

## CHAPTER 244

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**PROFESSIONS AND OCCUPATIONS**


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**HOUSE BILL 15-1364**

BY REPRESENTATIVE(S) Coram and Mitsch Bush, Becker K., Hamner;  
also SENATOR(S) Sonnenberg and Donovan, Roberts.

**AN ACT**

**CONCERNING A LIMITATION ON THE SCOPE OF AN INSPECTION OF A SMALL HYDROELECTRIC ENERGY FACILITY CONDUCTED BY THE STATE ELECTRICAL BOARD.**

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

**SECTION 1.** In Colorado Revised Statutes, 12-23-104, **amend** (2) (f); and **add** (2) (f.3) as follows:

**12-23-104. Board powers and duties - rules.** (2) In addition to all other powers and duties conferred or imposed upon the board by this article, the board is authorized to:

(f) Inspect and approve or disapprove the installation of electrical wiring, renewable energy systems, apparatus, or equipment for electric light, heat, and power according to the minimum standards in the national electrical code or as prescribed in this article. With respect to: a

(I) AN INVERTER-BASED hydroelectric energy facility GENERATING ONE HUNDRED KILOWATTS OR LESS, REGARDLESS OF WHETHER THE FACILITY IS CONNECTED TO UTILITY OR OTHER DISTRIBUTION LINES, an inspector shall inspect ~~the installation of a hydroelectric energy turbine-generator to power inverter equipment train, supporting electrical wiring and cabling, or other auxiliary apparatuses or equipment needed to produce electrical heat, light, or power~~ INSTALLATION in accordance with

~~(f)~~ the minimum standards set forth in the ~~2011~~ EDITION OF THE National Electrical Code IN EFFECT ON THE EFFECTIVE DATE OF THIS PARAGRAPH (f), AS AMENDED; ~~for small wind electrical production until the adoption of the 2017 national electrical code; or~~ HOWEVER, IF A MICROHYDRO ASSEMBLY MANUFACTURED FOR THE PURPOSE OF GENERATING ELECTRICITY IN A MICROHYDRO SYSTEM USES AN

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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.*

INVERTER THAT IS LISTED AND IDENTIFIED FOR INTERCONNECTION SERVICE, THE INSPECTOR SHALL DEEM THE SYSTEM'S EQUIPMENT COMPLIANT WITH SECTION 705.4 OF THE EDITION OF THE NATIONAL ELECTRICAL CODE IN EFFECT ON THE EFFECTIVE DATE OF THIS PARAGRAPH (f), AS AMENDED. FOR PURPOSES OF THIS PARAGRAPH (f), A "MICROHYDRO SYSTEM" MEANS A HYDROELECTRIC GENERATION SYSTEM THAT GENERATES ONE HUNDRED KILOWATTS OR LESS.

~~(II) If the National Electrical Code is updated to address hydroelectric energy specifically, the hydroelectric energy provisions of the updated national electrical code~~ AN INDUCTION-BASED HYDROELECTRIC ENERGY FACILITY GENERATING ONE HUNDRED KILOWATTS OR LESS, REGARDLESS OF WHETHER THE FACILITY IS CONNECTED TO UTILITY OR OTHER DISTRIBUTION LINES, THE INSTALLATION OF A HYDROELECTRIC ENERGY TURBINE, INDUCTION GENERATOR, AND CONTROL PANEL SHALL BE CERTIFIED:

(A) TO A LISTING STANDARD BY A FIELD EVALUATION BODY OR NATIONALLY RECOGNIZED TESTING LABORATORY; OR

(B) BY A PROFESSIONAL ENGINEER, BY MEANS OF SIGNING AND STAMPING DOCUMENTATION OF THE PROJECT, AS REQUIRED IN A FORM AND MANNER DETERMINED BY THE BOARD, INDICATING THAT THE INSTALLATION MEETS DESIGN CRITERIA SET FORTH IN THE INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS' (IEEE) STANDARD FOR INTERCONNECTING DISTRIBUTED RESOURCES WITH ELECTRIC POWER SYSTEMS.

(f.3) APPLY ANY HYDROELECTRIC ENERGY PROVISIONS OF AN UPDATED NATIONAL ELECTRICAL CODE, NOTWITHSTANDING ANY PROVISION IN PARAGRAPH (f) TO THE CONTRARY, IF THE NATIONAL ELECTRICAL CODE IS UPDATED TO ADDRESS HYDROELECTRIC ENERGY SPECIFICALLY.

**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 29, 2015