

## CHAPTER 33

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**PUBLIC UTILITIES**


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**HOUSE BILL 23-1051**

BY REPRESENTATIVE(S) Lukens and Holtorf, Bockenfeld, Amabile, Bird, Brown, Dickson, Duran, Epps, Frizell, Hamrick, Hartsook, Herod, Jodeh, Joseph, Lieder, Lindsay, Lindstedt, Lynch, Marshall, Martinez, McCormick, Michaelson Jenet, Parenti, Sharbini, Snyder, Story, Titone, Velasco, Weinberg, Weissman, Willford, Winter T., Woodrow, Young, McCluskie; also SENATOR(S) Roberts and Pelton R., Bridges, Buckner, Gardner, Ginal, Hinrichsen, Kirkmeyer, Mullica, Pelton B., Priola, Rich, Simpson, Sullivan, Will, Winter F.

**AN ACT**

**CONCERNING THE CONTINUATION OF HIGH COST SUPPORT MECHANISM FUNDING FOR RURAL TELECOMMUNICATIONS PROVIDERS, AND, IN CONNECTION THEREWITH, ALIGNING THE REPEAL DATE OF SUCH HIGH COST SUPPORT MECHANISM FUNDING WITH THE SUNSET REPEAL DATE OF THE HIGH COST SUPPORT MECHANISM.**

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

**SECTION 1. Legislative declaration.** (1) The general assembly finds and declares that:

(a) High cost support mechanism funding helps provide affordable and reliable telecommunication and broadband service for many rural communities in Colorado;

(b) Twelve rural telecommunications providers currently receive funding under the high cost support mechanism;

(c) Funding for those twelve rural telecommunications providers is currently set to expire on December 1, 2023, but the high cost support mechanism is not scheduled for sunset review and repeal by the department of regulatory agencies until September 1, 2024; and

(d) Aligning the expiration date of high cost support mechanism funding for those twelve rural telecommunications providers with the scheduled sunset date of the high cost support mechanism would continue high cost support funding for telecommunication and broadband services for rural Coloradans until the completion of the sunset review process in 2024.

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

**SECTION 2.** In Colorado Revised Statutes, 40-15-208, **amend** (4) as follows:

**40-15-208. High cost support mechanism - Colorado high cost administration fund - creation - purpose - operation - rules - report - repeal.** (4) Notwithstanding any other provision to the contrary in sections 40-15-207 and 40-15-502 or this section, rural telecommunications providers receiving support from the high cost support mechanism as of January 1, 2017, will continue to receive support, on a quarterly basis and by the end of the month following the previous quarter, at the same level of reimbursement established by averaging the payments received for calendar years 2015 and 2016, for the period of January 1, 2019, through ~~December 1, 2023~~ SEPTEMBER 1, 2024. The commission shall administer the high cost support mechanism to ensure compliance with this section.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 23, 2023