

## CHAPTER 170

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**PUBLIC UTILITIES**


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## HOUSE BILL 15-1284

BY REPRESENTATIVE(S) Winter and Roupe, Garnett, Esgar, Fields, Lee, Melton, Pettersen, Primavera, Salazar, Young;  
also SENATOR(S) Grantham and Hodge, Aguilar, Donovan, Heath, Jones, Kefalas, Kerr.

## AN ACT

CONCERNING MEASURES TO ENHANCE PROGRAM EFFICIENCY FOR SHARED PHOTOVOLTAIC ENERGY  
GENERATION FACILITIES.

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

**SECTION 1.** In Colorado Revised Statutes, 40-2-127, **amend** (2) (b) (II) as follows:

**40-2-127. Community energy funds - community solar gardens - definitions - rules - legislative declaration. (2) Definitions.** As used in this section, unless the context otherwise requires:

(b) In addition:

(II) "Subscriber" means a retail customer of a qualifying retail utility who owns a subscription and who has identified one or more physical locations to which the subscription ~~shall be~~ IS attributed. Such physical locations ~~shall~~ MUST be ~~within either the same municipality or the same county as the community solar garden;~~ ~~except that, if the subscriber lives in a county with a population of less than twenty thousand, according to the most recent available census figures, such physical locations may be in another county, also with a population of less than twenty thousand;~~ within the service territory of the same qualifying retail utility and also IN THE SAME COUNTY AS, OR A COUNTY adjacent to, that of the community solar garden. The subscriber may change from time to time the premises to which the community solar garden electricity generation shall be attributed, so long as the premises are within the geographical limits allowed for a subscriber.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 8, 2015