

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB25-1268 be amended as follows:

1 Amend the Energy and Environment Committee Report, dated March 20,
2 2025, page 4, strike lines 41 through 43.

3 Page 5, strike lines 1 through 6 and substitute "SUBJECT TO A UTILITY'S
4 ON-BILL PROGRAM, INCLUDING A REQUIREMENT THAT A PROPERTY OWNER
5 THAT IS A".

6 Page 5, line 10, strike "OBLIGATION." and substitute "OBLIGATION, PRIOR
7 TO THE EXECUTION OF A LEASE."

8 Page 7, strike lines 25 through 43.

9 Strike page 8.

10 Page 9, strike lines 1 through 14 and substitute "**required - utility's**
11 **obligation - program administrator's obligation.** (1) THE OFFICE
12 SHALL INCLUDE A REQUIREMENT IN ANY CONTRACT ENTERED INTO WITH
13 A PARTICIPATING UTILITY OR PROGRAM ADMINISTRATOR REGARDING THE
14 USE OF MONEY FROM THE ON-BILL CASH FUND THAT THE UTILITY OR
15 PROGRAM ADMINISTRATOR THAT RECEIVES FINANCING FROM THE ON-BILL
16 CASH FUND SHALL EITHER DIRECTLY OR THROUGH A UTILITY-DESIGNATED
17 ADMINISTRATOR RECORD A NOTICE IN THE PUBLIC RECORDS OF THE
18 COUNTY IN WHICH A PROGRAM PARTICIPANT'S PROPERTY IS LOCATED
19 AGAINST THE REAL PROPERTY TITLE AS FOLLOWS:

20 (a) WHERE THE FINANCING IS ATTACHED TO THE METER, THE
21 OFFICE SHALL ESTABLISH A REQUIREMENT THAT THE PARTICIPATING
22 UTILITY OR PROGRAM ADMINISTRATOR, WITHIN THIRTY DAYS AFTER THE
23 PROVISION OF FINANCING TO A PROGRAM PARTICIPANT, SHALL RECORD A
24 NOTICE OF THE ON-BILL REPAYMENT OBLIGATION, WHICH NOTICE MUST
25 INCLUDE A LEGAL DESCRIPTION OF THE REAL PROPERTY SUBJECT TO THE
26 FINANCING THAT IS ATTACHED TO THE METER, THE NAME AND ADDRESS OF
27 THE UTILITY CUSTOMER, THE PRINCIPAL AMOUNT FINANCED, AND THE
28 TERMS OF REPAYMENT. THE OFFICE SHALL ALSO ESTABLISH A
29 REQUIREMENT THAT THE PARTICIPATING UTILITY OR PROGRAM
30 ADMINISTRATOR, WITHIN THIRTY DAYS AFTER THE LOAN HAS BEEN
31 COMPLETELY REPAYED, SHALL FILE A NOTICE IN THE PUBLIC RECORDS OF THE
32 COUNTY IN WHICH THE PROPERTY IS LOCATED INDICATING THAT THE LOAN
33 REPAYMENT IS COMPLETE AND THAT THERE ARE NO FURTHER FINANCIAL
34 OBLIGATIONS.

35 (b) WHERE THE FINANCING IS A LOAN TO THE PROPERTY OWNER,
36 THE PARTICIPATING UTILITY OR PROGRAM ADMINISTRATOR, WITHIN

1 THIRTY DAYS AFTER THE PROVISION OF FINANCING TO A PROGRAM
2 PARTICIPANT, SHALL RECORD A LIEN THAT MUST INCLUDE THE LEGAL
3 DESCRIPTION OF THE REAL PROPERTY SUBJECT TO THE LOAN IN THE PUBLIC
4 RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED. THE LIEN
5 DOES NOT ESTABLISH A RIGHT TO FORECLOSE ON THE PROPERTY. THERE
6 SHALL BE A REQUIREMENT THAT THE LOAN BE PAID OFF AT THE POINT OF
7 SALE OF THE REAL PROPERTY SUBJECT TO THE LOAN. WITHIN THIRTY DAYS
8 AFTER THE LOAN HAS BEEN COMPLETELY REPAID, THE PARTICIPATING
9 UTILITY OR PROGRAM ADMINISTRATOR SHALL FILE TO REMOVE THE LIEN.
10 THIS SUBSECTION (1)(b) DOES NOT APPLY IF A LOAN IS STRUCTURED AS AN
11 UNSECURED LOAN TO AN INDIVIDUAL CUSTOMER, WHICH UNSECURED
12 LOAN CREATES NO RECOURSE AGAINST THE PROPERTY, SUBSEQUENT
13 PROPERTY OWNERS, OR A FUTURE UTILITY CUSTOMER LOCATED AT THE
14 PROPERTY.".

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