

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0214.02 Jennifer Berman x3286

HOUSE BILL 26-1268

HOUSE SPONSORSHIP

McCormick and Smith,

SENATE SPONSORSHIP

(None),

House Committees
Energy & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ADVANCE RENEWABLE ENERGY PROJECTS**
102 **ON PREVIOUSLY DISTURBED LANDS THROUGH THE DESIGNATION**
103 **OF RENEWABLE ENERGY REINVESTMENT AREAS.**

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>.)

Section 1 of the bill authorizes a local government with permitting authority over land uses (local government) to designate one or more areas within the jurisdiction of the local government as renewable energy reinvestment areas for the siting of renewable energy and energy storage system projects (eligible projects). In designating an area as a renewable

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.

energy reinvestment area, the local government must hold at least one public hearing, engage in outreach of disproportionately impacted communities, and ensure that an eligible project may be permitted and constructed pursuant to an administrative approval process based solely on the eligible project's compliance with objective standards.

If an eligible project is sited in a renewable energy reinvestment area, an urban renewal authority or county revitalization authority (tax increment financing authority) may distribute tax revenue to finance any public infrastructure needed for the eligible project in a manner consistent with the tax increment financing authority's governing statutes.

Section 1 requires a utility to respond to a request made by a local government or an eligible project developer for interconnection information regarding the proposed site of an eligible project within 30 days after the request is made.

Section 2 requires the Colorado energy office to consolidate, publish on its website, and periodically update information and resources concerning the process for siting, permitting, and developing eligible projects in renewable energy reinvestment areas.

Sections 3 and 4 make conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 5 to article
3 20 of title 29 as follows:

4 **PART 5**

5 **SITING OF RENEWABLE ENERGY PROJECTS**

6 **29-20-501. Definitions.**

7 **AS USED IN THIS PART 5, UNLESS THE CONTEXT OTHERWISE**
8 **REQUIRES:**

9 (1) **"BROWNFIELD SITE"** HAS THE MEANING SET FORTH IN SECTION
10 30-31-103 (3).

11 (2) **"BRUNOT AGREEMENT"** MEANS THE AGREEMENT OF
12 SEPTEMBER 13, 1873, RATIFIED BY ACT OF APRIL 29, 1874, CH. 136, 18
13 STAT. 36 (1874).

14 (3) **"BRUNOT AREA"** MEANS THE LAND RELINQUISHED AND

1 CONVEYED BY THE CONFEDERATED BANDS OF THE UTE NATION TO THE
2 UNITED STATES IN THE BRUNOT AGREEMENT AND UPON WHICH THE
3 UNITED STATES AGREED TO PERMIT THE UTE INDIANS TO HUNT "SO LONG
4 AS THE GAME LASTS AND THE INDIANS ARE AT PEACE WITH THE WHITE
5 PEOPLE."

6 (4) "CLOSED LANDFILL" HAS THE MEANING SET FORTH IN SECTION
7 30-20-124 (1)(c).

8 (5) "DEVELOPER" MEANS A PERSON RESPONSIBLE FOR DEVELOPING
9 AN ELIGIBLE PROJECT.

10 (6) "ELIGIBLE PROJECT" MEANS UNDERTAKINGS AND ACTIVITIES
11 RELATED TO THE DEVELOPMENT OF RENEWABLE ENERGY OR ENERGY
12 STORAGE SYSTEM INFRASTRUCTURE, WHICH UNDERTAKINGS AND
13 ACTIVITIES ARE RELATED TO AN ELIGIBLE SITE AND MAY INCLUDE
14 ACQUISITION OF LAND AND OTHER PROPERTY; DEMOLITION AND REMOVAL
15 OF BUILDINGS AND IMPROVEMENTS; SITE PREPARATION, CLEANUP, AND
16 REMEDIATION; AND INSTALLATION OF RENEWABLE ENERGY OR ENERGY
17 STORAGE SYSTEM INFRASTRUCTURE.

18 (7) "ELIGIBLE SITE" MEANS:

19 (a) A BROWNFIELD SITE;

20 (b) MINING OPERATION AFFECTED LAND AND MINING OPERATION
21 AFFECTED LAND FOR WHICH THE LIFE OF THE MINE HAS BEEN TERMINATED;

22 (c) A CLOSED LANDFILL;

23 (d) LAND AFFECTED BY AN OIL AND GAS OPERATION FOR WHICH
24 ALL OIL AND GAS INFRASTRUCTURE HAS BEEN DECOMMISSIONED AND THE
25 SITE IS ELIGIBLE FOR FINAL RECLAMATION, AS DETERMINED BY THE
26 DIRECTOR OF THE ENERGY AND CARBON MANAGEMENT COMMISSION
27 UNDER THE "ENERGY AND CARBON MANAGEMENT ACT", ARTICLE 60 OF

1 TITLE 34; OR
2 (e) LAND THAT IS:
3 (I) DESIGNATED BY THE UNITED STATES ENVIRONMENTAL
4 PROTECTION AGENCY UNDER THE FEDERAL "COMPREHENSIVE
5 ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF
6 1980", 42 U.S.C. SEC. 9601 ET SEQ.;
7 (II) DESIGNATED BY THE UNITED STATES ENVIRONMENTAL
8 PROTECTION AGENCY UNDER THE CORRECTIVE ACTION PROGRAM OF THE
9 FEDERAL "RESOURCE CONSERVATION AND RECOVERY ACT OF 1976", 42
10 U.S.C. SEC. 6901 ET SEQ.; OR
11 (III) REGULATED BY THE DEPARTMENT OF PUBLIC HEALTH AND
12 ENVIRONMENT UNDER THE "VOLUNTARY CLEAN-UP AND
13 REDEVELOPMENT ACT", PART 3 OF ARTICLE 16 OF TITLE 25.
14 (8) "ENERGY STORAGE SYSTEM" HAS THE MEANING SET FORTH IN
15 SECTION 40-2-130 (2)(a).
16 (9) "LIFE OF THE MINE":
17 (a) WITH RESPECT TO A MINING OPERATION FOR THE EXTRACTION
18 OF MINERALS, HAS THE MEANING SET FORTH IN SECTION 34-32-103 (6); OR
19 (b) WITH RESPECT TO A MINING OPERATION FOR THE EXTRACTION
20 OF CONSTRUCTION MATERIALS, HAS THE MEANING SET FORTH IN SECTION
21 34-32.5-103 (11).
22 (10) "LOCAL GOVERNMENT" MEANS A STATUTORY OR HOME RULE
23 CITY, TOWN, COUNTY, OR CITY AND COUNTY.
24 (11) "LOCAL PERMITTING ENTITY" MEANS THE GOVERNING BODY
25 OF A LOCAL GOVERNMENT OR AN AGENCY OF A LOCAL GOVERNMENT WITH
26 PERMITTING AUTHORITY OVER LAND USES.
27 (12) "MINING OPERATION AFFECTED LAND AND MINING OPERATION

1 AFFECTED LAND FOR WHICH THE LIFE OF THE MINE HAS BEEN
2 TERMINATED":

3 (a) WITH RESPECT TO A MINING OPERATION FOR THE EXTRACTION
4 OF MINERALS, HAS THE SAME MEANING AS "AFFECTED LAND" AS DEFINED
5 IN SECTION 34-32-103 (1.5); OR

6 (b) WITH RESPECT TO A MINING OPERATION FOR THE EXTRACTION
7 OF CONSTRUCTION MATERIALS, HAS THE SAME MEANING AS "AFFECTED
8 LAND" AS DEFINED IN SECTION 34-32.5-103 (1).

9 (13) (a) "RENEWABLE ENERGY" MEANS USEFUL ELECTRIC,
10 THERMAL, OR MECHANICAL ENERGY:

11 (I) THAT IS:

12 (A) CONVERTED DIRECTLY OR INDIRECTLY FROM RESOURCES OF
13 CONTINUOUS ENERGY FLOW; OR

14 (B) PERPETUALLY REPLENISHED; AND

15 (II) THE UTILIZATION OF WHICH IS SUSTAINABLE INDEFINITELY.

16 (b) "RENEWABLE ENERGY" INCLUDES SOLAR, WIND, AND
17 GEOTHERMAL ENERGY.

18 (14) "RENEWABLE ENERGY REINVESTMENT AREA" MEANS ONE OR
19 MORE ELIGIBLE SITES THAT A LOCAL PERMITTING ENTITY DESIGNATES AS
20 AN APPROPRIATE LOCATION FOR THE SITING OF ELIGIBLE PROJECTS AND
21 FOR WHICH COSTS ASSOCIATED WITH A PROJECT MAY BE FINANCED OR
22 REIMBURSED THROUGH TAX INCREMENT REVENUE PURSUANT TO SECTION
23 30-31-109 OR 31-25-107.

24 (15) (a) "UTILITY" MEANS AN ELECTRIC UTILITY IN THE STATE.

25 (b) "UTILITY" INCLUDES:

26 (I) AN INVESTOR-OWNED ELECTRIC UTILITY;

27 (II) A COOPERATIVE ELECTRIC ASSOCIATION FORMED PURSUANT

1 TO ARTICLE 9.5 OF TITLE 40;

2 (III) A MUNICIPALLY OWNED UTILITY; AND

3 (IV) A WHOLESALE ELECTRIC COOPERATIVE AS DEFINED IN
4 SECTION 40-2-136 (3)(c).

5 **29-20-502. Renewable energy reinvestment areas - designation**
6 **by a local permitting entity - consultation with tribal governments.**

7 (1) (a) A LOCAL PERMITTING ENTITY MAY DESIGNATE ONE OR
8 MORE ELIGIBLE SITES WITHIN ITS JURISDICTION AS A RENEWABLE ENERGY
9 REINVESTMENT AREA FOR THE SITING OF ELIGIBLE PROJECTS.

10 (b) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, TO
11 DESIGNATE ONE OR MORE ELIGIBLE SITES AS A RENEWABLE ENERGY
12 REINVESTMENT AREA, A LOCAL PERMITTING ENTITY MUST:

13 (I) COMPILE AND MAKE PUBLICLY AVAILABLE RELEVANT
14 DOCUMENTATION DEMONSTRATING THAT THE SITE IS AN ELIGIBLE SITE;

15 (II) CONSULT WITH THE DIVISION OF PARKS AND WILDLIFE
16 CREATED IN SECTION 33-9-104 (1) REGARDING THE WILDLIFE AND HABITAT
17 IMPACTS OF CONSTRUCTING ELIGIBLE PROJECTS ON THE SITE, INCLUDING
18 IMPACTS TO STATE AND FEDERALLY LISTED SPECIES AND SPECIES AND
19 HABITATS OF CONSERVATION CONCERN;

20 (III) (A) HOLD ONE OR MORE PUBLIC HEARINGS REGARDING THE
21 DESIGNATION OF THE SITE OR SITES AS A RENEWABLE ENERGY
22 REINVESTMENT AREA; OR

23 (B) DESIGNATE THE ELIGIBLE SITE OR SITES AS PART OF A NEW
24 URBAN RENEWAL PLAN OR A SUBSTANTIAL MODIFICATION TO AN EXISTING
25 URBAN RENEWAL PLAN PURSUANT TO SECTION 31-25-107 OR AS PART OF
26 A NEW COUNTY REVITALIZATION PLAN OR A SUBSTANTIAL MODIFICATION
27 TO AN EXISTING COUNTY REVITALIZATION PLAN PURSUANT TO SECTION

1 30-31-109;

2 (IV) ENSURE THAT OUTREACH TO AND ENGAGEMENT OF
3 DISPROPORTIONATELY IMPACTED COMMUNITIES REGARDING THE
4 DESIGNATION OF A RENEWABLE ENERGY REINVESTMENT AREA WITHIN THE
5 JURISDICTION OF THE LOCAL PERMITTING ENTITY IS SUBSTANTIALLY
6 CONSISTENT WITH THE PROCESS SET FORTH IN SECTION 24-4-109 (3)
7 REGARDING THE DESIGNATION; AND

8 (V) ENSURE THAT DESIGNATED ELIGIBLE PROJECTS CAN BE
9 PERMITTED AND CONSTRUCTED PURSUANT TO AN ADMINISTRATIVE
10 APPROVAL PROCESS THROUGH WHICH THE PROJECT IS APPROVED,
11 APPROVED WITH CONDITIONS, OR DENIED BY LOCAL GOVERNMENT
12 ADMINISTRATIVE STAFF BASED SOLELY ON ITS COMPLIANCE WITH
13 OBJECTIVE STANDARDS. A LOCAL PERMITTING ENTITY SHALL DESIGNATE
14 AT LEAST ONE POINT OF CONTACT TO COORDINATE THE LOCAL
15 GOVERNMENT REVIEW PROCESS AND COMMUNICATE WITH THE ELIGIBLE
16 PROJECT APPLICANT.

17 (2) A LOCAL PERMITTING ENTITY SHALL NOT DESIGNATE AN
18 ELIGIBLE SITE:

19 (a) WITHIN THE SOUTHERN UTE INDIAN TRIBE RESERVATION AS A
20 RENEWABLE ENERGY REINVESTMENT AREA UNLESS THE LOCAL
21 GOVERNMENT FIRST CONSULTS WITH THE TRIBAL GOVERNMENT OF THE
22 SOUTHERN UTE INDIAN TRIBE; AND

23 (b) WITHIN THE BRUNOT AREA AS A RENEWABLE ENERGY
24 REINVESTMENT AREA UNLESS THE LOCAL GOVERNMENT FIRST CONSULTS
25 WITH THE TRIBAL GOVERNMENTS OF THE UTE MOUNTAIN UTE TRIBE AND
26 THE SOUTHERN UTE INDIAN TRIBE CONCERNING THE POTENTIAL IMPACTS
27 TO HUNTING, FISHING, AND GATHERING RIGHTS RELATED TO DESIGNATION

1 OF THE ELIGIBLE SITE.

2 **29-20-503. Information for siting eligible projects in**
3 **renewable energy reinvestment areas - requests from local**
4 **governments or developers.**

5 UPON A REQUEST BY A LOCAL GOVERNMENT OR A DEVELOPER FOR
6 INFORMATION REGARDING THE DESIGNATED RENEWABLE ENERGY
7 REINVESTMENT AREA, A UTILITY SHALL ACKNOWLEDGE THE REQUEST
8 WITHIN THIRTY DAYS AFTER THE REQUEST IS MADE AND PROVIDE THE
9 REQUESTOR READILY AVAILABLE INFORMATION.

10 **29-20-504. Saving clause.** NOTHING IN THIS PART 5 SHALL BE
11 CONSTRUED TO AUTHORIZE THE CONSTRUCTION, OPERATION, OR
12 EXPANSION OF AN ELIGIBLE PROJECT IN A RENEWABLE ENERGY
13 REINVESTMENT AREA IF THE PROJECT WOULD OTHERWISE BE PROHIBITED
14 OR DISALLOWED UNDER APPLICABLE FEDERAL OR STATE ENVIRONMENTAL
15 STATUTES, RULES, OR REGULATIONS, INCLUDING STATUTES, RULES, OR
16 REGULATIONS GOVERNING THE IDENTIFICATION, ASSESSMENT,
17 REMEDIATION, OR REUSE OF A BROWNFIELD SITE.

18 **SECTION 2.** In Colorado Revised Statutes, add 24-38.5-126 as
19 follows:

20 **24-38.5-126. Development guidance for renewable energy**
21 **development in renewable energy reinvestment areas - definition.**

22 (1) ON OR BEFORE SEPTEMBER 1, 2027, THE COLORADO ENERGY
23 OFFICE SHALL:

24 (a) PUBLISH ON THE COLORADO ENERGY OFFICE'S WEBSITE AN
25 OUTLINE OF THE GENERAL PROCESS FOR SITING, PERMITTING, AND
26 DEVELOPING RENEWABLE ENERGY PROJECTS IN RENEWABLE ENERGY
27 REINVESTMENT AREAS; AND

1 (b) CONSOLIDATE RELEVANT TECHNICAL AND INFORMATIONAL
2 RESOURCES FOR RENEWABLE ENERGY DEVELOPMENT IN RENEWABLE
3 ENERGY REINVESTMENT AREAS.

4 (2) THE COLORADO ENERGY OFFICE SHALL PERIODICALLY REVIEW
5 AND UPDATE THE INFORMATION PROVIDED PURSUANT TO SUBSECTION (1)
6 OF THIS SECTION ON THE OFFICE'S WEBSITE.

7 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES, "RENEWABLE ENERGY REINVESTMENT AREA" HAS THE MEANING
9 SET FORTH IN SECTION 29-20-501 (14).

10 **SECTION 3.** In Colorado Revised Statutes, 31-25-103, **add** (3.6)
11 and (6.3) as follows:

12 **31-25-103. Definitions.**

13 As used in this part 1, unless the context otherwise requires:

14 (3.6) "ELIGIBLE PROJECT" HAS THE MEANING SET FORTH IN
15 SECTION 29-20-501 (6).

16 (6.3) "RENEWABLE ENERGY REINVESTMENT AREA" HAS THE
17 MEANING SET FORTH IN SECTION 29-20-501 (14).

18 **SECTION 4.** In Colorado Revised Statutes, 31-25-105, **amend**
19 (1)(l); and **add** (1)(m) as follows:

20 **31-25-105. Powers of an authority.**

21 (1) Every authority has all the powers necessary or convenient to
22 carry out and effectuate the purposes and provisions of this part 1,
23 including, but not limited to, the following powers in addition to others
24 granted in this part 1:

25 (l) To rent or to provide by any other means suitable quarters for
26 the use of the authority or to accept the use of such quarters as may be
27 furnished by the municipality or any other public body, and to equip such

1 quarters with such furniture, furnishings, equipment, records, and
2 supplies as the authority may deem necessary to enable it to exercise its
3 powers under this part 1; AND

4 (m) PURSUANT TO SECTION 31-25-107 (9)(a)(II), TO AUTHORIZE
5 THE DISTRIBUTION OF TAX INCREMENT REVENUE TO FINANCE COSTS
6 NEEDED FOR ONE OR MORE ELIGIBLE PROJECTS SITED IN A RENEWABLE
7 ENERGY REINVESTMENT AREA.

8 **SECTION 5.** In Colorado Revised Statutes, 31-25-107, add
9 (1)(c)(IV), (7.3), and (9)(j) as follows:

10 **31-25-107. Approval of urban renewal plans by local**
11 **governing body - renewable energy reinvestment areas - definitions.**

12 (1) (c) (IV) AN URBAN RENEWAL PLAN OR A SUBSTANTIAL
13 MODIFICATION TO AN EXISTING URBAN RENEWAL PLAN APPROVED
14 PURSUANT TO THIS SECTION MUST INCLUDE:

15 (A) A MAP DEPICTING THE BOUNDARIES OF ANY RENEWABLE
16 ENERGY REINVESTMENT AREA INCLUDED IN THE URBAN RENEWAL PLAN OR
17 SUBSTANTIAL MODIFICATION; AND

18 (B) A DESCRIPTION OF THE ELIGIBLE PROJECTS AND ELIGIBLE
19 PROJECT COSTS TO BE FINANCED OR REIMBURSED WITH TAX INCREMENT
20 REVENUE WITHIN EACH RENEWABLE ENERGY REINVESTMENT AREA
21 INCLUDED IN THE URBAN RENEWAL PLAN OR SUBSTANTIAL MODIFICATION.

22 (7.3) AN URBAN RENEWAL PLAN OR A SUBSTANTIAL MODIFICATION
23 TO AN EXISTING URBAN RENEWAL PLAN MAY INCLUDE ONE OR MORE
24 ELIGIBLE PROJECTS LOCATED WITHIN A RENEWABLE ENERGY
25 REINVESTMENT AREA REGARDLESS OF WHETHER THE RENEWABLE ENERGY
26 REINVESTMENT AREA IS LOCATED WITHIN OR IS CONTIGUOUS TO THE
27 BOUNDARIES OF THE URBAN RENEWAL AREA.

1 (9) (j) (I) A RENEWABLE ENERGY REINVESTMENT AREA INCLUDED
2 IN AN URBAN RENEWAL PLAN PURSUANT TO THIS SECTION SHALL BE
3 DEEMED PART OF THE URBAN RENEWAL AREA FOR ALL PURPOSES SET
4 FORTH IN THIS PART 1.

5 (II) AN URBAN RENEWAL AUTHORITY MAY USE TAX INCREMENT
6 REVENUE GENERATED FROM ANY PORTION OF THE URBAN RENEWAL AREA
7 APPROVED PURSUANT TO THIS SECTION TO FINANCE OR REIMBURSE COSTS
8 INCURRED TO CARRY OUT ELIGIBLE PROJECTS WITHIN THE URBAN
9 RENEWAL AREA, INCLUDING WITHIN A RENEWABLE ENERGY
10 REINVESTMENT AREA INCLUDED IN THE URBAN RENEWAL AREA.

11 **SECTION 6.** In Colorado Revised Statutes, 30-31-103, **add** (9.5)
12 and (13.5) as follows:

13 **30-31-103. Definitions.**

14 As used in this article 31, unless the context otherwise requires:

15 (9.5) "ELIGIBLE PROJECT" HAS THE MEANING SET FORTH IN
16 SECTION 29-20-501 (6).

17 (13.5) "RENEWABLE ENERGY REINVESTMENT AREA" HAS THE
18 MEANING SET FORTH IN SECTION 29-20-501 (14).

19 **SECTION 7.** In Colorado Revised Statutes, 30-31-105, **add** (5)
20 as follows:

21 **30-31-105. Powers of an authority.**

22 (5) PURSUANT TO SECTION 30-31-109 (13)(a)(II), AN AUTHORITY
23 MAY DISTRIBUTE TAX INCREMENT REVENUE TO FINANCE COSTS INCURRED
24 TO CARRY OUT ONE OR MORE ELIGIBLE PROJECTS SITED IN A RENEWABLE
25 ENERGY REINVESTMENT AREA.

26 **SECTION 8.** In Colorado Revised Statutes, 30-31-109, **amend**
27 (1)(d); and **add** (1)(c)(IV) and (13)(j) as follows:

1 **30-31-109. Approval of county revitalization plans by local**
2 **governing body - renewable energy reinvestment areas - definitions.**

3 (1) (c) (IV) A COUNTY REVITALIZATION PLAN OR A SUBSTANTIAL
4 MODIFICATION TO AN EXISTING COUNTY REVITALIZATION PLAN MAY
5 INCLUDE ONE OR MORE ELIGIBLE PROJECTS LOCATED WITHIN A
6 RENEWABLE ENERGY REINVESTMENT AREA REGARDLESS OF WHETHER THE
7 RENEWABLE ENERGY REINVESTMENT AREA IS LOCATED WITHIN OR IS
8 CONTIGUOUS TO THE BOUNDARIES OF THE COUNTY REVITALIZATION AREA.

9 (d) (I) A county revitalization plan that is approved or
10 substantially modified must include a legal description of the county
11 revitalization area, including the legal description of any agricultural land
12 proposed for inclusion within the county revitalization area pursuant to
13 subsection (1)(c)(II) of this section.

14 (II) A COUNTY REVITALIZATION PLAN OR A SUBSTANTIAL
15 MODIFICATION TO AN EXISTING COUNTY REVITALIZATION PLAN APPROVED
16 PURSUANT TO THIS SECTION MUST INCLUDE:

17 (A) A MAP DEPICTING THE BOUNDARIES OF ANY RENEWABLE
18 ENERGY REINVESTMENT AREA INCLUDED IN THE COUNTY REVITALIZATION
19 PLAN OR SUBSTANTIAL MODIFICATION; AND

20 (B) A DESCRIPTION OF THE ELIGIBLE PROJECTS AND ELIGIBLE
21 PROJECT COSTS TO BE FINANCED OR REIMBURSED WITH TAX INCREMENT
22 REVENUE WITHIN EACH RENEWABLE ENERGY REINVESTMENT AREA
23 INCLUDED IN THE COUNTY REVITALIZATION PLAN OR SUBSTANTIAL
24 MODIFICATION.

25 (13) (j) (I) A RENEWABLE ENERGY REINVESTMENT AREA INCLUDED
26 IN A COUNTY REVITALIZATION PLAN PURSUANT TO THIS SECTION SHALL BE
27 DEEMED PART OF THE COUNTY REVITALIZATION AREA FOR ALL PURPOSES

1 SET FORTH IN THIS ARTICLE 31.

2 (II) A COUNTY REVITALIZATION AUTHORITY MAY USE TAX
3 INCREMENT REVENUE GENERATED FROM ANY PORTION OF THE COUNTY
4 REVITALIZATION AREA APPROVED PURSUANT TO THIS SECTION TO FINANCE
5 OR REIMBURSE COSTS INCURRED TO CARRY OUT ELIGIBLE PROJECTS WITHIN
6 THE COUNTY REVITALIZATION AREA, INCLUDING WITHIN A RENEWABLE
7 ENERGY REINVESTMENT AREA INCLUDED IN THE COUNTY REVITALIZATION
8 AREA.

9 **SECTION 9. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2026 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.