, OR
15 MAINTAINED AT A VOLTAGE OF SIXTY-NINE THOUSAND VOLTS OR ABOVE.

16 (12) (a) "TRANSMISSION PROVIDER" MEANS:

17 (I) A TRANSMISSION UTILITY, AS DEFINED IN SECTION 40-5-108
18 (1)(b); OR

19 (II) THE COLORADO ELECTRIC TRANSMISSION AUTHORITY
20 CREATED IN SECTION 40-42-103 (1).

21 (b) "TRANSMISSION PROVIDER" DOES NOT INCLUDE A
22 TRANSMISSION PROVIDER, AS DESCRIBED IN SUBSECTION (12)(a) OF THIS
23 SECTION, THAT IS OWNED BY A SINGLE LOCAL GOVERNMENT.

24 **33-45-103. Powerline trails - written contracts - informational**
25 **resources.** (1) A TRANSMISSION PROVIDER, AS THE OWNER, OCCUPANT,
26 OR LESSEE OF A TRANSMISSION CORRIDOR OR THE HOLDER OF AN
27 EASEMENT OR RIGHT-OF-WAY COVERING A TRANSMISSION CORRIDOR, MAY

1 ENTER INTO A WRITTEN CONTRACT WITH A PUBLIC ENTITY OR PRIVATE
2 LANDOWNER TO CONSTRUCT AND MAINTAIN A POWERLINE TRAIL
3 COVERING ALL OR SOME OF THE TRANSMISSION CORRIDOR.

4 (2) IN ENTERING INTO OR AMENDING A CONTRACT DESCRIBED IN
5 SUBSECTION (1) OF THIS SECTION, THE TRANSMISSION PROVIDER MAY
6 INCLUDE PROVISIONS IN THE CONTRACT:

7 (a) REQUIRING CONSULTATION WITH THE TRANSMISSION PROVIDER
8 DURING THE DESIGN PHASE OF A POWERLINE TRAIL AND ANY
9 TRAIL-RELATED AMENITIES;

10 (b) REQUIRING REVIEW AND APPROVAL BY THE TRANSMISSION
11 PROVIDER OF ANY DESIGNS IF THE CONSULTATION DESCRIBED IN
12 SUBSECTION (2)(a) OF THIS SECTION AND THE REVIEW AND APPROVAL
13 REQUIRED PURSUANT TO THIS SUBSECTION (2)(b) IS PROVIDED IN A TIMELY
14 MANNER;

15 (c) ASSIGNING ALL OR A PORTION OF THE COSTS OF CONSTRUCTION
16 AND MAINTENANCE OF THE POWERLINE TRAIL TO THE PUBLIC ENTITY OR
17 PRIVATE LANDOWNER;

18 (d) REQUIRING MINIMUM CLEARANCES FOR VEGETATION ALONG
19 THE POWERLINE TRAIL;

20 (e) REQUIRING MINIMUM CLEARANCES FOR TRAIL-RELATED
21 AMENITIES AND NONCONDUCTIVE MATERIALS OR MATERIALS WITH LOW
22 CONDUCTIVITY IN TRAIL-RELATED AMENITIES;

23 (f) REQUIRING THE REMOVAL OF DEBRIS OR VEGETATION THAT
24 WOULD OTHERWISE OBSTRUCT ACCESS TO TRANSMISSION FACILITIES;

25 (g) REQUIRING THAT THE POWERLINE TRAIL BE CONSTRUCTED IN
26 A MANNER TO AVOID UNNECESSARY SAFETY HAZARDS OR INTERFERENCE
27 WITH TRANSMISSION FACILITIES;

1 (h) REQUIRING THAT THE POWERLINE TRAIL BE ABLE TO
2 ACCOMMODATE THE TRANSMISSION PROVIDER'S TRANSMISSION
3 INSPECTION AND MAINTENANCE VEHICLES, INCLUDING BUCKET TRUCKS;

4 (i) AUTHORIZING THE TRANSMISSION PROVIDER TO TEMPORARILY
5 CLOSE OR BLOCK ALL OR A PORTION OF A POWERLINE TRAIL WHEN IT IS
6 NECESSARY FOR THE MAINTENANCE OR REPAIR OF A TRANSMISSION LINE
7 OR ELECTRICAL FACILITY, WITHOUT PRIOR NOTIFICATION TO THE PUBLIC
8 ENTITY, PRIVATE LANDOWNER, OR OTHER AFFECTED PARTIES;

9 (j) ASSIGNING THE RESPONSIBILITY TO REPAIR ANY DAMAGE TO
10 THE POWERLINE TRAIL TO THE PUBLIC ENTITY OR PRIVATE LANDOWNER IF
11 THE DAMAGE OCCURS DURING THE CONSTRUCTION OR MAINTENANCE OF
12 A TRANSMISSION FACILITY;

13 (k) REQUIRING THE PUBLIC ENTITY TO OBTAIN PROOF OF
14 INSURANCE SUFFICIENT TO COVER THE AGGREGATE LIMIT ON DAMAGES
15 SPECIFIED IN SECTION 24-10-114 OR REQUIRING THE PRIVATE LANDOWNER
16 TO CARRY INSURANCE IN AN AMOUNT SPECIFIED IN THE CONTRACT;

17 (l) REQUIRING THAT THE PUBLIC ENTITY OR PRIVATE LANDOWNER
18 PROVIDE OR PAY FOR INSURANCE COVERAGE FOR ANY DEFENSE COSTS OR
19 OTHER LITIGATION COSTS INCURRED BY THE TRANSMISSION PROVIDER FOR
20 CLAIMS ARISING FROM THE CONSTRUCTION OR MAINTENANCE OF THE
21 POWERLINE TRAIL; AND

22 (m) REQUIRING THAT ANY CONTRACT THAT THE PUBLIC ENTITY OR
23 PRIVATE LANDOWNER ENTERS INTO WITH A CONSTRUCTION OR
24 MAINTENANCE CONTRACTOR REQUIRES THE INDEMNIFICATION OF THE
25 TRANSMISSION PROVIDER FOR DAMAGES CAUSED BY THE NEGLIGENCE OF
26 THE CONSTRUCTION OR MAINTENANCE CONTRACTOR.

27 (3) PURSUANT TO THE PROCEDURE SET FORTH IN SECTION

1 40-3-104, REGARDING A CHANGE IN RATES, THE TRANSMISSION PROVIDER
2 IS ENTITLED TO FULLY RECOVER THE COSTS THAT IT PRUDENTLY INCURS
3 IN IMPLEMENTING AND COMPLYING WITH THIS SECTION, INCLUDING,
4 WHERE APPROVED BY THE COMMISSION, COSTS THAT THE TRANSMISSION
5 PROVIDER CONTRIBUTES TO THE CONSTRUCTION OF A POWERLINE TRAIL.

6 (4) BEGINNING NO LATER THAN MAY 1, 2023, ALL TRANSMISSION
7 PROVIDERS SHALL DEVELOP, MAINTAIN, AND DISTRIBUTE INFORMATIONAL
8 RESOURCES TO ENCOURAGE, FACILITATE, AND STREAMLINE THE
9 CONSTRUCTION OF NEW POWERLINE TRAILS IN TRANSMISSION CORRIDORS
10 THAT ARE SUITABLE FOR THE CONSTRUCTION AND MAINTENANCE OF A
11 POWERLINE TRAIL. SUCH INFORMATIONAL RESOURCES, AT A MINIMUM,
12 MUST:

13 (a) INCLUDE THE FOLLOWING:

14 (I) DESIGN BEST PRACTICES;

15 (II) SAFETY REQUIREMENTS;

16 (III) POTENTIAL FUNDING SOURCES; AND

17 (IV) EXAMPLES OF AT LEAST FOUR POWERLINE TRAILS IN THE
18 STATE;

19 (b) BE PUBLICLY AVAILABLE ON THE TRANSMISSION PROVIDER'S
20 WEBSITE;

21 (c) TO THE EXTENT POSSIBLE, BE CONSISTENT WITH OTHER
22 RESOURCES FROM TRANSMISSION PROVIDERS IN THE STATE;

23 (d) BE REVIEWED AND REVISED PERIODICALLY BY THE
24 TRANSMISSION PROVIDER; AND

25 (e) BE PROVIDED TO LOCAL GOVERNMENTS PURSUANT TO SECTION
26 29-20-108 (6).

27 (5) NOTWITHSTANDING ANY LAW TO THE CONTRARY, NOTHING IN

1 THIS SECTION:

2 (a) LIMITS THE PROTECTIONS PROVIDED TO A LANDOWNER UNDER
3 SECTION 13-21-115 AND ARTICLE 41 OF THIS TITLE 33;

4 (b) LIMITS THE PROTECTIONS PROVIDED TO A PUBLIC ENTITY
5 UNDER THE "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE 10 OF
6 TITLE 24; AND

7 (c) RELIEVES ANY PERSON FROM ANY OBLIGATION THAT PERSON
8 MAY OTHERWISE HAVE IN THE ABSENCE OF THIS SECTION TO EXERCISE
9 CARE IN THE USE OF A POWERLINE TRAIL OR FROM THE LEGAL
10 CONSEQUENCES OF THE FAILURE TO EXERCISE SUCH CARE.

11 **SECTION 3.** In Colorado Revised Statutes, 24-65.1-501, **add** (7)
12 as follows:

13 **24-65.1-501. Permit for development in area of state interest**
14 **or to conduct an activity of state interest required.** (7) AS PART OF AN
15 APPLICATION FOR A PERMIT UNDER SUBSECTION (1) OF THIS SECTION, A
16 TRANSMISSION PROVIDER, AS DEFINED IN SECTION 33-45-102 (12), MUST
17 DEMONSTRATE TO THE LOCAL GOVERNMENT THROUGH WRITTEN
18 DOCUMENTATION THAT IT HAS COMPLIED WITH SECTIONS 29-20-108 (6)
19 AND 33-45-103 (4).

20 **SECTION 4.** In Colorado Revised Statutes, 29-20-108, **amend**
21 (3); and **add** (6) as follows:

22 **29-20-108. Local government regulation - location,**
23 **construction, or improvement of major electrical or natural gas**
24 **facilities - powerline trail notification - legislative declaration -**
25 **definitions.** (3) As used in this section, UNLESS THE CONTEXT OTHERWISE
26 REQUIRES:

27 (a) "Major electrical or natural gas facilities" includes one or more

1 of the following:

2 ~~(a)~~ (I) Electrical generating facilities;

3 ~~(b)~~ (II) Substations used for switching, regulating, transforming,
4 or otherwise modifying the characteristics of electricity;

5 ~~(c)~~ (III) Transmission lines operated at a nominal voltage of
6 sixty-nine thousand volts or above;

7 ~~(d)~~ (IV) Structures and equipment associated with such electrical
8 generating facilities, substations, or transmission lines; or

9 ~~(e)~~ (V) Structures and equipment utilized for the local distribution
10 of natural gas service, including, but not limited to, compressors, gas
11 mains, and gas laterals.

12 (b) "POWERLINE TRAIL" HAS THE MEANING SET FORTH IN SECTION
13 33-45-102 (5).

14 (c) "TRANSMISSION CORRIDOR" HAS THE MEANING SET FORTH IN
15 SECTION 33-45-102 (11).

16 (d) "TRANSMISSION PROVIDER" HAS THE MEANING SET FORTH IN
17 SECTION 33-45-102 (12).

18 (6) (a) WHEN NOTIFYING A LOCAL GOVERNMENT OF ITS PLANS TO
19 SITE OR EXPAND A TRANSMISSION LINE UNDER THIS SECTION, A
20 TRANSMISSION PROVIDER SHALL ALSO NOTIFY THE LOCAL GOVERNMENT
21 OF THE POTENTIAL FOR THE CONSTRUCTION OF A POWERLINE TRAIL IN THE
22 ASSOCIATED TRANSMISSION CORRIDOR. ANY NOTIFICATION UNDER THIS
23 SUBSECTION (6)(a) MUST INCLUDE THE INFORMATIONAL RESOURCES
24 DEVELOPED UNDER SECTION 33-45-103 (4).

25 (b) A TRANSMISSION PROVIDER IS ONLY REQUIRED TO NOTIFY A
26 LOCAL GOVERNMENT OF PLANS TO EXPAND A TRANSMISSION LINE UNDER
27 SUBSECTION (6)(a) OF THIS SECTION IF:

1 (I) THE TRANSMISSION LINE WILL BE EXTENDED BY MORE THAN
2 ONE MILE; OR

3 (II) THE TRANSMISSION LINE CAPACITY WILL BE INCREASED BY
4 MORE THAN TEN PERCENT.

5 **SECTION 5.** In Colorado Revised Statutes, 40-2-126, **amend** (1);
6 and **add** (6) as follows:

7 **40-2-126. Transmission facilities - biennial review - energy**
8 **resource zones - definitions - plans - approval - cost recovery.** (1) As
9 used in this section, UNLESS THE CONTEXT OTHERWISE REQUIRES:

10 (a) "Energy resource zone" means a geographic area in which
11 transmission constraints hinder the delivery of electricity to Colorado
12 consumers, the development of new electric generation facilities to serve
13 Colorado consumers, or both.

14 (b) "LOCAL GOVERNMENT" HAS THE MEANING SET FORTH IN
15 SECTION 33-45-102 (3).

16 (c) "POWERLINE TRAIL" HAS THE MEANING SET FORTH IN SECTION
17 33-45-102 (5).

18 (6) THE COMMISSION SHALL AMEND ITS RULES REQUIRING THE
19 FILING OF TEN-YEAR TRANSMISSION PLANS BY UTILITIES TO ALSO REQUIRE
20 UTILITIES TO:

21 (a) CONSIDER AND ADDRESS PLANS FOR THE CONSTRUCTION OF
22 NEW POWERLINE TRAILS IN COORDINATION WITH APPLICABLE LOCAL
23 GOVERNMENTS IN EACH TWO-YEAR UPDATE TO A TEN-YEAR TRANSMISSION
24 PLAN; AND

25 (b) DEMONSTRATE COMPLIANCE WITH SECTION 33-45-103 (4).

26 **SECTION 6.** In Colorado Revised Statutes, 40-42-102, **add**
27 (13.5) as follows:

1 **40-42-102. Definitions.** As used in this article 42, unless the
2 context otherwise requires:

3 (13.5) "POWERLINE TRAIL" HAS THE MEANING SET FORTH IN
4 SECTION 33-45-102 (5).

5 **SECTION 7.** In Colorado Revised Statutes, 40-42-104, **amend**
6 (1)(g)(II), (1)(g)(III), (1)(n), and (3); and **add** (1)(g)(IV), (2)(f), and (5)(e)
7 as follows:

8 **40-42-104. General and specific powers and duties of the**
9 **authority.** (1) Except as otherwise limited by this article 42, the
10 authority, acting through the board, has the power to:

11 (g) Make and enter into all contracts, leases, and agreements,
12 including intergovernmental agreements and assignments of payments to
13 host landowners, that are necessary or incidental to the performance of its
14 duties and the exercise of its powers under this article 42, including:

15 (II) Contracts for the lease and operation by the authority of
16 eligible facilities owned by an electric utility or other private person; ~~and~~

17 (III) Contracts for leasing eligible facilities owned by the
18 authority, subject to the requirement that the authority deposit any
19 revenue derived pursuant to the lease into the electric transmission
20 bonding fund; AND

21 (IV) CONTRACTS FOR POWERLINE TRAILS PURSUANT TO SECTION
22 33-45-103;

23 (n) Through participation in appropriate regional transmission
24 forums and other organizations, including organized wholesale markets,
25 as defined in section 40-5-108 (1)(a), coordinate, investigate, plan,
26 prioritize, and negotiate with entities within and outside Colorado for the
27 establishment of interstate transmission corridors and engage in other

1 transmission planning activities that would increase grid reliability, help
2 Colorado meet its clean energy goals, PROMOTE THE CONSTRUCTION AND
3 MAINTENANCE OF POWERLINE TRAILS THROUGHOUT THE STATE, and aid
4 in economic AND COMMUNITY development;

5 (2) Except as provided in this subsection (2), the authority shall
6 not enter into a project if an electric utility or a nonincumbent
7 transmission provider or other entity is constructing or has constructed the
8 facilities or is providing the services contemplated by the authority.
9 Before the authority enters into a project, the following procedural
10 requirements must be met:

11 (f) THE AUTHORITY MUST ARRANGE FOR THE CONTINUATION OF
12 ANY EXISTING CONTRACTS FOR POWERLINE TRAILS ENTERED INTO
13 PURSUANT TO SECTION 33-45-103.

14 (3) In soliciting and entering into contracts for the transmission or
15 storage of electricity, the authority and any person leasing or operating
16 eligible facilities financed or acquired by the authority shall, if
17 practicable, give priority to:

18 (a) Those contracts that will transmit or store electricity to be sold
19 and consumed in Colorado; AND

20 (b) ELECTRIC UTILITIES OR OTHER ENTITIES THAT DEMONSTRATE
21 AN INTEREST IN CONTINUING AN EXISTING POWERLINE TRAIL ESTABLISHED
22 BY THE AUTHORITY OR CONSTRUCTING AND MAINTAINING A NEW
23 POWERLINE TRAIL ON THE ELIGIBLE FACILITIES.

24 (5) (e) THE AUTHORITY MUST ARRANGE FOR THE CONTINUATION
25 OF ANY EXISTING CONTRACTS FOR POWERLINE TRAILS ENTERED INTO
26 PURSUANT TO SECTION 33-45-103 IF IT DIVESTS ITSELF OF AN ELIGIBLE
27 FACILITY.

1 **SECTION 8.** In Colorado Revised Statutes, 32-9-103, **amend** the
2 introductory portion and (6.9) as follows:

3 **32-9-103. Definitions.** As used in this ~~article~~ ARTICLE 9, unless
4 the context otherwise requires:

5 (6.9) "Major electrical facilities" ~~shall have~~ HAS the same meaning
6 as set forth in ~~section 29-20-108 (3)(a), (3)(b), (3)(c), and (3)(d), C.R.S.~~
7 SECTION 29-20-108 (3)(a)(I), (3)(a)(II), (3)(a)(III), AND (3)(a)(IV).

8 **SECTION 9. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety.