



# Final Report to the General Assembly

*Cell Phone Connectivity Interim Study Committee*  
*December 2024 | Research Publication 824*





## Cell Phone Connectivity Interim Study Committee

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Senator Dylan Roberts, Vice Chair

Representative Jennifer Bacon

Senator Nick Hinrichsen

Representative Matt Soper

Senator Rod Pelton

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Kevin Klein, Colorado Department of  
Public Safety

Eddie Castaneda, T-Mobile

Guillermo Lambarri, AT&T

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December | 2024





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December 2024

To Members of the Seventy-fourth General Assembly:

Submitted herewith is the final report of the Cell Phone Connectivity Interim Study Committee. This committee was created pursuant to Interim Committee Request Letter 2024-04. The purpose of this committee is to study cell phone connectivity in the state with a focus on identifying gaps in cell phone coverage.

At its meeting on October 15, 2024, the Legislative Council reviewed the report of this committee. A motion to forward this report and the bills therein for consideration in the 2025 session was approved.

Sincerely,

/s/ Rep. Julie McCluskie  
Chair



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This report is also available online at:

**<https://leg.colorado.gov/committees/cell-phone-connectivity-interim-study-committee/2024-regular-session>**

## Committee Charge

[Interim Committee Letter 2024-04](#) created the Cell Phone Connectivity Interim Committee to study and identify gaps in cell phone coverage across the state. The committee was authorized to meet four times and take two field trips to review connectivity efforts and improvements at major roadways, mountain passes, and popular trailheads, and in rural and historically disadvantaged communities. Additionally, the committee was charged with examining state tools and resources used to minimize service gaps, as well as cell phone company coverage maps for accuracy.

## Committee Activities

The committee held four meetings during the 2024 interim and took two field trips. Briefings and presentations were made by government agencies, special interest groups, telecom companies, and members of the public on a wide range of subjects, including wireless coverage gaps, wireless communication for emergency services, and the permitting process for wireless infrastructure. The following organizations gave briefings and presentations to the committee:

- AT&T, T-Mobile, and Verizon;
- Basalt Chamber of Commerce;
- Cellular Telecommunications Industry Association;
- Colorado Broadband Office;
- Colorado Chamber of Commerce;
- Colorado Communications and Utility Alliance;
- Colorado Council of Authorities;
- Colorado Counties, Incorporated;
- Colorado Department of Law;
- Colorado Department of Public Safety;
- Colorado Department of Transportation;
- Colorado Farm Bureau;
- Colorado Public Utilities Commission;
- Colorado Technology Association;
- FirstNet Authority;
- Industrial Tower West;
- National Conference of State Legislatures; and
- Wireless Infrastructure Association.

The following sections discuss the committee's activities during the 2024 interim.

### Gaps in Wireless Service and Improvement Incentives

The committee heard about weak or nonexistent cell phone signals throughout Colorado and discussed ways to improve and incentivize service.



**Rural communities.** Rural areas often have poor cell phone coverage because of the low population density, which makes it economically impractical for cell phone companies to install cell phone towers. The Colorado Farm Bureau emphasized this point and explained that farmers in rural areas often lack stable cell phone service, resulting in many of them carrying two phones. County commissioners from rural areas and telecom industry representatives also highlighted the challenges of building wireless infrastructure in remote communities.

**Mountainous areas.** Mountainous areas frequently experience weak cell phone connectivity because rugged terrain obstructs the line-of-sight needed for cellular signals to travel effectively. The Colorado Department of Transportation (CDOT) gave an overview of the unique costs and challenges associated with constructing wireless infrastructure in mountain areas. AT&T representatives discussed their investment in deploying colocated cell-sites in Colorado's mountainous areas, including Glenwood Canyon, Lyons, and Clear Creek Canyon. Colocated cells allow for multiple wireless providers to share the same physical tower structure, which reduces costs and enables faster service.

**Urban areas.** Cities may have poor cell phone coverage due to factors such as dense buildings blocking signals, high user traffic overloading towers, interference from electronic devices, and poorly placed cell towers. The committee heard from community groups about the difficulties of constructing new cell phone towers in urban areas, due to aesthetics or health reasons, among others.

**Incentives.** The committee learned from the Colorado Broadband Office (CBO) in the Office of Information Technology about grants for expanding broadband in underserved areas in an effort to increase high-speed internet availability. Committee members agreed that a similar grant program could also benefit wireless infrastructure in areas experiencing poor connectivity.

**Committee recommendations.** As a result of its discussions, the committee recommends Bill B to establish the Wireless Telephone Infrastructure Grant Program in the Governor's Office to support wireless projects in underserved areas. The bill also allows CBO to allocate High Cost Support Mechanism money (federal funding for telecommunications companies that serve high-cost areas) for this purpose.

## **Emergency Communication**

Cell phones are crucial for emergency communications, enabling quick contact with services such as 911 and providing important updates during a crisis. Committee members reviewed Colorado's cell phone infrastructure and accessibility to enhance resident safety.

**911 services and emergency alerts.** The Colorado Council of Authorities gave an overview of the 911 system in Colorado and explained how areas that lack stable wireless infrastructure have trouble reaching 911 operators during emergencies. The Department of Public Safety (DPS) expanded on this by discussing how communities that are underserved by the telecommunications industry may not receive emergency alerts and warnings during natural disasters.

**First responders.** FirstNet Authority is a federal program that aims to improve public safety by expanding wireless broadband networks and improving communications among first responders. The committee toured their facilities and learned about the importance of developing technology to aide first responders in areas with unreliable wireless infrastructure. The DPS also described to the committee how crucial wireless communication is for first responders as they need to be able to provide alerts, receive data, and communicate with each other.

**Single point of contact.** The committee discussed the need for a single point of contact for emergency services and recommended to formalize state agencies' role in improving cellular connectivity for this purpose. Testimony from first responders and 911 services supported streamlined communication to help avoid confusion and ensure a coordinated response. The CBO explained their role as a point of contact for broadband, but noted that their involvement with wireless was limited.

**Committee recommendations.** As a result of its discussions, the committee recommends Bill A, which requires the DPS to create a single point of contact for statewide emergency alert coverage, technical assistance, and language and access needs for wireless alert systems. The bill also expands the CBO's scope to include promoting access to wireless service.

## Wireless Infrastructure Permitting Process

Deploying wireless infrastructure requires a permit, which involves coordination with various government agencies. The committee heard testimony about obstacles in the permitting process and explored ways to streamline and accelerate it.

**State and federal law.** Both state and federal laws regulate cell phone coverage, including cell tower placement, local government permitting, and setting standards for radiofrequency, with the Federal Communications Commission (FCC) having the most significant authority in this area. To provide a framework for the committee, the National Conference of State Legislatures gave an overview of network coverage in Colorado and highlighted how other states have attempted to regulate the industry. The Colorado Communications and Utility Alliance (CCUA) updated the committee on federal and state laws, including FCC regulations that impact the permitting process for new wireless infrastructure projects. The CCUA also described methods that telecom companies have used to speed up the permitting process.

**Local governments.** Municipalities are responsible for adopting their own set of laws governing the placement, design, and safety standards for cell phone structures. T-Mobile representatives gave an overview of their wireless infrastructure and cell coverage in Colorado, and explained that the inconsistent zoning and permitting requirements throughout the state slows down the construction of new wireless infrastructure projects. Verizon expanded on this by describing their own troubles with getting approval from local governments for new cell towers.

**Committee recommendations.** As a result of its discussions, the committee recommends Bill C, which makes changes to the local government approval process for wireless telecommunications facility applications.

## Theft

Cell phone tower theft, especially of copper wiring or batteries, can cause outages, poor signal quality, and complete loss of connectivity by damaging or removing essential equipment needed for signal transmission. Theft also results in significant costs for the telecommunications industry due to repairs, replacements, and network downtime.

The committee heard from telecommunications representatives about the frequency of cell phone tower theft and related costs and connectivity issues. CDOT and industry representatives further emphasized that wireless communication facilities in remote locations are prone to vandalism and theft. The committee discussed potential policy solutions to curtail theft and vandalism, including stronger penalties and requiring salvage yards to keep records on all transactions involving telecommunications infrastructure materials.

**Committee recommendations.** As a result of its discussions, the committee requested a bill be drafted to change local government authority over fenced perimeter security alarm systems, transaction record requirements for infrastructure materials, and criminal penalties for tampering. The bill was ultimately not approved by the committee.

## Field Trips: Lyons, Boulder, and I-70 Between Eisenhower Tunnel and Glenwood Canyon

Committee members took two field trips to learn first-hand about cell phone infrastructure and emergency response centers across the state. The field trips allowed for committee members to see the different types of cell phone structures deployed to enhance service in difficult terrain, as well as in high traffic areas. Committee members also learned about public/private partnerships for these projects, as demonstrated by CDOT and telecommunications providers for the canyon small cell towers.

The off-site outings also created opportunities for legislative committee members to ask questions and interact with the non-legislative committee members, who are telecommunications experts in their respective industries and agencies. Emergency response centers also showed how cell phone emergency calls are fielded and tracked.

**Lyons and Boulder.** The first trip on August 19, 2024, included tours of the following:

- colocated small cell towers in the St. Vrain Canyon near Lyons, led by CDOT and AT&T representatives;
- small cell nodes installed in a Boulder light post to enhance cellular coverage for high-traffic areas, led by AT&T representatives; and,
- FirstNet Authority, an independent federal agency that oversees a single, nationwide communications network specifically for first responders and the public safety community.

**Glenwood Canyon to Eisenhower Tunnel.** The second trip on September 3, 2024, included tours of the following:

- colocated small cell towers near Hanging Lakes in Glenwood Canyon, led by CDOT
- Vail Public Safety Communications Center serving all of Eagle County
- T-Mobile macro cell tower in Vail Village; and
- Eisenhower tunnel tour, including command centers and emergency response.

## Summary of Recommendations

As a result of the committee's activities, the committee recommended three bills to the Legislative Council for consideration in the 2025 session. At its meeting on October 15, 2024 the Legislative Council approved the three recommended bills for introduction. The approved bills are described below.

### ***Bill A — Single Point of Contact Wireless Services***

The bill requires the Division of Homeland Security and Emergency Management (division) in the DPS to develop a single point of contact for statewide emergency alert coverage. The division is also directed to provide technical assistance to local jurisdictions about public alert system integration and recommend improvements to the wireless alert system for language and access needs. Additionally, the bill expands the scope of the CBO to include promoting access to wireless service.

### ***Bill B — Wireless Telephone Infrastructure Incentives***

The bill requires the CBO to establish a Wireless Telephone Infrastructure Grant Program and allows it to allocate high-cost support funds to finance wireless service deployment in unserved and underserved areas of the state. The CBO also must administer the grant program, determine areas of the state that qualify as unserved or underserved, and establish criteria for awarding grants.

### ***Bill C — Local Government Permitting Wireless Telecom Facilities***

The bill modifies the procedures for local government approval of telecommunications providers' applications to site or construct new wireless facilities, or make significant changes to existing ones. Additionally, the measure allows a local government to extend the 60-day time period to allow the local government to make timely requests for information to complete an application. The bill also prohibits a local government from requiring a provider to file a new application or secure additional permits when telecommunications equipment is being removed, discontinued, or replaced as long as certain requirements are met.

## Resource Materials

Meeting summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. Meeting summaries are also available on our website at:

<https://leg.colorado.gov/committees/cell-phone-connectivity-interim-study-committee/2024-regular-session>

## Meetings and Topics Discussed

July 9, 2024

- National Conference of State Legislatures presentation about federal and state cell phone laws
- Telecom Industry panel
- State Government panel about cell phone coverage efforts and regulations
- Public testimony

August 12, 2024

- Wireless Infrastructure Association presentation
- Colorado Technology Association presentation
- Colorado Broadband Office presentation
- Small Cell Carrier presentation
- Community panel about connectivity issues
- Colorado Counties Incorporated presentation
- Public testimony

August 20, 2024

- Colorado Communications and Utility Alliance presentation
- Public testimony
- Bill draft requests

October 1, 2024

- Public testimony
- Final action on bill draft requests

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

**BILL A**

LLS NO. 25-0247.01 Michael Dohr x4347

**SENATE BILL**

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**SENATE SPONSORSHIP**

**Roberts,**

**HOUSE SPONSORSHIP**

**Soper and Lukens, Bacon**

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**Senate Committees**

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING GOVERNMENT AGENCY ASSISTANCE IN SERVICES**  
102 **RELATED TO WIRELESS COMMUNICATION.**

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**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/>.)*

**Cell Phone Connectivity Interim Study Committee.** The bill requires the division of homeland security and emergency management in the department of public safety (division) to develop a single point of contact within the division to:

- Help ensure statewide coverage of the integrated public alert and warning system for wireless emergency alerts and

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

- the emergency alert system;
- Provide technical assistance to local jurisdictions on becoming integrated public alert and warning system certified;
- Provide technical assistance, consistent with the language access in emergency communications study, to implement best practices for inclusive alerting; and
- Offer recommendations to improve current wireless alert systems in Colorado that address language and access needs.

Under current law, the Colorado broadband office (office) has certain duties related to broadband in Colorado. The bill requires the office to also perform those duties for wireless services.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-1604, **add**  
3 (7) as follows:

4 **24-33.5-1604. Duties and powers of the division - rules.**

5 (7) THE DIVISION SHALL DEVELOP A SINGLE POINT OF CONTACT WITHIN  
6 THE DIVISION TO:

7 (a) HELP ENSURE STATEWIDE COVERAGE OF THE INTEGRATED  
8 PUBLIC ALERT AND WARNING SYSTEM FOR WIRELESS EMERGENCY ALERTS  
9 AND THE EMERGENCY ALERT SYSTEM;

10 (b) PROVIDE TECHNICAL ASSISTANCE TO LOCAL JURISDICTIONS ON  
11 BECOMING INTEGRATED PUBLIC ALERT AND WARNING SYSTEM CERTIFIED;

12 (c) PROVIDE TECHNICAL ASSISTANCE, CONSISTENT WITH THE  
13 STUDY CONDUCTED PURSUANT TO SECTION 23-20-145 AS IT EXISTED PRIOR  
14 TO JULY 1, 2024, TO IMPLEMENT BEST PRACTICES FOR INCLUSIVE  
15 ALERTING; AND

16 (d) OFFER RECOMMENDATIONS TO IMPROVE CURRENT WIRELESS  
17 ALERT SYSTEMS IN COLORADO THAT ADDRESS LANGUAGE AND ACCESS  
18 NEEDS.



1           **SECTION 2.** In Colorado Revised Statutes, 24-37.5-903, **amend**  
2 (2)(b) and (3) as follows:

3           **24-37.5-903. Colorado broadband office - creation -**  
4 **responsibilities - gifts, grants, or donations.** (2) (b) The broadband  
5 office shall provide technical assistance to applicants seeking grant  
6 awards from the grant program or other state or federal grant  
7 opportunities offered for deploying broadband AND WIRELESS service.

8           (3) The broadband office shall:

9           (a) Encourage, foster, develop, and strive to improve the  
10 availability of affordable, quality broadband AND WIRELESS SERVICE  
11 within the state;

12           (b) Serve as the central broadband AND WIRELESS SERVICE policy  
13 coordination body for the state;

14           (c) Coordinate with other state agencies, local governments, the  
15 federal government, Indian tribes and nations, other relevant broadband  
16 AND WIRELESS SERVICE partners, and consumers throughout the state to  
17 develop strategies and plans for promoting the deployment of broadband  
18 AND WIRELESS SERVICE infrastructure and greater broadband AND  
19 WIRELESS SERVICE access;

20           (d) Review existing state broadband AND WIRELESS SERVICE  
21 initiatives, policies, and deployment by public or private entities in order  
22 to prioritize investment;

23           (e) Develop and implement a statewide plan to encourage  
24 cost-effective broadband access and increased broadband usage AND  
25 WIRELESS SERVICES, particularly in rural unserved areas and other  
26 unserved areas of the state. The broadband office shall submit the  
27 statewide plan, and any updated versions of the statewide plan, to the

1 chief information officer, the governor, and the joint technology  
2 committee and shall post the statewide plan on its public website. In  
3 developing a statewide plan and any other strategies for broadband  
4 deployment AND WIRELESS SERVICES, the broadband office shall consider:

5 (I) Partnerships between communities; Indian tribes and nations;  
6 nonprofit organizations; local governments; electric utilities as defined in  
7 section 40-2-202 (1), cooperative electric associations as defined in  
8 section 40-9.5-102, municipally owned utilities, and nonprofit generation  
9 and transmission electric corporations or associations; rural  
10 telecommunications providers as defined in section 40-15-102 (24.5); and  
11 public and private entities;

12 (II) Funding opportunities that allow for the coordination of  
13 public funding sources, including local governments, state government,  
14 and the federal government, and private funding sources for the purpose  
15 of deploying broadband AND WIRELESS SERVICE into rural unserved areas  
16 and other unserved areas of the state;

17 (III) Barriers to the deployment, adoption, and utilization of  
18 broadband AND WIRELESS SERVICE, including a consideration of the  
19 affordability of broadband AND WIRELESS SERVICE; and

20 (IV) Statewide broadband goals and whether statutory definitions  
21 for broadband in unserved areas need to be updated in response to  
22 advances made in broadband technology.

23 (f) Collect broadband AND WIRELESS SERVICE data to create and  
24 update maps that measure the progress of broadband AND WIRELESS  
25 SERVICE deployment in the state;

26 (g) Encourage public-private partnerships to increase deployment  
27 of broadband AND WIRELESS SERVICE throughout the state; and

1           (h) In furtherance of the purposes set forth in this part 9, seek or  
2 apply for, accept, and expend:

3           (I) Gifts, grants, or donations from public or private sources; and

4           (II) Money from the federal government for broadband AND  
5 WIRELESS SERVICE deployment. The broadband office may seek and apply  
6 for all federal funds ~~for which~~ the broadband office is eligible to receive.

7           **SECTION 3. Act subject to petition - effective date.** This act  
8 takes effect at 12:01 a.m. on the day following the expiration of the  
9 ninety-day period after final adjournment of the general assembly; except  
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
11 of the state constitution against this act or an item, section, or part of this  
12 act within such period, then the act, item, section, or part will not take  
13 effect unless approved by the people at the general election to be held in  
14 November 2026 and, in such case, will take effect on the date of the  
15 official declaration of the vote thereon by the governor.

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

**BILL B**

LLS NO. 25-0248.01 Jennifer Berman x3286

**HOUSE BILL**

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**HOUSE SPONSORSHIP**

**Lukens and Soper, Bacon**

**SENATE SPONSORSHIP**

**Hinrichsen,**

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**House Committees**

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO INCENTIVIZE THE DEPLOYMENT OF**  
102 **WIRELESS TELEPHONE INFRASTRUCTURE IN THE STATE.**

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**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/>.)*

**Cell Phone Connectivity Interim Study Committee.** The bill requires the Colorado broadband office in the governor's office (broadband office) to implement a wireless telephone infrastructure grant program (grant program) similar to the broadband deployment grant program in the broadband office. The broadband office may allocate high cost support mechanism (HCSM) money for the grant program to help

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

finance the deployment of wireless telephone infrastructure in unserved and underserved areas of the state.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-37.5-903, **amend**  
3 (5) as follows:

4 **24-37.5-903. Colorado broadband office - creation -**  
5 **responsibilities - gifts, grants, or donations.** (5) In addition to the  
6 powers and functions set forth in subsections (3) and (4) of this section,  
7 the broadband office shall implement the digital inclusion grant program,  
8 THE BROADBAND DEPLOYMENT GRANT PROGRAM, AND THE WIRELESS  
9 TELEPHONE INFRASTRUCTURE GRANT PROGRAM.

10 **SECTION 2.** In Colorado Revised Statutes, 24-37.5-905, **amend**  
11 (2)(b)(I) and (3)(a) as follows:

12 **24-37.5-905. Broadband deployment - grant program - high**  
13 **cost support mechanism money - broadband office administrative**  
14 **fund - creation - criteria - rules - reports - definitions - repeal.**

15 (2) (b) (I) The broadband office may allocate money from the HCSM for  
16 the deployment of broadband in unserved and underserved areas of the  
17 state pursuant to this section and section 40-15-208 through the use of the  
18 HCSM surcharge and surcharge rate in effect on January 1, 2018. In  
19 determining the definition of unserved and underserved areas, ~~the~~  
20 ~~standards used by the broadband office must be~~ SHALL USE STANDARDS  
21 consistent with broadband benchmark standards and any revisions to the  
22 standards, as determined by the federal communications commission and  
23 the national telecommunications and information administration in the  
24 United States department of commerce. Pursuant to sections 40-15-207  
25 and 40-15-208, the commission shall determine the funds available for

1 broadband deployment from the HCSM money. The HCSM third-party  
2 contractor shall maintain and hold the money available for broadband  
3 deployment in a separate account from the money used for ~~basic voice~~  
4 ~~service~~ WIRELESS TELEPHONE INFRASTRUCTURE DEPLOYMENT PURSUANT  
5 TO SECTION 24-37.5-906. Money held for broadband deployment must not  
6 be disbursed for ~~basic voice service~~ WIRELESS TELEPHONE  
7 INFRASTRUCTURE DEPLOYMENT, and money held for ~~basic voice service~~  
8 WIRELESS TELEPHONE INFRASTRUCTURE DEPLOYMENT must not be  
9 disbursed for broadband deployment.

10 (3) (a) Up to five percent of the money allocated from the HCSM  
11 for broadband deployment may be used to cover the broadband office's  
12 direct and indirect costs to administer the grant program, including to  
13 cover staffing costs for the grant program. Money that is allocated for  
14 such purposes is credited to the broadband office administrative fund,  
15 which fund is created in the state treasury. The fund consists of all money  
16 allocated from the HCSM for the broadband office's administration of the  
17 grant program AND OF THE WIRELESS TELEPHONE INFRASTRUCTURE GRANT  
18 PROGRAM CREATED IN SECTION 24-37.5-906 (2) and all money that the  
19 general assembly may appropriate or transfer to the fund. The money in  
20 the fund is continuously appropriated for the purposes set forth in this  
21 section AND SECTION 24-37.5-906. All interest earned from the investment  
22 of money in the fund is credited to the fund. All money not expended at  
23 the end of a state fiscal year remains in the fund and does not revert to the  
24 general fund or any other fund.

25 **SECTION 3.** In Colorado Revised Statutes, **add** 24-37.5-906 as  
26 follows:

27 **24-37.5-906. Wireless telephone infrastructure deployment -**

1 **grant program - high cost support mechanism money - broadband**  
2 **office administrative fund - creation - criteria - reports - definitions.**

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

5 (a) "COMMISSION" MEANS THE PUBLIC UTILITIES COMMISSION  
6 CREATED IN SECTION 40-2-101.

7 (b) "GRANT PROGRAM" MEANS THE WIRELESS TELEPHONE  
8 INFRASTRUCTURE GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS  
9 SECTION.

10 (c) "HCSM" MEANS THE HIGH COST SUPPORT MECHANISM  
11 CREATED PURSUANT TO SECTION 40-15-208.

12 (d) "WIRELESS TELEPHONE" HAS THE MEANING SET FORTH IN  
13 SECTION 6-1-903 (11).

14 (2) (a) THE BROADBAND OFFICE SHALL ADMINISTER A WIRELESS  
15 TELEPHONE INFRASTRUCTURE DEPLOYMENT GRANT PROGRAM IN  
16 ACCORDANCE WITH THIS SECTION. THE BROADBAND OFFICE SHALL DIRECT  
17 THE COMMISSION TO AUTHORIZE A THIRD-PARTY CONTRACTOR OF THE  
18 HCSM TO DISBURSE MONEY FROM THE HCSM FOR WIRELESS TELEPHONE  
19 INFRASTRUCTURE DEPLOYMENT GRANTS APPROVED BY THE BROADBAND  
20 OFFICE. THE COMMISSION SHALL AUTHORIZE DISBURSEMENTS OF MONEY  
21 FROM THE HCSM FOR WIRELESS TELEPHONE INFRASTRUCTURE  
22 DEPLOYMENT GRANTS ONLY AS DIRECTED BY THE BROADBAND OFFICE.

23 (b) (I) THE BROADBAND OFFICE MAY ALLOCATE MONEY FROM THE  
24 HCSM FOR THE DEPLOYMENT OF WIRELESS TELEPHONE INFRASTRUCTURE  
25 IN UNSERVED AND UNDERSERVED AREAS OF THE STATE.

26 (II) THE BROADBAND OFFICE SHALL DETERMINE AND MAP THE  
27 AREAS OF THE STATE THAT QUALIFY AS UNSERVED AND UNDERSERVED FOR

1 WIRELESS TELEPHONE INFRASTRUCTURE DEPLOYMENT. IN DETERMINING  
2 THE AREAS THAT QUALIFY, THE BROADBAND OFFICE SHALL USE  
3 STANDARDS CONSISTENT WITH ANY STANDARDS DEVELOPED BY THE  
4 FEDERAL COMMUNICATIONS COMMISSION AND THE NATIONAL  
5 TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION IN THE  
6 UNITED STATES DEPARTMENT OF COMMERCE. THE BROADBAND OFFICE  
7 SHALL POST A MAP OF THE UNSERVED AND UNDERSERVED AREAS OF THE  
8 STATE ON ITS PUBLIC WEBSITE AND PERIODICALLY UPDATE THE MAP AS  
9 NECESSARY.

10 (III) PURSUANT TO SECTION 40-15-208, THE COMMISSION SHALL  
11 DETERMINE THE FUNDS AVAILABLE FOR WIRELESS TELEPHONE  
12 INFRASTRUCTURE DEPLOYMENT FROM THE HCSM MONEY. THE HCSM  
13 THIRD-PARTY CONTRACTOR SHALL MAINTAIN AND HOLD THE MONEY  
14 AVAILABLE FOR WIRELESS TELEPHONE INFRASTRUCTURE DEPLOYMENT IN  
15 A SEPARATE ACCOUNT FROM THE MONEY USED FOR BROADBAND  
16 DEPLOYMENT. MONEY HELD FOR WIRELESS TELEPHONE INFRASTRUCTURE  
17 DEPLOYMENT MUST NOT BE DISBURSED FOR BROADBAND DEPLOYMENT,  
18 AND MONEY HELD FOR BROADBAND DEPLOYMENT MUST NOT BE  
19 DISBURSED FOR WIRELESS TELEPHONE INFRASTRUCTURE DEPLOYMENT.

20 (3) UP TO FIVE PERCENT OF THE MONEY ALLOCATED FROM THE  
21 HCSM FOR WIRELESS TELEPHONE INFRASTRUCTURE DEPLOYMENT MAY BE  
22 USED TO COVER THE BROADBAND OFFICE'S DIRECT AND INDIRECT COSTS TO  
23 ADMINISTER THE GRANT PROGRAM, INCLUDING TO COVER STAFFING COSTS  
24 FOR THE GRANT PROGRAM. MONEY THAT IS ALLOCATED FOR SUCH  
25 PURPOSES IS CREDITED TO THE BROADBAND OFFICE ADMINISTRATIVE FUND  
26 CREATED IN SECTION 24-37.5-905 (3)(a).

27 (4) ON OR BEFORE DECEMBER 31, 2025, THE BROADBAND OFFICE



1 SHALL ESTABLISH GRANT PROGRAM CRITERIA FOR DEPLOYMENT PROJECTS  
2 FOR WHICH GRANT MONEY IS AWARDED, INCLUDING CRITERIA RELATED TO:

- 3 (a) QUALIFYING INFRASTRUCTURE;
- 4 (b) CYBERSECURITY REQUIREMENTS, IF ANY;
- 5 (c) MATCHING FUNDING REQUIREMENTS, IF ANY;
- 6 (d) GENERALLY ACCEPTED INDUSTRY RELIABILITY AND  
7 PERFORMANCE STANDARDS;
- 8 (e) TIMELINES FOR COMPLETION OF A PROJECT;
- 9 (f) REASONABLE COST REQUIREMENTS FOR A PROJECT;
- 10 (g) COMPLIANCE STANDARDS; AND
- 11 (h) REPORTING AND ACCOUNTABILITY REQUIREMENTS.

12 (5) IN ESTABLISHING THE GRANT PROGRAM, THE BROADBAND  
13 OFFICE SHALL:

14 (a) SOLICIT INPUT FROM THE GENERAL PUBLIC AND VARIOUS  
15 STAKEHOLDER GROUPS, INCLUDING AT LEAST THE FOLLOWING  
16 STAKEHOLDER GROUPS:

- 17 (I) INDUSTRY ASSOCIATIONS;
- 18 (II) LOCAL GOVERNMENTS;
- 19 (III) TRIBAL GOVERNMENTS;
- 20 (IV) OTHER STATE AGENCIES;
- 21 (V) RELEVANT FEDERAL AGENCIES;
- 22 (VI) WIRELESS TELEPHONE CONSUMERS; AND
- 23 (VII) OTHER KEY STAKEHOLDER GROUPS THAT THE BROADBAND  
24 OFFICE IDENTIFIES; AND

25 (b) ESTABLISH A FORMAL APPEALS PROCESS FOR GRANT  
26 APPLICATIONS THAT ARE NOT AWARDED. THE SOLE REMEDY FOR AN  
27 APPLICANT THAT PREVAILS ON APPEAL IS THE FINANCING OF THE

1 APPLICANT'S PROPOSED PROJECT IN THE CURRENT OR NEXT FISCAL YEAR,  
2 SUBJECT TO THE AVAILABILITY OF MONEY IN THE HCSM.

3 (6) THE BROADBAND OFFICE MAY CONTRACT WITH A THIRD PARTY  
4 TO PERFORM ADMINISTRATIVE FUNCTIONS RELATED TO ADMINISTERING  
5 THE GRANT PROGRAM.

6 (7) (a) ON OR BEFORE JANUARY 1, 2026, AND ON OR BEFORE  
7 JANUARY 1 OF EACH YEAR THEREAFTER, THE BROADBAND OFFICE SHALL  
8 SUBMIT AN ANNUAL REPORT TO THE JOINT BUDGET COMMITTEE AND THE  
9 JOINT TECHNOLOGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES,  
10 SUMMARIZING FOR THE PREVIOUS CALENDAR YEAR:

11 (I) THE BROADBAND OFFICE'S GRANT PROGRAM PLANNING AND  
12 IMPLEMENTATION ACTIVITIES; AND

13 (II) HCSM EXPENDITURES MADE FOR WIRELESS TELEPHONE  
14 INFRASTRUCTURE DEPLOYMENT.

15 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE  
16 REPORTING REQUIREMENT SET FORTH IN SUBSECTION (7)(a) OF THIS  
17 SECTION CONTINUES INDEFINITELY.

18 **SECTION 4.** In Colorado Revised Statutes, 40-15-102, **amend**  
19 (9.5) and (32) as follows:

20 **40-15-102. Definitions.** As used in this article 15, unless the  
21 context otherwise requires:

22 (9.5) "Incumbent provider" means:

23 (a) WITH RESPECT TO BROADBAND, a provider that offers  
24 broadband internet service in an unserved area but that is not providing  
25 a broadband network in that area; OR

26 (b) WITH RESPECT TO WIRELESS TELEPHONE SERVICE, A PROVIDER  
27 THAT OFFERS WIRELESS TELEPHONE SERVICE IN AN UNSERVED AREA BUT

1 THAT DOES NOT OPERATE CELL PHONE TOWERS AND OTHER WIRELESS  
2 TELEPHONE INFRASTRUCTURE IN THAT AREA.

3 (32) (a) "Unserved area", WITH RESPECT TO BROADBAND, means  
4 an area of the state that:

5 (I) Lies outside of municipal boundaries or is a city with a  
6 population of fewer than seven thousand five hundred inhabitants; and

7 (II) Consists of households that lack access to at least one  
8 provider of a broadband network that uses satellite technology and at least  
9 one provider of a broadband network that uses nonsatellite technology.

10 (b) "Unserved area", WITH RESPECT TO BROADBAND, also means  
11 any portion of a state or interstate highway corridor that lacks access to  
12 a provider of a broadband network.

13 (c) "UNSERVED AREA", WITH RESPECT TO WIRELESS TELEPHONE  
14 SERVICE, MEANS AN AREA OF THE STATE THAT LACKS CELL PHONE TOWERS  
15 AND OTHER WIRELESS TELEPHONE INFRASTRUCTURE SUFFICIENT TO  
16 PROVIDE SERVICE.

17 **SECTION 5.** In Colorado Revised Statutes, 40-15-208, **amend**  
18 (2)(a)(I), (2)(a)(IV)(E), (2)(a)(V), and (3)(a); **repeal** (2)(a)(III) and (3)(c);  
19 and **add** (2)(a)(IV.5) as follows:

20 **40-15-208. High cost support mechanism - Colorado high cost**  
21 **administration fund - creation - purpose - operation - rules - report.**

22 (2) (a) (I) The commission is ~~hereby~~ authorized to establish a mechanism  
23 for the support of universal service, also referred to in this section as the  
24 "high cost support mechanism", which must operate in accordance with  
25 rules adopted by the commission. The primary purpose of the high cost  
26 support mechanism is to provide financial assistance as a support  
27 mechanism to:

1 (A) Help make basic local exchange service affordable and allow  
2 for reimbursement to providers, as specified in subsections (2)(a)(IV) and  
3 (4) of this section; ~~and~~

4 (B) Provide access to broadband service in unserved and  
5 underserved areas pursuant to this section and section 24-37.5-905; ~~only;~~  
6 AND

7 (C) PROVIDE ACCESS TO WIRELESS TELEPHONE SERVICE IN  
8 UNSERVED AND UNDERSERVED AREAS OF THE STATE PURSUANT TO THIS  
9 SECTION AND SECTION 24-37.5-906.

10 (III) ~~The commission shall maintain the rate of the high cost~~  
11 ~~support mechanism surcharge at the surcharge rate established as of~~  
12 ~~January 1, 2018; except that, on and after July 1, 2023, the commission~~  
13 ~~may reduce the surcharge rate to ensure that the amount of money~~  
14 ~~collected does not exceed twenty-five million dollars in calendar year~~  
15 ~~2024.~~

16 (IV) The commission shall allocate to the high cost support  
17 mechanism account dedicated to broadband deployment, on a quarterly  
18 basis and by the end of the month following the previous quarter, the  
19 following percentages of the total quarterly amount of high cost support  
20 mechanism money collected, minus administrative costs and distributions  
21 required under subsection (4) of this section:

22 (E) For each quarter in 2023 AND 2024 and for ~~each quarter in~~  
23 ~~each subsequent year~~ THE FIRST, SECOND, AND THIRD QUARTERS IN 2025,  
24 one hundred percent.

25 (IV.5) COMMENCING IN THE LAST QUARTER OF 2025, AND THEN ON  
26 A QUARTERLY BASIS AND BY THE END OF THE MONTH FOLLOWING THE  
27 PREVIOUS QUARTER, THE COMMISSION SHALL ALLOCATE:

1 (A) TO THE HIGH COST SUPPORT MECHANISM ACCOUNT DEDICATED  
2 TO BROADBAND DEPLOYMENT, UP TO ONE HUNDRED PERCENT OF THE HIGH  
3 COST SUPPORT MECHANISM MONEY COLLECTED, MINUS ADMINISTRATIVE  
4 COSTS AND DISTRIBUTIONS REQUIRED UNDER SUBSECTION (4) OF THIS  
5 SECTION; AND

6 (B) TO THE HIGH COST SUPPORT MECHANISM ACCOUNT DEDICATED  
7 TO WIRELESS TELEPHONE SERVICE DEPLOYMENT, THE AMOUNT OF HIGH  
8 COST SUPPORT MECHANISM MONEY COLLECTED THAT THE COLORADO  
9 BROADBAND OFFICE, CREATED IN SECTION 24-37.5-903 (1), DIRECTS FOR  
10 WIRELESS TELEPHONE INFRASTRUCTURE DEPLOYMENT GRANTS PURSUANT  
11 TO SECTION 24-37.5-906 (2)(a), MINUS ADMINISTRATIVE COSTS AND  
12 DISTRIBUTIONS REQUIRED UNDER SUBSECTION (4) OF THIS SECTION.

13 (V) The nonrural incumbent local exchange carrier will receive,  
14 on a quarterly basis and by the end of the month following the previous  
15 quarter, the balance of the remaining quarterly high cost support  
16 mechanism collections after the distributions required by subsections  
17 (2)(a)(IV), **(2)(a)(IV.5)**, and (4) of this section have been made.

18 (3) (a) There is ~~hereby~~ created in the state treasury the Colorado  
19 high cost administration fund, referred to in this section as the "fund",  
20 which shall be used to reimburse the commission and its contractors for  
21 reasonable expenses incurred in the administration of the high cost  
22 support mechanism, including administrative costs incurred in association  
23 with broadband service AND WIRELESS TELECOMMUNICATIONS SERVICE,  
24 as determined by rules of the commission. The general assembly shall  
25 appropriate annually the money in the fund that is to be used for the direct  
26 and indirect administrative costs incurred by the commission and its  
27 contractors. At the end of any fiscal year, all unexpended and

1 unencumbered money in the fund remains in the fund and shall not be  
2 credited or transferred to the general fund or any other fund. Only the  
3 money in the high cost support mechanism that is necessary for  
4 administering the high cost support mechanism shall be transmitted to the  
5 state treasurer, who shall credit the same to the fund. All interest derived  
6 from the deposit and investment of money in the fund remains in the fund  
7 and does not revert to the general fund.

8 (c) ~~Notwithstanding any provision of paragraph (a) of this~~  
9 ~~subsection (3) to the contrary, on July 31, 2009, the state treasurer shall~~  
10 ~~deduct from the fund an amount equal to the amount transferred to the~~  
11 ~~fund pursuant to Senate Bill 09-272, enacted in 2009, and transfer such~~  
12 ~~amount to the general fund.~~

13 **SECTION 6. Act subject to petition - effective date -**  
14 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
15 the expiration of the ninety-day period after final adjournment of the  
16 general assembly; except that, if a referendum petition is filed pursuant  
17 to section 1 (3) of article V of the state constitution against this act or an  
18 item, section, or part of this act within such period, then the act, item,  
19 section, or part will not take effect unless approved by the people at the  
20 general election to be held in November 2026 and, in such case, will take  
21 effect on the date of the official declaration of the vote thereon by the  
22 governor.

23 (2) This act applies to high cost support mechanism distributions  
24 made on or after the applicable effective date of this act.

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

**BILL C**

LLS NO. 25-0249.01 Sarah Lozano x3858

**HOUSE BILL**

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**HOUSE SPONSORSHIP**

**Lukens and Bacon, Soper**

**SENATE SPONSORSHIP**

**Roberts and Hinrichsen,**

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**House Committees**

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING LOCAL GOVERNMENT PERMITTING OF WIRELESS**  
102 **TELECOMMUNICATIONS FACILITIES.**

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**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/>.)*

**Cell Phone Connectivity Interim Study Committee.** The bill requires that an application by a telecommunications provider for the siting and construction of a new wireless telecommunications facility or for the substantial change of an existing wireless telecommunications facility (application) submitted to a local government is deemed approved by the local government if:

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

- The local government has not approved or rejected the application within 60 days after the application is submitted to the local government or conducted a pre-application meeting or other documented communication regarding the application, whichever is earlier (60-day time period);
- The telecommunications provider has provided all public notices required under applicable law; and
- The telecommunications provider has provided notice to the local government that the 60-day time period has lapsed and that the application is deemed approved.

A local government may toll the 60-day time period to allow the local government to make timely requests for information to complete an application. The 60-day time period may also be extended by mutual agreement of the telecommunications provider and the local government.

The bill also prohibits a local government from requiring a telecommunications provider that removes, discontinues, or replaces telecommunications equipment at an existing wireless telecommunications facility to file a new application or obtain additional permits if:

- The telecommunications provider notifies the local government of the necessary removal, discontinuance, or replacement of the telecommunications equipment; and
- The removal, discontinuance, or replacement of the telecommunications equipment is not a substantial change to the facility.

The bill takes effect on January 1, 2026.

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

2 **SECTION 1.** In Colorado Revised Statutes, 29-27-402, **amend**  
 3 (3) as follows:

4 **29-27-402. Definitions.** As used in this part 4, unless the context  
 5 otherwise requires:

6 (3) ~~"Collocation"~~ "COLLOCATE" means the mounting or installation  
 7 of broadband service equipment on a tower, building, or structure with  
 8 existing broadband service equipment for the purpose of transmitting or  
 9 receiving radio frequency signals for communications purposes.

10 **SECTION 2.** In Colorado Revised Statutes, **repeal** 29-27-403.





1 MEANS AN APPLICATION BY A TELECOMMUNICATIONS PROVIDER FOR:

2 (a) THE SITING AND CONSTRUCTION OF A NEW WIRELESS  
3 TELECOMMUNICATIONS FACILITY; OR

4 (b) THE SUBSTANTIAL CHANGE OF AN EXISTING WIRELESS  
5 TELECOMMUNICATIONS FACILITY.

6 (2) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY  
7 COUNTY, CITY, OR CITY AND COUNTY.

8 (3) "SUBSTANTIAL CHANGE" HAS THE MEANING SET FORTH IN 47  
9 CFR 1.6100 (b)(7).

10 (4) "TELECOMMUNICATIONS PROVIDER" MEANS A PERSON THAT  
11 PROVIDES A WIRELESS TELECOMMUNICATIONS SERVICE.

12 (5) "WIRELESS TELECOMMUNICATIONS FACILITY" OR "FACILITY"  
13 MEANS EQUIPMENT AT A FIXED LOCATION THAT ENABLES WIRELESS  
14 COMMUNICATIONS BETWEEN USER EQUIPMENT AND A COMMUNICATIONS  
15 NETWORK, INCLUDING:

16 (a) MACRO AND SMALL WIRELESS FACILITIES, TRANSCEIVERS,  
17 ANTENNAS, COAXIAL OR FIBER-OPTIC CABLE, REGULAR AND BACKUP  
18 POWER SUPPLIES, AND COMPARABLE EQUIPMENT, REGARDLESS OF  
19 TECHNOLOGICAL CONFIGURATION; AND

20 (b) THE SUPPORT STRUCTURE OR IMPROVEMENTS ON, UNDER, OR  
21 WITHIN WHICH THE EQUIPMENT IS COLLOCATED.

22 **29-27-603. Deemed approval of facilities after sixty-day**  
23 **period.** (1) (a) A COLLOCATION OR SITING APPLICATION FOR A WIRELESS  
24 TELECOMMUNICATIONS FACILITY SUBMITTED TO A LOCAL GOVERNMENT  
25 IS DEEMED APPROVED BY THE LOCAL GOVERNMENT IF:

26 (I) THE LOCAL GOVERNMENT HAS NOT APPROVED OR REJECTED  
27 THE APPLICATION WITHIN SIXTY DAYS AFTER THE APPLICATION IS

1 SUBMITTED TO THE LOCAL GOVERNMENT OR A PRE-APPLICATION MEETING  
2 OR OTHER DOCUMENTED COMMUNICATION BETWEEN THE LOCAL  
3 GOVERNMENT AND THE TELECOMMUNICATIONS PROVIDER IS CONDUCTED,  
4 WHICHEVER IS EARLIER;

5 (II) THE TELECOMMUNICATIONS PROVIDER HAS PROVIDED ALL  
6 PUBLIC NOTICES OF THE APPLICATION REQUIRED UNDER APPLICABLE LAW;  
7 AND

8 (III) THE TELECOMMUNICATIONS PROVIDER HAS PROVIDED NOTICE  
9 TO THE LOCAL GOVERNMENT THAT THE SIXTY-DAY TIME PERIOD HAS  
10 LAPSED AND THAT THE APPLICATION IS DEEMED APPROVED PURSUANT TO  
11 THIS SECTION.

12 (b) A LOCAL GOVERNMENT MAY TOLL THE SIXTY-DAY TIME PERIOD  
13 DESCRIBED IN SUBSECTION (1)(a)(I) OF THIS SECTION TO ALLOW THE  
14 LOCAL GOVERNMENT TO MAKE TIMELY REQUESTS FOR INFORMATION TO  
15 COMPLETE A COLLOCATION OR SITING APPLICATION. THE SIXTY-DAY TIME  
16 PERIOD MAY ALSO BE EXTENDED BY MUTUAL AGREEMENT OF THE  
17 TELECOMMUNICATIONS PROVIDER AND THE LOCAL GOVERNMENT.

18 (c) IF A LOCAL GOVERNMENT REQUIRES A TELECOMMUNICATIONS  
19 PROVIDER TO OBTAIN A TRAFFIC CONTROL PLAN OR OTHER PERMIT  
20 RELATED TO OBSTRUCTION OF, OR SAFETY IN, A PUBLIC RIGHT-OF-WAY  
21 BEFORE A COLLOCATION OR SITING APPLICATION IS APPROVED, THE  
22 TELECOMMUNICATIONS PROVIDER SHALL NOT COMMENCE THE  
23 CONSTRUCTION OR SUBSTANTIAL CHANGE OF A WIRELESS  
24 TELECOMMUNICATIONS FACILITY PURSUANT TO A COLLOCATION OR SITING  
25 APPLICATION APPROVED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION  
26 UNTIL THE TRAFFIC CONTROL PLAN OR OTHER PERMIT IS OBTAINED.

27 (d) A LOCAL GOVERNMENT MAY SEEK JUDICIAL REVIEW OF THE

1 DEEMED APPROVAL OF A COLLOCATION OR SITING APPLICATION PURSUANT  
2 TO SUBSECTION (1)(a) OF THIS SECTION WITHIN THIRTY DAYS AFTER THE  
3 NOTICE DESCRIBED IN SUBSECTION (1)(a)(III) OF THIS SECTION IS  
4 PROVIDED TO THE LOCAL GOVERNMENT.

5 (e) A LOCAL GOVERNMENT SHALL NOT:

6 (I) UNREASONABLY WITHHOLD, CONDITION, OR DELAY APPROVAL  
7 OF THE ISSUANCE OF A TRAFFIC CONTROL PLAN OR OTHER PERMIT  
8 DESCRIBED IN SUBSECTION (1)(c) OF THIS SECTION TO DELAY THE  
9 APPROVAL OF A COLLOCATION OR SITING APPLICATION; OR

10 (II) PROHIBIT OR UNREASONABLY DISCRIMINATE IN FAVOR OF, OR  
11 AGAINST, ANY PARTICULAR WIRELESS TECHNOLOGY IN TAKING ACTION ON  
12 A COLLOCATION OR SITING APPLICATION.

13 (f) IF A COLLOCATION OR SITING APPLICATION SUBMITTED TO A  
14 LOCAL GOVERNMENT IS INCOMPLETE, THE LOCAL GOVERNMENT SHALL  
15 NOTIFY THE APPLICANT WITHIN THIRTY DAYS AFTER THE SUBMISSION OF  
16 THE APPLICATION OR A PRE-APPLICATION MEETING OR OTHER  
17 DOCUMENTED COMMUNICATION BETWEEN THE LOCAL GOVERNMENT AND  
18 THE TELECOMMUNICATIONS PROVIDER IS CONDUCTED, WHICHEVER IS  
19 EARLIER. THE NOTIFICATION MUST BE WRITTEN AND CLEARLY EXPLAIN  
20 HOW THE APPLICATION IS INCOMPLETE.

21 (2) EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS SECTION,  
22 NOTHING IN THIS SECTION LIMITS OR AFFECTS THE AUTHORITY OF A LOCAL  
23 GOVERNMENT OVER THE PLACEMENT OR CONSTRUCTION OF A WIRELESS  
24 TELECOMMUNICATIONS FACILITY.

25 (3) NOTHING IN THIS SECTION SUPERSEDES, NULLIFIES, OR  
26 OTHERWISE ALTERS APPLICABLE LAWS RELATED TO SAFETY.

27 **29-27-604. Facility equipment replacement.** (1) A LOCAL

1 GOVERNMENT SHALL NOT REQUIRE A TELECOMMUNICATIONS PROVIDER  
2 THAT REMOVES, DISCONTINUES, OR REPLACES TELECOMMUNICATIONS  
3 EQUIPMENT AT AN EXISTING WIRELESS TELECOMMUNICATIONS FACILITY  
4 TO FILE A NEW COLLOCATION OR SITING APPLICATION OR OBTAIN  
5 ADDITIONAL PERMITS FOR THE REMOVAL, DISCONTINUANCE, OR  
6 REPLACEMENT OF THE EQUIPMENT IF:

7 (a) THE TELECOMMUNICATIONS PROVIDER NOTIFIES THE LOCAL  
8 GOVERNMENT OF THE NECESSARY REMOVAL, DISCONTINUANCE, OR  
9 REPLACEMENT OF THE TELECOMMUNICATIONS EQUIPMENT; AND

10 (b) THE REMOVAL, DISCONTINUANCE, OR REPLACEMENT OF THE  
11 TELECOMMUNICATIONS EQUIPMENT IS NOT A SUBSTANTIAL CHANGE.

12 **SECTION 4.** In Colorado Revised Statutes, 38-5.5-104.5, **amend**  
13 (1) as follows:

14 **38-5.5-104.5. Use of local government entity structures.**

15 (1) Except as provided in subsection (2) of this section and subject to the  
16 requirements and limitations of this article 5.5, ~~sections 29-27-403 and~~  
17 ~~29-27-404~~ SECTION 29-27-404, PART 6 OF ARTICLE 27 OF TITLE 29, and a  
18 local government entity's police powers, a telecommunications provider  
19 or a broadband provider has the right to locate or collocate small cell  
20 facilities or small cell networks on the light poles, light standards, traffic  
21 signals, or utility poles in the rights-of-way owned by the local  
22 government entity; except that a small cell facility or a small cell network  
23 shall not be located or mounted on any apparatus, pole, or signal with  
24 tolling collection or enforcement equipment attached.

25 **SECTION 5. Act subject to petition - effective date -**  
26 **applicability.** (1) This act takes effect at 12:01 a.m. on January 1, 2026;  
27 except that, if a referendum petition is filed pursuant to section 1 (3) of

1 article V of the state constitution against this act or an item, section, or  
2 part of this act within such period, then the act, item, section, or part will  
3 not take effect unless approved by the people at the general election to be  
4 held in November 2026 and, in such case, will take effect on the date of  
5 the official declaration of the vote thereon by the governor.

6 (2) This act applies to applications filed on or after the applicable  
7 effective date of this act.