

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

DRAFT
10.11.19

BILL 5

LLS NO. 20-0340.01 Gregg Fraser x4325

INTERIM COMMITTEE BILL

Energy Legislation Review Interim Study Committee

BILL TOPIC: "Transmit Renewable Energy Conservation Easements"

A BILL FOR AN ACT

101 **CONCERNING THE TRANSMISSION OF RENEWABLE ENERGY THROUGH**
102 **TRANSMISSION LINES THAT CROSS PROPERTY SUBJECT TO A**
103 **CONSERVATION EASEMENT.**

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/>.)

Energy Legislation Review Interim Study Committee. A conservation easement is an agreement in which a property owner agrees to limit the use of his or her land in perpetuity in order to protect one or more specified conservation purposes. The bill specifically authorizes conservation easements to permit electric transmission lines that transmit

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

renewable energy across the land subject to the easement if it is appropriate and consistent with the conservation purposes of the conservation easement.

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

2 **SECTION 1.** In Colorado Revised Statutes, 38-30.5-104, **add** (6)
3 as follows:

4 **38-30.5-104. Creation of conservation easements in gross.**

5 (6) A CONSERVATION EASEMENT IN GROSS MAY PERMIT, OR MAY BE
6 SUBSEQUENTLY MODIFIED BY THE OWNER OF THE PROPERTY ENCUMBERED
7 BY THE EASEMENT AND THE HOLDER OF THE EASEMENT TO PERMIT, THE
8 PLACEMENT OF ELECTRIC TRANSMISSION LINES THAT ARE USED PRIMARILY
9 TO TRANSMIT RENEWABLE ENERGY ACROSS LAND SUBJECT TO THE
10 CONSERVATION EASEMENT. THE DESIGN AND PLACEMENT OF THE
11 TRANSMISSION LINES MUST BE APPROPRIATE FOR THE SPECIFIC PROPERTY
12 AND MUST BE CONSISTENT WITH THE SIGNIFICANT CONSERVATION
13 PURPOSES OF THE CONSERVATION EASEMENT IN GROSS.

14 **SECTION 2. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2020 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.