

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0784.01 Clare Haffner x6137

HOUSE BILL 26-1279

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HOUSE SPONSORSHIP

Luck,

SENATE SPONSORSHIP

(None),

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House Committees  
Energy & Environment

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING REQUIRING A PUBLIC UTILITY TO PROVIDE WRITTEN  
102 NOTICE TO AN OWNER OF REAL PROPERTY BEFORE BEGINNING  
103 A PROJECT THAT WILL REQUIRE THE USE OF THE REAL  
104 PROPERTY.

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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>.)*

The bill requires a public utility to provide, at least 90 days before beginning the construction or extension of a new facility, line, plant, or system, notice by certified mail to each owner of private real property that

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

will be used as a result of the construction or extension and to publish notice in a newspaper of general circulation in the area of the real property.

The bill requires a public utility to host at least one in-person public meeting at least 30 days after, but no later than 60 days after, providing notice.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-5-101, **add (5)** as  
3 follows:

4 **40-5-101. New construction - extension - compliance with local**  
5 **zoning rules - landowner notice - definitions.**

6 (5) (a) AT LEAST NINETY DAYS BEFORE BEGINNING THE  
7 CONSTRUCTION OR EXTENSION OF A NEW FACILITY, LINE, PLANT, OR  
8 SYSTEM, WHICH CONSTRUCTION OR EXTENSION WILL REQUIRE THE USE OF  
9 PRIVATE REAL PROPERTY, A PUBLIC UTILITY SHALL PROVIDE SUFFICIENT  
10 NOTICE TO EACH OWNER OF THE REAL PROPERTY THAT WILL BE USED,  
11 REGARDLESS OF WHETHER THE REAL PROPERTY IS SUBJECT TO A UTILITY  
12 EASEMENT.

13 (b) AT LEAST THIRTY DAYS AFTER, BUT NO LATER THAN SIXTY  
14 DAYS AFTER, PROVIDING SUFFICIENT NOTICE IN ACCORDANCE WITH  
15 SUBSECTION (5)(a) OF THIS SECTION, A PUBLIC UTILITY SHALL HOST AT  
16 LEAST ONE IN-PERSON PUBLIC MEETING IN THE COUNTY WHERE THE  
17 CONSTRUCTION OR EXTENSION WILL OCCUR.

18 (c) AS USED IN THIS SUBSECTION (5), "SUFFICIENT NOTICE" MEANS  
19 A LETTER SENT BY CERTIFIED MAIL FROM OR ON BEHALF OF A PUBLIC  
20 UTILITY TO AN OWNER OF REAL PROPERTY AND PUBLICATION IN A  
21 NEWSPAPER OF GENERAL CIRCULATION WITHIN THE AREA OF THE REAL  
22 PROPERTY, WHICH LETTER AND PUBLICATION MUST INCLUDE:

- 1 (I) THE NAME, ADDRESS, TELEPHONE NUMBER, AND NAMED POINT  
2 OF CONTACT FOR THE PUBLIC UTILITY;
- 3 (II) THE REAL PROPERTY ADDRESS;
- 4 (III) THE RECORDING NUMBER OF ANY UTILITY EASEMENT OR  
5 RECORDED MEMORANDUM OF ANY UTILITY EASEMENT;
- 6 (IV) A GENERAL DESCRIPTION OF ANY EXISTING PUBLIC UTILITY  
7 SERVICE INFRASTRUCTURE ALREADY LOCATED IN A RELEVANT UTILITY  
8 EASEMENT AND THE APPROXIMATE LOCATION OF THE UTILITY EASEMENT;
- 9 (V) A CITATION TO THIS SECTION;
- 10 (VI) AN ESTIMATED TIME FOR THE START OF CONSTRUCTION;
- 11 (VII) A NOTICE THAT INTERESTED PERSONS MAY SUBMIT WRITTEN  
12 COMMENTS TO THE PUBLIC UTILITY AT ANY TIME BEFORE THE START OF  
13 CONSTRUCTION; AND
- 14 (VIII) THE DATE, TIME, AND LOCATION FOR THE PUBLIC MEETING  
15 HOSTED BY THE PUBLIC UTILITY PURSUANT SUBSECTION (5)(b) OF THIS  
16 SECTION.

17 **SECTION 2. Act subject to petition - effective date -**  
18 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
19 the expiration of the ninety-day period after final adjournment of the  
20 general assembly (August 12, 2026, if adjournment sine die is on May 13,  
21 2026); except that, if a referendum petition is filed pursuant to section 1  
22 (3) of article V of the state constitution against this act or an item, section,  
23 or part of this act within such period, then the act, item, section, or part  
24 will not take effect unless approved by the people at the general election  
25 to be held in November 2026 and, in such case, will take effect on the  
26 date of the official declaration of the vote thereon by the governor.

1           (2) This act applies to public utility construction or extension  
2 projects commenced on or after the applicable effective date of this act.