

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 30, 2026
Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

HB26-1326 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 16, lines 16 and 17, strike "**add (5)(b.5)**" and
2 substitute "**amend (5)(a)**".

3 Page 16, strike lines 18 through 27.

4 Page 17, strike lines 1 through 25 and substitute:

5 **"29-20-108. Local government regulation - location,**
6 **construction, or improvement of major electrical or natural gas**
7 **facilities - powerline trail notification - expedited review for certain**
8 **transmission line projects - legislative declaration - definitions.**

9 (5) (a) (I) If a local government denies a permit or application of
10 a public utility, A MUNICIPALLY OWNED UTILITY, A COOPERATIVE
11 ELECTRIC ASSOCIATION, AN INDEPENDENT TRANSMISSION DEVELOPER, AN
12 INDEPENDENT POWER PRODUCER, or A power authority that relates to the
13 location, construction, or improvement of major electrical or natural gas
14 facilities, or if the local government imposes requirements or conditions
15 upon such permit or application that will unreasonably impair the ability
16 of the public utility, A MUNICIPALLY OWNED UTILITY, A COOPERATIVE
17 ELECTRIC ASSOCIATION, AN INDEPENDENT TRANSMISSION DEVELOPER, AN
18 INDEPENDENT POWER PRODUCER, or A power authority to provide safe,
19 reliable, and economical service to the public, the public utility,
20 MUNICIPALLY OWNED UTILITY, COOPERATIVE ELECTRIC ASSOCIATION,
21 INDEPENDENT TRANSMISSION DEVELOPER, INDEPENDENT POWER
22 PRODUCER, or power authority may appeal the local government action to
23 the public utilities commission for a determination under section
24 40-4-102, ~~C.R.S.~~, so long as one or more of the following conditions
25 exist:

1 (†) (A) The public utility, MUNICIPALLY OWNED UTILITY,
2 COOPERATIVE ELECTRIC ASSOCIATION, INDEPENDENT TRANSMISSION
3 DEVELOPER, INDEPENDENT POWER PRODUCER, or power authority has
4 applied for or has obtained a certificate of public convenience and
5 necessity from the public utilities commission pursuant to section
6 40-5-101, ~~C.R.S.~~, to construct the major electrical or natural gas facility
7 that is the subject of the local government action;

8 (‡) (B) A certificate of public convenience and necessity is not
9 required for the public utility, MUNICIPALLY OWNED UTILITY,
10 COOPERATIVE ELECTRIC ASSOCIATION, INDEPENDENT TRANSMISSION
11 DEVELOPER, INDEPENDENT POWER PRODUCER, or power authority to
12 construct the major electrical or natural gas facility that is the subject of
13 the local government action; or

14 (§) (C) The public utilities commission has previously entered
15 an order pursuant to section 40-4-102, ~~C.R.S.~~, that conflicts with the local
16 government action.

17 (II) ONLY TO THE EXTENT NECESSARY TO ADJUDICATE AN APPEAL
18 FILED PURSUANT TO SUBSECTION (5)(a)(I) OF THIS SECTION, THE PUBLIC
19 UTILITIES COMMISSION'S HEARING AND APPEALS PROCEDURES SET FORTH
20 IN ARTICLE 6 OF TITLE 40 AND IN THE PUBLIC UTILITIES COMMISSION'S
21 RULES IMPLEMENTING ARTICLE 6 OF TITLE 40 APPLY TO A MUNICIPALLY
22 OWNED UTILITY, A COOPERATIVE ELECTRIC ASSOCIATION, AN
23 INDEPENDENT TRANSMISSION DEVELOPER, OR AN INDEPENDENT POWER
24 PRODUCER THAT HAS AVAILED ITSELF OF THE PUBLIC UTILITIES
25 COMMISSION PROCEDURES BY FILING AN APPEAL PURSUANT TO
26 SUBSECTION (5)(a)(I) OF THIS SECTION.

27 (III) NOTHING IN SUBSECTION (5)(a)(I) OF THIS SECTION SUBJECTS
28 A MUNICIPALLY OWNED UTILITY, A COOPERATIVE ELECTRIC ASSOCIATION,
29 AN INDEPENDENT TRANSMISSION DEVELOPER, OR AN INDEPENDENT POWER
30 PRODUCER TO REGULATION BY THE PUBLIC UTILITIES COMMISSION BEYOND
31 THE APPLICATION OF THE PUBLIC UTILITIES COMMISSION'S HEARING AND
32 APPEALS PROCEDURES TO WHICH A MUNICIPALLY OWNED UTILITY, A
33 COOPERATIVE ELECTRIC ASSOCIATION, AN INDEPENDENT TRANSMISSION
34 DEVELOPER, OR AN INDEPENDENT POWER PRODUCER AVAILS ITSELF BY
35 FILING AN APPEAL PURSUANT TO SUBSECTION (5)(a)(I) OF THIS SECTION."

36 Page 24, line 6, strike "**amend** (7) and (9);" and substitute "**repeal**
37 (7)(a);".

38 Page 24, line 9, strike "(a)" and substitute "(a)".

39 Page 24, strike lines 17 through 27.

1 Page 25, after line 25 insert:

2 "(c) THIS SUBSECTION (12) DOES NOT APPLY TO A
3 TRANSPORTATION NETWORK COMPANY THAT:

4 (I) EITHER SERVES RIDERS, AT LEAST SEVENTY-FIVE PERCENT OF
5 WHOM ARE MINORS, OR EARNS AT LEAST NINETY PERCENT OF THE
6 TRANSPORTATION NETWORK COMPANY'S REVENUE FROM CONTRACTS WITH
7 A PUBLIC OR PRIVATE SCHOOL, THE FEDERAL GOVERNMENT, THE STATE, OR
8 AN AGENCY OR POLITICAL SUBDIVISION OF THE FEDERAL GOVERNMENT OR
9 OF THE STATE; AND

10 (II) HAS AT LEAST NINETY PERCENT OF THE TRANSPORTATION
11 NETWORK COMPANY'S DRIVERS IN COMPLIANCE WITH THE COMMISSION'S
12 RULES ADOPTED PURSUANT TO SECTION 40-10.1-608 (3)(a).".

13 Page 26, after line 8 insert:

14 "SECTION 22. In Colorado Revised Statutes, 40-10.1-606,
15 amend (2)(b) as follows:

16 **40-10.1-606. Permit required for transportation network
17 companies - annual permit fee - penalty for violation - rules.**

18 (2) (b) On and after ~~January 1, 2024~~ SEPTEMBER 1, 2026, the
19 commission shall issue a permit to each transportation network company
20 that meets the requirements of this part 6 and pays an annual permit fee
21 to the commission in an amount that the commission sets administratively
22 with approval of the executive director of the department of regulatory
23 agencies and that does not exceed one hundred ~~eleven~~ SIXTY-ONE
24 thousand two hundred fifty dollars. Before increasing a permit fee
25 pursuant to this subsection (2)(b), the commission shall notify
26 transportation network companies in writing of the increased fee at least
27 thirty days before the increased fee takes effect.".

28 Page 26, strike lines 9 through 21.

29 Page 27, after line 9 insert:

30 "SECTION 24. In Colorado Revised Statutes, 40-10.1-116,
31 amend (3)(a) as follows:

32 **40-10.1-116. Commission to notify local authorities -
33 procedure.**

34 (3) (a) A person injured by the noncompliance of a motor carrier
35 with this article 10.1 or any other provision of law or an order, decision,
36 rule, direction, or requirement of the commission may apply to a court of
37 competent jurisdiction for the enforcement thereof, and the court has

1 jurisdiction to enforce obedience thereto by injunction or other proper
2 process, mandatory or otherwise, and to restrain the motor carrier and its
3 officers, agents, employees, or representatives from further disobedience
4 thereof, or to enjoin upon them obedience to the same, and any person so
5 injured has A cause of action in damages, and is privileged to pursue the
6 usual and proper remedies as in any other case, AND IS NOT REQUIRED TO
7 PURSUE OR EXHAUST ADMINISTRATIVE REMEDIES BEFORE THE
8 COMMISSION PRIOR TO COMMENCING SUIT OR OTHER ACTION SEEKING
9 SUCH RELIEF."

10 Renumber succeeding sections accordingly.

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