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

HB21-1105 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, after line 1 insert:

"SECTION 1. In Colorado Revised Statutes, add 26-2-307 as follows:

26-2-307. Fuel assistance payments - eligibility for federal standard utility allowance - supplemental utility assistance fund created - definitions. (1) (a) On or before October 1, 2023, the State Department shall implement a program to administer the supplemental utility assistance fund created in subsection (2)(a) of this section for distribution of fuel assistance payments to households receiving supplemental nutrition assistance program benefits.

(b) The State Department shall make fuel assistance payments to eligible households in the state that receive benefits under the federal supplemental nutrition assistance program to ensure that those households qualify for the federal heating and cooling standard utility allowance.

(c) The State Department shall make the fuel assistance payments in amounts reflected in the budget that the organization prepares pursuant to section 40-8.7-108 (3) and that the commission approves pursuant to section 40-8.5-103.5 (6)(c).

(2) (a) The supplemental utility assistance fund, referred to in this subsection (2) as the "fund", is hereby created in the State Treasury. The fund consists of money credited to the fund..."
PURSUANT TO SECTION 40-8.7-108 (2)(b) AND ANY OTHER MONEY THAT
THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
FUND TO THE FUND.

(c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
STATE DEPARTMENT FOR USE IN ACCORDANCE WITH SUBSECTION (1) OF
THIS SECTION.

(3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
REQUIRES:

(a) "COMMISSION" MEANS THE LEGISLATIVE COMMISSION ON
LOW-INCOME ENERGY AND WATER ASSISTANCE CREATED IN SECTION
40-8.5-103.5 (1).

(b) "HEATING AND COOLING STANDARD UTILITY ALLOWANCE" IS
A STANDARD UTILITY ALLOWANCE AUTHORIZED IN THE FEDERAL
SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM REGULATIONS
PROMULGATED BY THE FOOD AND NUTRITION SERVICE IN THE UNITED
STATES DEPARTMENT OF AGRICULTURE.

(c) "ORGANIZATION" HAS THE MEANING SET FORTH IN SECTION
40-8.7-103 (4)."

Renumber succeeding sections accordingly.

Page 2, line 2, strike "amend" and substitute "repeal".

Page 3, strike lines 7 through 9 and substitute:

"(f) For providing energy-related assistance to low-income
households as specified in section 40-8.7-112:

(I) to (IV) Repealed.

(V) (A) For the state fiscal year commencing July 1, 2012, and
each state fiscal year thereafter, through the state fiscal year commencing
July 1, 2023, thirteen million dollars as follows: Twenty-five percent to
the department of human services low-income energy assistance fund
created in section 40-8.7-112 (1); twenty-five percent to the energy
outreach Colorado low-income energy assistance fund created in section
40-8.7-112 (2)(a); and fifty percent to the Colorado energy office
low-income energy assistance fund created in section 40-8.7-112 (3)(a).

(B) This subsection (2)(f)(V) is repealed, effective July 1, 2025. ".

Page 4, strike line 7 and substitute "assistance IN THE COLORADO ENERGY
OFFICE. THE COLORADO ENERGY OFFICE SHALL STAFF THE COMMISSION AS
NEEDED.”.

Page 8, after line 4 insert:

"SECTION 5. In Colorado Revised Statutes, 40-8.7-102, add (3)
as follows:

40-8.7-102. Legislative declaration. (3) The General
Assembly further finds that, although water utilities are not
regulated by the Public Utilities Commission, allowing water
utilities to participate in a water assistance program on a
voluntary basis will provide an efficient means for some water
utilities to provide financial assistance to their customers in
low-income households.”.

Renumber succeeding sections accordingly.

Page 8, line 21, before "SERVICE" insert "OR WASTEWATER".

Page 9, strike line 12 and substitute:

"(2.5) (a) Except as provided in subsection (2.5)(b) of this
section, commencing with a customer's billing statement".

Page 9, after line 16 insert:

"(b) (I) For each month that an investor-owned utility
collects the monthly energy assistance system benefit charge,
the utility shall include on its customers' billing statements a
conspicuous notification in both English and Spanish that
substantially complies with the following language:

IF YOU'RE STRUGGLING TO PAY YOUR UTILITY BILLS, YOU
MIGHT QUALIFY FOR EXEMPTION FROM A MONTHLY
CHARGE RELATED TO ENERGY ASSISTANCE AND BE
ELIGIBLE FOR UTILITY BILL PAYMENT ASSISTANCE.
PLEASE CALL 1-866-HEAT-HELP TO SEE IF YOU
QUALIFY.

(II) The organization shall notify each investor-owned
utility of any customer of the investor-owned utility who is
exempted from payment of the charge by virtue of having
received direct utility bill payment assistance from the
organization in the previous twelve months.

(III) Each investor-owned utility shall review readily
AVAILABLE INFORMATION IT HAS RECEIVED FROM THE STATE DEPARTMENT OF HUMAN SERVICES AND THE ORGANIZATION TO DETERMINE WHICH CUSTOMERS HAVE RECEIVED ANY DIRECT UTILITY BILL PAYMENT ASSISTANCE FROM THE STATE DEPARTMENT OR THE ORGANIZATION IN THE PREVIOUS TWELVE MONTHS AND, AS A RESULT, ARE ELIGIBLE FOR EXEMPTION FROM PAYMENT OF THE CHARGE.

(IV) UPON RECEIVING NOTIFICATION FROM THE ORGANIZATION PURSUANT TO SUBSECTION (2.5)(b)(II) OF THIS SECTION OR UPON ITS OWN DETERMINATION THAT A CUSTOMER IS ELIGIBLE FOR EXEMPTION FROM THE CHARGE, AN INVESTOR-OWNED UTILITY SHALL REMOVE THE CHARGE FROM THE CUSTOMER'S MONTHLY BILLING STATEMENTS FOR THE SUCCEEDING TWELVE MONTHS."

Page 10, strike lines 21 through 24 and substitute "PROGRAM TO MEET ITS CUSTOMERS' WATER ASSISTANCE NEEDS. IN DETERMINING ELIGIBILITY FOR ASSISTANCE, A WATER UTILITY MAY ADOPT THE CRITERIA SPECIFIED IN SECTION 40-3-106 (1)(d) OR ALTERNATIVE CRITERIA AS DETERMINED BY THE WATER UTILITY.".

Page 11, after line 5 insert:

"(4) THE ORGANIZATION SHALL USE THE MONEY COLLECTED FROM EACH WATER UTILITY PURSUANT TO THIS SECTION TO HELP FINANCE DIRECT WATER UTILITY BILL PAYMENT ASSISTANCE TO LOW-INCOME HOUSEHOLDS SERVED BY THAT WATER UTILITY.".

Page 11, line 8, strike "rules." and substitute "rules - repeal.".

Page 11, line 9, after "2021," insert "AND EXCEPT AS PROVIDED IN SECTION 40-8.7-104 (2.5)(b),".

Page 11, strike lines 14 and 15 and substitute:

"(b) (I) EXCEPT AS PROVIDED IN SUBSECTIONS (1)(b)(II) AND (1)(b)(III) OF THIS SECTION,".

Page 11, strike lines 16 and 17 and substitute "THE MONTHLY ENERGY ASSISTANCE SYSTEM BENEFIT CHARGE IS SEVENTY-FIVE CENTS FOR ELECTRIC SERVICE PROVIDED AND SEVENTY-FIVE CENTS FOR NATURAL".

Page 11, after line 18 insert:
"(II) (A) notwithstanding subsection (1)(b)(I) of this section, for billing statements covering electric or natural gas usage between the months of October 2021 and September 2022, the monthly energy assistance system benefit charge is reduced to fifty cents for electric service provided and fifty cents for natural gas service provided.

(B) this subsection (1)(b)(II) is repealed, effective September 1, 2023.

Page 11, strike lines 19 through 27 and substitute:

"(III) commencing October 1, 2023, the monthly energy assistance system benefit charge shall be adjusted in accordance with changes in the United States Department of Labor's Bureau of Labor Statistics Consumer Price Index for Denver-Aurora-Lakewood for all items and all urban consumers, or its successor index.

(2) the commission may initiate a rule-making proceeding to require each investor-owned utility to consider using the most cost-effective method for implementing the program."

Page 12, strike lines 1 through 7.

Page 12, after line 7 insert:

"(4) this section is repealed, effective January 1, 2029."

Page 12, line 21, strike "The" and substitute "except as provided in section 40-8.7-108 (2)(b), the".

Page 12, line 25, strike "TERRITORY." and substitute "TERRITORY OR WITHIN THE SERVICE TERRITORY OF AN AFFILIATED INVESTOR-OWNED UTILITY.".

Page 12, after line 25 insert:

"(c) notwithstanding section 40-3-114, a utility regulated by the public utilities commission may use funds collected from its customers for the purpose of complying with a statutory requirement to finance low-income energy assistance programs."
Page 13, strike line 19 and substitute:

"(2) (a) EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OF THIS SECTION, the organization shall use the MONEY COLLECTED FROM THE".

Page 14, after line 3 insert:

"(b) IN ACCORDANCE WITH THE PAYMENT AMOUNTS REFLECTED IN THE ORGANIZATION'S BUDGET PREPARED PURSUANT TO SUBSECTION (3)(b) OF THIS SECTION AND APPROVED BY THE LEGISLATIVE COMMISSION ON LOW-INCOME ENERGY AND WATER ASSISTANCE PURSUANT TO SECTION 40-8.5-103.5 (6)(c), THE ORGANIZATION SHALL TRANSMIT A PORTION OF THE MONEY COLLECTED FROM THE ENERGY ASSISTANCE SYSTEM BENEFIT CHARGE TO THE STATE TREASURER AND THE STATE TREASURER SHALL CREDIT THAT AMOUNT TO THE SUPPLEMENTAL UTILITY ASSISTANCE FUND CREATED IN SECTION 26-2-307 (2)(a) FOR USE BY THE DEPARTMENT OF HUMAN SERVICES IN ACCORDANCE WITH SECTION 26-2-307 (1).".

Page 14, line 4, after "(3)" insert "(a)".

Page 14, line 9, after the period insert "THE BUDGET MUST INCLUDE AN ALLOCATION OF MONEY COLLECTED FROM THE CHARGE THAT WILL BE USED FOR EDUCATION AND OUTREACH ABOUT THE PROGRAM.".

Page 14, after line 11 insert:

"(b) AS PART OF THE BUDGET DEVELOPED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION, THE ORGANIZATION SHALL CALCULATE THE AMOUNT OF MONEY FROM THE ENERGY ASSISTANCE SYSTEM BENEFIT CHARGE TO TRANSMIT TO THE STATE TREASURER PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION AND THE AMOUNT OF THE FUEL ASSISTANCE PAYMENTS THAT THE DEPARTMENT OF HUMAN SERVICES MAKES IN ACCORDANCE WITH SECTION 26-2-307 (1).".

Page 16, line 14, strike "TERRITORY;" and substitute "TERRITORY OR WITHIN THE SERVICE TERRITORY OF AN AFFILIATED INVESTOR-OWNED UTILITY;".

** *** *** *** **