



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated January 31, 2022)

Drafting Number:	LLS 22-0105	Date:	February 17, 2022
Prime Sponsors:	Rep. Boesenecker Sen. Priola	Bill Status:	House Second Reading
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Bill Topic: POWERLINE TRAILS

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Statutory Public Entity

The bill authorizes transmission providers to contract for the construction and maintenance of powerline trails in transmission corridors. It increases state and local expenditures beginning in FY 2022-23.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill, as amended by the House Transportation and Local Government Committee.

Summary of Legislation

The bill authorizes transmission providers to enter into contracts with public and private entities to construct and maintain powerline trails in an existing or future transmission corridor. Public entities are required to consult with the Division of Parks and Wildlife in the Department of Natural Resources to minimize adverse impacts to species and habitats.

Transmission providers. Transmission providers are required to develop and distribute informational resources to encourage powerline trail development by May 1, 2023. Transmission providers must demonstrate compliance with these requirements when applying for permits or notifying local governments of plans to site or expand a transmission line.

Public Utilities Commission. The Public Utilities Commission (PUC) in the Department of Regulatory Agencies (DORA) is directed to amend rules to include a requirement that utilities consider and address plans for new powerline trails in coordination with local governments in each 2-year update to a 10-year transmission plan, and to demonstrate compliance with the informational resource development requirements of the bill in their 10-year plan filings.

Colorado Electric Transmission Authority. The Colorado Electric Transmission Authority (CETA), created in Senate Bill 21-072, is authorized to contract for powerline trails. CETA is required to promote the construction and maintenance of powerline trails and to arrange for the continuation of any existing contracts for powerline trails.

State Expenditures

The PUC will have an increase in workload to amend rules requiring transmission utilities to address powerline trails in transmission plan filings. The Division of Parks and Wildlife will have an increase in workload to consult with public entities concerning species and habitat impacts of powerline trails. These impacts can be accomplished within existing resources.

To the extent that the state enters into contracts with transmission providers to construct and maintain powerline trails, this bill may increase state workload and expenditures, depending on the contractual arrangements.

Local Government

To the extent that local governments enter into contracts with transmission providers to construct and maintain powerline trails, this bill may increase workload and expenditures for local governments, depending on the contractual arrangements. Local governments may incur expenditures to carry sufficient insurance coverage. In addition, local governments will incur workload impacts to review informational resources provided by transmission providers when applying for permits or notifying local governments of plans to site or expand transmission lines.

Statutory Public Entity

The bill is expected to increase costs for CETA, the state-chartered independent transmission authority, to develop and distribute informational resources on powerline trails. To the extent that CETA enters into contracts to develop and maintain powerline trails, or to arrange for the continuation of existing contracts for powerline trails, its expenditures will increase.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Counties	Information Technology	Law
Local Affairs	Municipalities	Regulatory Agencies