

1 ACTIVITIES ARE RELATED TO AN ELIGIBLE SITE AND MAY INCLUDE
2 ACQUISITION OF LAND AND OTHER PROPERTY; DEMOLITION AND REMOVAL
3 OF BUILDINGS AND IMPROVEMENTS; SITE PREPARATION, CLEANUP, AND
4 REMEDIATION; AND INSTALLATION OF RENEWABLE ENERGY OR ENERGY
5 STORAGE SYSTEM INFRASTRUCTURE.

6 (7) "ELIGIBLE SITE" MEANS:
7 (a) A BROWNFIELD SITE;
8 (b) MINING OPERATION AFFECTED LAND AND MINING OPERATION
9 AFFECTED LAND FOR WHICH THE LIFE OF THE MINE HAS BEEN TERMINATED;
10 (c) A CLOSED LANDFILL;
11 (d) LAND AFFECTED BY AN OIL AND GAS OPERATION FOR WHICH
12 ALL OIL AND GAS INFRASTRUCTURE HAS BEEN DECOMMISSIONED AND THE
13 SITE IS ELIGIBLE FOR FINAL RECLAMATION, AS DETERMINED BY THE
14 DIRECTOR OF THE ENERGY AND CARBON MANAGEMENT COMMISSION
15 UNDER THE "ENERGY AND CARBON MANAGEMENT ACT", ARTICLE 60 OF
16 TITLE 34; OR
17 (e) LAND THAT IS:
18 (I) DESIGNATED BY THE UNITED STATES ENVIRONMENTAL
19 PROTECTION AGENCY UNDER THE FEDERAL "COMPREHENSIVE
20 ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF
21 1980", 42 U.S.C. SEC. 9601 ET SEQ.;
22 (II) DESIGNATED BY THE UNITED STATES ENVIRONMENTAL
23 PROTECTION AGENCY UNDER THE CORRECTIVE ACTION PROGRAM OF THE
24 FEDERAL "RESOURCE CONSERVATION AND RECOVERY ACT OF 1976", 42
25 U.S.C. SEC. 6901 ET SEQ.; OR
26 (III) REGULATED BY THE DEPARTMENT OF PUBLIC HEALTH AND
27 ENVIRONMENT UNDER THE "VOLUNTARY CLEAN-UP AND
28 REDEVELOPMENT ACT", PART 3 OF ARTICLE 16 OF TITLE 25.
29 (8) "ENERGY STORAGE SYSTEM" HAS THE MEANING SET FORTH IN
30 SECTION 40-2-130 (2)(a).
31 (9) "LIFE OF THE MINE":
32 (a) WITH RESPECT TO A MINING OPERATION FOR THE EXTRACTION
33 OF MINERALS, HAS THE MEANING SET FORTH IN SECTION 34-32-103 (6); OR
34 (b) WITH RESPECT TO A MINING OPERATION FOR THE EXTRACTION
35 OF CONSTRUCTION MATERIALS, HAS THE MEANING SET FORTH IN SECTION
36 34-32.5-103 (11).
37 (10) "LOCAL GOVERNMENT" MEANS A STATUTORY OR HOME RULE
38 CITY, TOWN, COUNTY, OR CITY AND COUNTY.
39 (11) "LOCAL PERMITTING ENTITY" MEANS THE GOVERNING BODY
40 OF A LOCAL GOVERNMENT OR AN AGENCY OF A LOCAL GOVERNMENT WITH
41 PERMITTING AUTHORITY OVER LAND USES.
42 (12) "MINING OPERATION AFFECTED LAND AND MINING OPERATION
43 AFFECTED LAND FOR WHICH THE LIFE OF THE MINE HAS BEEN

1 TERMINATED":
2 (a) WITH RESPECT TO A MINING OPERATION FOR THE EXTRACTION
3 OF MINERALS, HAS THE SAME MEANING AS "AFFECTED LAND" AS DEFINED
4 IN SECTION 34-32-103 (1.5); OR
5 (b) WITH RESPECT TO A MINING OPERATION FOR THE EXTRACTION
6 OF CONSTRUCTION MATERIALS, HAS THE SAME MEANING AS "AFFECTED
7 LAND" AS DEFINED IN SECTION 34-32.5-103 (1).
8 (13) (a) "RENEWABLE ENERGY" MEANS USEFUL ELECTRIC,
9 THERMAL, OR MECHANICAL ENERGY:
10 (I) THAT IS:
11 (A) CONVERTED DIRECTLY OR INDIRECTLY FROM RESOURCES OF
12 CONTINUOUS ENERGY FLOW; OR
13 (B) PERPETUALLY REPLENISHED; AND
14 (II) THE UTILIZATION OF WHICH IS SUSTAINABLE INDEFINITELY.
15 (b) "RENEWABLE ENERGY" INCLUDES SOLAR, WIND, AND
16 GEOTHERMAL ENERGY.
17 (14) "RENEWABLE ENERGY REINVESTMENT AREA" MEANS ONE OR
18 MORE ELIGIBLE SITES THAT A LOCAL PERMITTING ENTITY DESIGNATES AS
19 AN APPROPRIATE LOCATION FOR THE SITING OF ELIGIBLE PROJECTS AND
20 FOR WHICH COSTS ASSOCIATED WITH A PROJECT MAY BE FINANCED OR
21 REIMBURSED THROUGH TAX INCREMENT REVENUE PURSUANT TO SECTION
22 30-31-109 OR 31-25-107.
23 (15) (a) "UTILITY" MEANS AN ELECTRIC UTILITY IN THE STATE.
24 (b) "UTILITY" INCLUDES:
25 (I) AN INVESTOR-OWNED ELECTRIC UTILITY;
26 (II) A COOPERATIVE ELECTRIC ASSOCIATION FORMED PURSUANT
27 TO ARTICLE 9.5 OF TITLE 40;
28 (III) A MUNICIPALLY OWNED UTILITY; AND
29 (IV) A WHOLESALE ELECTRIC COOPERATIVE AS DEFINED IN
30 SECTION 40-2-136 (3)(c).
31 **29-20-502. Renewable energy reinvestment areas - designation**
32 **by a local permitting entity - consultation with tribal governments.**
33 (1) (a) A LOCAL PERMITTING ENTITY MAY DESIGNATE ONE OR
34 MORE ELIGIBLE SITES WITHIN ITS JURISDICTION AS A RENEWABLE ENERGY
35 REINVESTMENT AREA FOR THE SITING OF ELIGIBLE PROJECTS.
36 (b) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, TO
37 DESIGNATE ONE OR MORE ELIGIBLE SITES AS A RENEWABLE ENERGY
38 REINVESTMENT AREA, A LOCAL PERMITTING ENTITY MUST:
39 (I) COMPILE AND MAKE PUBLICLY AVAILABLE RELEVANT
40 DOCUMENTATION DEMONSTRATING THAT THE SITE IS AN ELIGIBLE SITE;
41 (II) CONSULT WITH THE DIVISION OF PARKS AND WILDLIFE
42 CREATED IN SECTION 33-9-104 (1) REGARDING THE WILDLIFE AND HABITAT
43 IMPACTS OF CONSTRUCTING ELIGIBLE PROJECTS ON THE SITE, INCLUDING

1 IMPACTS TO STATE AND FEDERALLY LISTED SPECIES AND SPECIES AND
2 HABITATS OF CONSERVATION CONCERN;

3 (III) (A) HOLD ONE OR MORE PUBLIC HEARINGS REGARDING THE
4 DESIGNATION OF THE SITE OR SITES AS A RENEWABLE ENERGY
5 REINVESTMENT AREA; OR

6 (B) DESIGNATE THE ELIGIBLE SITE OR SITES AS PART OF A NEW
7 URBAN RENEWAL PLAN OR A SUBSTANTIAL MODIFICATION TO AN EXISTING
8 URBAN RENEWAL PLAN PURSUANT TO SECTION 31-25-107 OR AS PART OF
9 A NEW COUNTY REVITALIZATION PLAN OR A SUBSTANTIAL MODIFICATION
10 TO AN EXISTING COUNTY REVITALIZATION PLAN PURSUANT TO SECTION
11 30-31-109;

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

18 (V) ENSURE THAT DESIGNATED ELIGIBLE PROJECTS CAN BE
19 PERMITTED AND CONSTRUCTED PURSUANT TO AN ADMINISTRATIVE
20 APPROVAL PROCESS THROUGH WHICH THE PROJECT IS APPROVED,
21 APPROVED WITH CONDITIONS, OR DENIED BY LOCAL GOVERNMENT
22 ADMINISTRATIVE STAFF BASED SOLELY ON ITS COMPLIANCE WITH
23 OBJECTIVE STANDARDS. A LOCAL PERMITTING ENTITY SHALL DESIGNATE
24 AT LEAST ONE POINT OF CONTACT TO COORDINATE THE LOCAL
25 GOVERNMENT REVIEW PROCESS AND COMMUNICATE WITH THE ELIGIBLE
26 PROJECT APPLICANT.

27 (2) A LOCAL PERMITTING ENTITY SHALL NOT DESIGNATE AN
28 ELIGIBLE SITE:

29 (a) WITHIN THE SOUTHERN UTE INDIAN TRIBE RESERVATION AS A
30 RENEWABLE ENERGY REINVESTMENT AREA UNLESS THE LOCAL
31 GOVERNMENT FIRST CONSULTS WITH THE TRIBAL GOVERNMENT OF THE
32 SOUTHERN UTE INDIAN TRIBE; AND

33 (b) WITHIN THE BRUNOT AREA AS A RENEWABLE ENERGY
34 REINVESTMENT AREA UNLESS THE LOCAL GOVERNMENT FIRST CONSULTS
35 WITH THE TRIBAL GOVERNMENTS OF THE UTE MOUNTAIN UTE TRIBE AND
36 THE SOUTHERN UTE INDIAN TRIBE CONCERNING THE POTENTIAL IMPACTS
37 TO HUNTING, FISHING, AND GATHERING RIGHTS RELATED TO DESIGNATION
38 OF THE ELIGIBLE SITE.

39 **29-20-503. Information for siting eligible projects in**
40 **renewable energy reinvestment areas - requests from local**
41 **governments or developers.**

42 UPON A REQUEST BY A LOCAL GOVERNMENT OR A DEVELOPER FOR
43 INFORMATION REGARDING THE DESIGNATED RENEWABLE ENERGY

1 REINVESTMENT AREA, A UTILITY SHALL ACKNOWLEDGE THE REQUEST
2 WITHIN THIRTY DAYS AFTER THE REQUEST IS MADE AND PROVIDE THE
3 REQUESTOR READILY AVAILABLE INFORMATION.

4 **29-20-504. Saving clause.** NOTHING IN THIS PART 5 SHALL BE
5 CONSTRUED TO AUTHORIZE THE CONSTRUCTION, OPERATION, OR
6 EXPANSION OF AN ELIGIBLE PROJECT IN A RENEWABLE ENERGY
7 REINVESTMENT AREA IF THE PROJECT WOULD OTHERWISE BE PROHIBITED
8 OR DISALLOWED UNDER APPLICABLE FEDERAL OR STATE ENVIRONMENTAL
9 STATUTES, RULES, OR REGULATIONS, INCLUDING STATUTES, RULES, OR
10 REGULATIONS GOVERNING THE IDENTIFICATION, ASSESSMENT,
11 REMEDIATION, OR REUSE OF A BROWNFIELD SITE.

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

14 **24-38.5-126. Development guidance for renewable energy**
15 **development in renewable energy reinvestment areas - definition.**

16 (1) ON OR BEFORE SEPTEMBER 1, 2027, THE COLORADO ENERGY
17 OFFICE SHALL:

18 (a) PUBLISH ON THE COLORADO ENERGY OFFICE'S WEBSITE AN
19 OUTLINE OF THE GENERAL PROCESS FOR SITING, PERMITTING, AND
20 DEVELOPING RENEWABLE ENERGY PROJECTS IN RENEWABLE ENERGY
21 REINVESTMENT AREAS; AND

22 (b) CONSOLIDATE RELEVANT TECHNICAL AND INFORMATIONAL
23 RESOURCES FOR RENEWABLE ENERGY DEVELOPMENT IN RENEWABLE
24 ENERGY REINVESTMENT AREAS.

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

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

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

33 **31-25-103. Definitions.**

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

35 (3.6) "ELIGIBLE PROJECT" HAS THE MEANING SET FORTH IN
36 SECTION 29-20-501 (6).

37 (6.3) "RENEWABLE ENERGY REINVESTMENT AREA" HAS THE
38 MEANING SET FORTH IN SECTION 29-20-501 (14).

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

41 **31-25-105. Powers of an authority.**

42 (1) Every authority has all the powers necessary or convenient to
43 carry out and effectuate the purposes and provisions of this part 1,

1 including, but not limited to, the following powers in addition to others
2 granted in this part 1:

3 (l) To rent or to provide by any other means suitable quarters for
4 the use of the authority or to accept the use of such quarters as may be
5 furnished by the municipality or any other public body, and to equip such
6 quarters with such furniture, furnishings, equipment, records, and
7 supplies as the authority may deem necessary to enable it to exercise its
8 powers under this part 1; AND

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

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

15 **31-25-107. Approval of urban renewal plans by local**
16 **governing body - renewable energy reinvestment areas - definitions.**

17 (1) (c) (IV) AN URBAN RENEWAL PLAN OR A SUBSTANTIAL
18 MODIFICATION TO AN EXISTING URBAN RENEWAL PLAN APPROVED
19 PURSUANT TO THIS SECTION MUST INCLUDE:

20 (A) A MAP DEPICTING THE BOUNDARIES OF ANY RENEWABLE
21 ENERGY REINVESTMENT AREA INCLUDED IN THE URBAN RENEWAL PLAN OR
22 SUBSTANTIAL MODIFICATION; AND

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

27 (7.3) AN URBAN RENEWAL PLAN OR A SUBSTANTIAL MODIFICATION
28 TO AN EXISTING URBAN RENEWAL PLAN MAY INCLUDE ONE OR MORE
29 ELIGIBLE PROJECTS LOCATED WITHIN A RENEWABLE ENERGY
30 REINVESTMENT AREA REGARDLESS OF WHETHER THE RENEWABLE ENERGY
31 REINVESTMENT AREA IS LOCATED WITHIN OR IS CONTIGUOUS TO THE
32 BOUNDARIES OF THE URBAN RENEWAL AREA.

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

37 (II) AN URBAN RENEWAL AUTHORITY MAY USE TAX INCREMENT
38 REVENUE GENERATED FROM ANY PORTION OF THE URBAN RENEWAL AREA
39 APPROVED PURSUANT TO THIS SECTION TO FINANCE OR REIMBURSE COSTS
40 INCURRED TO CARRY OUT ELIGIBLE PROJECTS WITHIN THE URBAN
41 RENEWAL AREA, INCLUDING WITHIN A RENEWABLE ENERGY
42 REINVESTMENT AREA INCLUDED IN THE URBAN RENEWAL AREA.

43 **SECTION 6.** In Colorado Revised Statutes, 30-31-103, **add** (9.5)

1 and (13.5) as follows:

2 **30-31-103. Definitions.**

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

4 (9.5) "ELIGIBLE PROJECT" HAS THE MEANING SET FORTH IN
5 SECTION 29-20-501 (6).

6 (13.5) "RENEWABLE ENERGY REINVESTMENT AREA" HAS THE
7 MEANING SET FORTH IN SECTION 29-20-501 (14).

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

10 **30-31-105. Powers of an authority.**

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

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

17 **30-31-109. Approval of county revitalization plans by local**
18 **governing body - renewable energy reinvestment areas - definitions.**

19 (1) (c) (IV) A COUNTY REVITALIZATION PLAN OR A SUBSTANTIAL
20 MODIFICATION TO AN EXISTING COUNTY REVITALIZATION PLAN MAY
21 INCLUDE ONE OR MORE ELIGIBLE PROJECTS LOCATED WITHIN A
22 RENEWABLE ENERGY REINVESTMENT AREA REGARDLESS OF WHETHER THE
23 RENEWABLE ENERGY REINVESTMENT AREA IS LOCATED WITHIN OR IS
24 CONTIGUOUS TO THE BOUNDARIES OF THE COUNTY REVITALIZATION AREA.

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

30 (II) A COUNTY REVITALIZATION PLAN OR A SUBSTANTIAL
31 MODIFICATION TO AN EXISTING COUNTY REVITALIZATION PLAN APPROVED
32 PURSUANT TO THIS SECTION MUST INCLUDE:

33 (A) A MAP DEPICTING THE BOUNDARIES OF ANY RENEWABLE
34 ENERGY REINVESTMENT AREA INCLUDED IN THE COUNTY REVITALIZATION
35 PLAN OR SUBSTANTIAL MODIFICATION; AND

36 (B) A DESCRIPTION OF THE ELIGIBLE PROJECTS AND ELIGIBLE
37 PROJECT COSTS TO BE FINANCED OR REIMBURSED WITH TAX INCREMENT
38 REVENUE WITHIN EACH RENEWABLE ENERGY REINVESTMENT AREA
39 INCLUDED IN THE COUNTY REVITALIZATION PLAN OR SUBSTANTIAL
40 MODIFICATION.

41 (13) (j) (I) A RENEWABLE ENERGY REINVESTMENT AREA INCLUDED
42 IN A COUNTY REVITALIZATION PLAN PURSUANT TO THIS SECTION SHALL BE
43 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."

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