

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 17-0929.01 Esther van Mourik x4215

SENATE BILL 17-179

SENATE SPONSORSHIP

Gardner and Kerr,

HOUSE SPONSORSHIP

Herod and Sias,

Senate Committees

Finance

House Committees

Transportation & Energy

A BILL FOR AN ACT

101 **CONCERNING THE LIMITATION ON THE AMOUNT OF FEES THAT CAN BE**
102 **ASSESSED FOR ALLOWING SOLAR ENERGY DEVICE**
103 **INSTALLATIONS, AND, IN CONNECTION THEREWITH, EXTENDING**
104 **THE REPEAL DATE.**

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>.)

The bill extends the repeal date of existing laws that limit the amount of permit, plan review, or other fees that counties, municipalities, or the state may charge for installing solar energy devices or systems.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
2nd Reading Unamended
March 31, 2017

SENATE
3rd Reading Unamended
March 1, 2017

SENATE
2nd Reading Unamended
February 28, 2017

The bill also clarifies that the statutory limitations on the amount of fees applies to any related or associated fees, not just to permit or plan review fees.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-48.5-113, **amend**
3 (1)(a) introductory portion and (2) as follows:

4 **24-48.5-113. Limit on solar device fees - repeal.** (1) An agency,
5 institution, authority, or political subdivision of the state shall:

6 (a) Not charge permit, application review, or ANY other RELATED
7 OR ASSOCIATED fees to install an active solar electric or solar thermal
8 device or system that, in aggregate, exceed:

9 (2) This section is repealed, effective ~~July 1, 2018~~ JULY 1, 2025.

10 **SECTION 2.** In Colorado Revised Statutes, 30-28-113, **amend**
11 (1)(b)(II) as follows:

12 **30-28-113. Regulation of size and use - districts - repeal.**

13 (1) (b) (II) A county shall not charge permit, plan review, or ANY other
14 RELATED OR ASSOCIATED fees to install an active solar electric or solar
15 thermal device or system that, in aggregate, exceed the lesser of the
16 county's actual costs in issuing the permit or five hundred dollars for a
17 residential application or one thousand dollars for a nonresidential
18 application if the device or system produces fewer than two megawatts of
19 direct current electricity or an equivalent-sized thermal energy system, or
20 that exceed the county's actual costs in issuing the permit if the device or
21 system produces at least two megawatts of direct current electricity or an
22 equivalent-sized thermal energy system. The county shall clearly and
23 individually identify all fees and taxes assessed on an application subject
24 to this ~~subparagraph (H)~~ SUBSECTION (1)(b)(II) on the invoice. The

1 general assembly hereby finds that there is a statewide need for certainty
2 regarding the fees that can be assessed for permitting such devices or
3 systems, and therefore declares that this ~~subparagraph (H)~~ SUBSECTION
4 (1)(b)(II) is a matter of statewide concern. This ~~subparagraph (H)~~
5 SUBSECTION (1)(b)(II) is repealed, effective ~~July 1, 2018~~ JULY 1, 2025.

6 **SECTION 3.** In Colorado Revised Statutes, 31-15-602, **amend**
7 (4)(b) as follows:

8 **31-15-602. Energy-efficient building codes - legislative**
9 **declaration - definitions - repeal.** (4) (b) (I) A municipality shall not
10 charge permit, plan review, or ANY other RELATED OR ASSOCIATED fees
11 to install an active solar electric or solar thermal device or system that, in
12 aggregate, exceed the lesser of the municipality's actual costs in issuing
13 the permit or five hundred dollars for a residential application or one
14 thousand dollars for a nonresidential application if the device or system
15 produces fewer than two megawatts of direct current electricity or an
16 equivalent-sized thermal energy system, or that exceed the municipality's
17 actual costs in issuing the permit if the device or system produces at least
18 two megawatts of direct current electricity or an equivalent-sized thermal
19 energy system. The municipality shall clearly and individually identify all
20 fees and taxes assessed on an application subject to this ~~subparagraph (I)~~
21 SUBSECTION (4)(b)(I) on the invoice. The general assembly hereby finds
22 that there is a statewide need for certainty regarding the fees that can be
23 assessed for permitting such devices or systems, and therefore declares
24 that this ~~paragraph (b)~~ SUBSECTION (4)(b) is a matter of statewide
25 concern.

26 (II) This ~~paragraph (b)~~ SUBSECTION (4)(b) is repealed, effective
27 ~~July 1, 2018~~ JULY 1, 2025.

1 **SECTION 4. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2018 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.