

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 6, 2025
Date

Committee on Energy & Environment.

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

HB25-1267 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, after line 27 insert:

2 "(3) THIS SECTION DOES NOT APPLY TO RETAIL ELECTRIC VEHICLE
3 CHARGING STATIONS THAT ARE OWNED, MAINTAINED, OR USED BY A
4 PUBLIC UTILITY AS DESCRIBED IN SECTION 40-1-103."

5 Page 4, after line 16 insert:

6 "**SECTION 4.** In Colorado Revised Statutes, 24-38.5-303, **amend**
7 (7)(c)(II); and **add** (7)(c)(III) as follows:

8 **24-38.5-303. Community access enterprise - creation - board**
9 **- powers and duties - fund - fee - transparency and reporting.**
10 (7) (c) (II) The enterprise is authorized to adjust the amount of the
11 community access retail delivery fee for retail deliveries of tangible
12 personal property purchased during a state fiscal year. ~~only if the~~
13 ~~department of revenue adjusts the amount of the retail delivery fee~~
14 ~~imposed by section 43-4-218 (3) for retail deliveries of tangible personal~~
15 ~~property purchased during the state fiscal year.~~

16 (7) (c) (III) (A) NOTWITHSTANDING SUBSECTION (7)(c)(I) OF THIS
17 SECTION, IF IMPOSING THE COMMUNITY ACCESS RETAIL DELIVERY FEE IN
18 ANY AMOUNT WOULD CAUSE THE ENTERPRISE TO RECEIVE MORE THAN ONE
19 HUNDRED MILLION DOLLARS IN TOTAL FEE REVENUE IN ITS FIRST FIVE
20 FISCAL YEARS, WHICH FIVE-YEAR PERIOD FOR THE PURPOSE OF SECTION
21 24-77-108 ENDS ON JUNE 30, 2026, THE ENTERPRISE SHALL IMPOSE THE
22 COMMUNITY ACCESS RETAIL DELIVERY FEE IN A LOWER AMOUNT FOR ALL
23 OR A PORTION OF A STATE FISCAL YEAR. ANY REDUCTION IN THE AMOUNT
24 OF THE FEE IMPOSED PURSUANT TO THIS SUBSECTION (7)(c)(III) DOES NOT
25 REDUCE THE MAXIMUM AMOUNT OF THE FEE THAT THE ENTERPRISE MAY
26 IMPOSE IN ANY SUBSEQUENT STATE FISCAL YEAR.

1 (B) NOTWITHSTANDING SUBSECTION (7)(c)(I) OF THIS SECTION, IF
2 THE ENTERPRISE IMPOSES A LOWER FEE AMOUNT PURSUANT TO THIS
3 SUBSECTION (7)(c)(III), THE ENTERPRISE SHALL NOTIFY THE DEPARTMENT
4 OF REVENUE OF THE LOWER AMOUNT OF THE COMMUNITY ACCESS RETAIL
5 DELIVERY FEE TO BE COLLECTED NO LATER THAN THIRTY DAYS AFTER THE
6 DATE OF THE DECISION OF THE GOVERNING BOARD TO LOWER THE FEE AND
7 THE DEPARTMENT OF REVENUE SHALL PUBLISH THE LOWER AMOUNT ON
8 THE FIRST OF THE MONTH FOLLOWING NOTIFICATION FROM THE
9 ENTERPRISE OF THE LOWER FEE AMOUNT, BUT NOT LATER THAN SIXTY
10 DAYS FOLLOWING SUCH NOTIFICATION."

11 Renumber succeeding section accordingly.

12 Page 1, line 103, strike "OFFICE" and substitute "OFFICE, ALLOWING THE
13 COMMUNITY ACCESS ENTERPRISE TO REDUCE THE RETAIL DELIVERY
14 FEE IT IMPOSES,".

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