

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0583.01 Jennifer Berman x3286

SENATE BILL 25-068

SENATE SPONSORSHIP

Snyder and Lundeen, Exum, Liston

HOUSE SPONSORSHIP

Pugliese and Paschal, Bradfield, Caldwell, English, Richardson

Senate Committees
Transportation & Energy

House Committees
Energy & Environment

A BILL FOR AN ACT

101 **CONCERNING A MUNICIPALLY OWNED UTILITY'S VOLUNTARY**
102 **ELECTION TO PARTICIPATE IN THE UNCLAIMED UTILITY**
103 **DEPOSITS PROGRAM.**

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>.)

The unclaimed utility deposits program (program) helps finance electric and gas utility bill payment assistance for income-qualified households. The program is partially funded by electric and gas utilities' contributions of money that are owed to utility ratepayers but that has remained unclaimed by the ratepayers for more than 2 years. The bill

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

SENATE
3rd Reading Unamended
February 19, 2025

SENATE
2nd Reading Unamended
February 18, 2025

clarifies that a municipally owned electric or gas utility may elect to participate in the program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 40-8.5-102
3 as follows:

4 **40-8.5-102. Applicability.** (1) This ~~article shall apply~~ ARTICLE
5 8.5 APPLIES to any electric or gas utility, as defined by section 40-8.5-103;
6 except that this ~~article shall apply~~ ARTICLE 8.5 APPLIES only to those
7 cooperative electric associations, as defined by section 40-9.5-102, ~~which~~
8 ~~■~~ THAT notify the commission that they elect to come under this ~~article~~
9 ARTICLE 8.5.

10 (2) EXCEPT AS PROVIDED IN SECTION 40-8.5-106, THIS ARTICLE 8.5
11 DOES NOT APPLY TO MUNICIPALLY OWNED UTILITIES.

12 **SECTION 2.** In Colorado Revised Statutes, 40-8.5-103, **amend**
13 (3) and (4) as follows:

14 **40-8.5-103. Definitions.** As used in this article 8.5, unless the
15 context otherwise requires:

16 (3) (a) "Electric utility" means every electrical corporation
17 operating for the purpose of supplying electricity to the public for
18 domestic, mechanical, or public uses and includes every public utility
19 supplying electricity; except that this definition includes only those
20 cooperative electric associations ~~which~~ ~~■~~ THAT notify the commission
21 that they elect to come under this ~~article~~ ARTICLE 8.5.

22 (b) "ELECTRIC UTILITY" DOES NOT INCLUDE A MUNICIPALLY
23 OWNED UTILITY.

24 (4) "Gas utility" means every gas corporation operating for the
25 purpose of supplying gas to the public for domestic, mechanical, or public

1 uses and includes every public utility supplying gas; EXCEPT THAT THIS
2 DEFINITION EXCLUDES MUNICIPALLY OWNED UTILITIES.

3 **SECTION 3.** In Colorado Revised Statutes, **amend** 40-8.5-106 as
4 follows:

5 **40-8.5-106. Unclaimed deposits.** (1) Unclaimed deposits shall
6 be paid by the electric and gas utilities into the fund designated by the
7 commission pursuant to section 40-8.5-104.

8 (2) A MUNICIPALLY OWNED UTILITY:

9 (a) MAY ELECT TO PAY UNCLAIMED DEPOSITS INTO EITHER THE
10 FUND DESIGNATED BY THE COMMISSION PURSUANT TO SECTION 40-8.5-104
11 OR INTO A FUND DESIGNATED BY THE GOVERNING BODY OF THE
12 MUNICIPALLY OWNED UTILITY TO ACCOMPLISH THE GOALS SET FORTH IN
13 THIS ARTICLE 8.5; AND

14 (b) SHALL DEFINE UNCLAIMED DEPOSITS IN A MANNER CONSISTENT
15 WITH THE DEFINITION OF "UNCLAIMED MONEYS" SET FORTH IN SECTION
16 40-8.5-103 (5).

17 **SECTION 4. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2026 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.