

**First Extraordinary Session
Seventy-second General Assembly
STATE OF COLORADO**

REREVISED

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

LLS NO. 20B-0053.01 Jennifer Berman x3286

SENATE BILL 20B-003

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Senate Committees

Finance
Appropriations

House Committees

State, Veterans, & Military Affairs
Appropriations

A BILL FOR AN ACT

101 **CONCERNING ASSISTANCE FOR INDIVIDUALS WHO ARE UNABLE TO PAY**
102 **THEIR ENERGY UTILITY BILLS, AND, IN CONNECTION**
103 **THEREWITH, TRANSFERRING MONEY FROM THE GENERAL FUND**
104 **TO THE ENERGY OUTREACH COLORADO LOW-INCOME ENERGY**
105 **ASSISTANCE FUND.**

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 directs the state treasurer to transfer, on the effective date of the bill, \$5 million from the general fund to the energy outreach

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

HOUSE
Amended 3rd Reading
December 2, 2020

HOUSE
Amended 2nd Reading
December 1, 2020

SENATE
3rd Reading Unamended
December 1, 2020

SENATE
Amended 2nd Reading
November 30, 2020

Colorado low-income energy assistance fund (fund). The Colorado energy office administers the fund for use by Energy Outreach Colorado, which organization provides direct utility bill payment assistance to low-income households. Energy Outreach Colorado must expend the money before June 30, 2021.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-8.7-112, **amend**
3 **(2)(a), (2)(f)(VI), and (2)(f)(VII)** as follows:

4 **40-8.7-112. Department of human services low-income energy**
5 **assistance fund - creation - energy outreach Colorado low-income**
6 **energy assistance fund - creation - Colorado energy office low-income**
7 **energy assistance fund - creation - definitions - repeal.**

8 (2) (a) (I) There is hereby created in the state treasury the energy
9 outreach Colorado low-income energy assistance fund, administered by
10 the Colorado energy office. The fund consists of all money transferred by
11 the state treasurer as specified in section 39-29-109.3 (2)(f) and any other
12 money that the general assembly appropriates or transfers to the fund for
13 the purposes set forth in this subsection (2). All money in the fund is
14 continuously appropriated to the Colorado energy office for distribution
15 to the organization to be used for the purposes set forth in this subsection
16 (2). EXCEPT AS PROVIDED IN SUBSECTION (2)(a)(II) OF THIS SECTION, all
17 money in the fund at the end of each fiscal year remains in the fund and
18 does not revert to the general fund or any other fund.

19 (II) (A) ON THE EFFECTIVE DATE OF THIS SUBSECTION (2)(a)(II),
20 THE STATE TREASURER SHALL TRANSFER FIVE MILLION DOLLARS FROM THE
21 GENERAL FUND TO THE ENERGY OUTREACH COLORADO LOW-INCOME
22 ENERGY ASSISTANCE FUND. THE COLORADO ENERGY OFFICE SHALL
23 DISTRIBUTE THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION

1 (2)(a)(II)(A) TO THE ORGANIZATION WITHIN THREE BUSINESS DAYS AFTER
2 THE TRANSFER. THE ORGANIZATION SHALL DISBURSE THE MONEY BEFORE
3 JUNE 30, 2021. ANY MONEY THAT THE ORGANIZATION RECEIVES
4 PURSUANT TO THIS SUBSECTION (2)(a)(II)(A) THAT HAS NOT BEEN
5 DISBURSED BY JUNE 30, 2021, MUST BE RETURNED TO THE STATE ON JUNE
6 30, 2021, UNDER TERMS DICTATED BY THE STATE CONTROLLER FOR THE
7 PURPOSE OF TRANSMITTING THE UNUSED MONEY TO THE GENERAL FUND.

8 (B) ON OR BEFORE JULY 15, 2021, THE ORGANIZATION SHALL
9 SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE THAT INCLUDES,
10 WITH REGARD TO THE MONEY THE ORGANIZATION RECEIVED PURSUANT TO
11 SUBSECTION (2)(a)(II)(A) OF THIS SECTION, INFORMATION ON THE
12 AMOUNT OF MONEY THAT THE ORGANIZATION DISBURSED AND ON THE
13 AMOUNT OF MONEY THAT THE ORGANIZATION RETURNED TO THE STATE.
14 THE COLORADO ENERGY OFFICE MAY CONDUCT AN AUDIT OR REVIEW OF
15 THE ORGANIZATION'S FINANCIAL TRANSACTIONS AND ACCOUNTS
16 REGARDING THE MONEY THAT THE ORGANIZATION RECEIVED PURSUANT
17 TO SUBSECTION (2)(a)(II)(A) OF THIS SECTION, TO THE EXTENT THAT
18 INDIVIDUAL BENEFITTING RECIPIENT DATA MUST BE AGGREGATED TO
19 RETAIN PRIVACY.

20 (C) THE ORGANIZATION SHALL NOT USE ANY MONEY IT RECEIVES
21 PURSUANT TO THIS SUBSECTION (2)(a)(II) FOR ADMINISTRATIVE PURPOSES
22 OR TO COVER ANY EXPENSES RELATED TO AN APPLICATION THAT WAS
23 FILED TO REQUEST DIRECT UTILITY BILL PAYMENT ASSISTANCE PURSUANT
24 TO SUBSECTION (2)(f) OF THIS SECTION.

25 (D) THIS SUBSECTION (2)(a)(II) IS REPEALED, EFFECTIVE
26 SEPTEMBER 1, 2021.

27 (f) (VI) The organization must spend all of the money it receives

1 from the Colorado energy office pursuant to this subsection (2)(f) before
2 ~~December 4~~ DECEMBER 11, 2020. The organization shall return to the
3 state any unexpended money received pursuant to this subsection (2)(f)
4 under terms dictated by the state controller for the purpose of transmitting
5 the unexpended money to the unemployment compensation fund, created
6 in section 8-77-101 (1)(a), on or before December 30, 2020.

7 (VII) This subsection (2)(f) is repealed, effective ~~January 1~~
8 SEPTEMBER 1, 2021.

9 **SECTION 2. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety.