

CHAPTER 165

PROPERTY

SENATE BILL 13-126

BY SENATOR(S) Guzman, Aguilar, Carroll, Heath, Hodge, Jones, Kefalas, Kerr, Nicholson, Schwartz, Steadman, Tochtrop, Todd, Morse;
 also REPRESENTATIVE(S) Duran, Court, Exum, Fields, Fischer, Hamner, Hullinghorst, Labuda, Levy, Melton, Mitsch Bush, Moreno, Primavera, Rosenthal, Ryden, Salazar, Singer, Tyler, Williams.

AN ACT

CONCERNING THE REMOVAL OF UNREASONABLE RESTRICTIONS ON THE ABILITY OF THE OWNER OF AN ELECTRIC VEHICLE TO ACCESS CHARGING FACILITIES.

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

SECTION 1. In Colorado Revised Statutes, **add** 38-12-601 as follows:

38-12-601. Unreasonable restrictions on electric vehicle charging systems - definitions. (1) NOTWITHSTANDING ANY PROVISION IN THE LEASE TO THE CONTRARY, AND SUBJECT TO SUBSECTION (2) OF THIS SECTION:

(a) A TENANT MAY INSTALL, AT THE TENANT'S EXPENSE FOR THE TENANT'S OWN USE, A LEVEL 1 OR LEVEL 2 ELECTRIC VEHICLE CHARGING SYSTEM ON OR IN THE LEASED PREMISES; AND

(b) A LANDLORD SHALL NOT ASSESS OR CHARGE A TENANT ANY FEE FOR THE PLACEMENT OR USE OF AN ELECTRIC VEHICLE CHARGING SYSTEM, EXCEPT THAT:

(I) THE LANDLORD MAY REQUIRE REIMBURSEMENT FOR THE ACTUAL COST OF ELECTRICITY PROVIDED BY THE LANDLORD THAT WAS USED BY THE CHARGING SYSTEM OR, ALTERNATIVELY, MAY CHARGE A REASONABLE FEE FOR ACCESS. IF THE CHARGING SYSTEM IS PART OF A NETWORK FOR WHICH A NETWORK FEE IS CHARGED, THE LANDLORD'S REIMBURSEMENT MAY INCLUDE THE AMOUNT OF THE NETWORK FEE. NOTHING IN THIS SECTION REQUIRES A LANDLORD TO IMPOSE UPON A TENANT ANY FEE OR CHARGE OTHER THAN THE RENTAL PAYMENTS SPECIFIED IN THE LEASE.

(II) THE LANDLORD MAY REQUIRE REIMBURSEMENT FOR THE COST OF THE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

INSTALLATION OF THE CHARGING SYSTEM, INCLUDING ANY ADDITIONS OR UPGRADES TO EXISTING WIRING DIRECTLY ATTRIBUTABLE TO THE REQUIREMENTS OF THE CHARGING SYSTEM, IF THE LANDLORD PLACES OR CAUSES THE ELECTRIC VEHICLE CHARGING SYSTEM TO BE PLACED AT THE REQUEST OF THE TENANT; AND

(III) IF THE TENANT DESIRES TO PLACE AN ELECTRIC VEHICLE CHARGING SYSTEM IN AN AREA ACCESSIBLE TO OTHER TENANTS, THE LANDLORD MAY ASSESS OR CHARGE THE TENANT A REASONABLE FEE TO RESERVE A SPECIFIC PARKING SPOT IN WHICH TO INSTALL THE CHARGING SYSTEM.

(2) A LANDLORD MAY REQUIRE A TENANT TO COMPLY WITH:

(a) BONA FIDE SAFETY REQUIREMENTS, CONSISTENT WITH AN APPLICABLE BUILDING CODE OR RECOGNIZED SAFETY STANDARD, FOR THE PROTECTION OF PERSONS AND PROPERTY;

(b) A REQUIREMENT THAT THE CHARGING SYSTEM BE REGISTERED WITH THE LANDLORD WITHIN THIRTY DAYS AFTER INSTALLATION; OR

(c) REASONABLE AESTHETIC PROVISIONS THAT GOVERN THE DIMENSIONS, PLACEMENT, OR EXTERNAL APPEARANCE OF AN ELECTRIC VEHICLE CHARGING SYSTEM.

(3) A TENANT MAY PLACE AN ELECTRIC VEHICLE CHARGING SYSTEM IN AN AREA ACCESSIBLE TO OTHER TENANTS IF:

(a) THE CHARGING SYSTEM IS IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS ADOPTED PURSUANT TO SUBSECTION (2) OF THIS SECTION; AND

(b) THE TENANT AGREES IN WRITING TO:

(I) COMPLY WITH THE LANDLORD'S DESIGN SPECIFICATIONS FOR THE INSTALLATION OF THE CHARGING SYSTEM;

(II) ENGAGE THE SERVICES OF A DULY LICENSED AND REGISTERED ELECTRICAL CONTRACTOR FAMILIAR WITH THE INSTALLATION AND CODE REQUIREMENTS OF AN ELECTRIC VEHICLE CHARGING SYSTEM; AND

(III) (A) PROVIDE, WITHIN FOURTEEN DAYS AFTER RECEIVING THE LANDLORD'S CONSENT FOR THE INSTALLATION, A CERTIFICATE OF INSURANCE NAMING THE LANDLORD AS AN ADDITIONAL INSURED ON THE TENANT'S RENTERS' INSURANCE POLICY FOR ANY CLAIM RELATED TO THE INSTALLATION, MAINTENANCE, OR USE OF THE SYSTEM OR, AT THE LANDLORD'S OPTION, REIMBURSEMENT TO THE LANDLORD FOR THE ACTUAL COST OF ANY INCREASED INSURANCE PREMIUM AMOUNT ATTRIBUTABLE TO THE SYSTEM, NOTWITHSTANDING ANY PROVISION TO THE CONTRARY IN THE LEASE.

(B) A CERTIFICATE OF INSURANCE UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III) MUST BE PROVIDED WITHIN FOURTEEN DAYS AFTER THE TENANT RECEIVES THE LANDLORD'S CONSENT FOR THE INSTALLATION. REIMBURSEMENT FOR AN INCREASED INSURANCE PREMIUM AMOUNT UNDER SUB-SUBPARAGRAPH (A) OF

THIS SUBPARAGRAPH (III) MUST BE PROVIDED WITHIN FOURTEEN DAYS AFTER THE TENANT RECEIVES THE LANDLORD'S INVOICE FOR THE AMOUNT ATTRIBUTABLE TO THE SYSTEM.

(4) IF THE LANDLORD CONSENTS TO A TENANT'S INSTALLATION OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON PROPERTY ACCESSIBLE TO OTHER TENANTS, INCLUDING A PARKING SPACE, CARPORT, OR GARAGE STALL, THEN, UNLESS OTHERWISE SPECIFIED IN A WRITTEN AGREEMENT WITH THE LANDLORD:

(a) THE TENANT, AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE RIGHTS TO THE AREA WHERE THE CHARGING SYSTEM IS INSTALLED, IS RESPONSIBLE FOR ANY COSTS FOR DAMAGES TO THE CHARGING SYSTEM AND TO ANY OTHER PROPERTY OF THE LANDLORD OR OF ANOTHER TENANT THAT ARISE OR RESULT FROM THE INSTALLATION, MAINTENANCE, REPAIR, REMOVAL, OR REPLACEMENT OF THE CHARGING SYSTEM;

(b) EACH SUCCESSIVE TENANT WITH EXCLUSIVE RIGHTS TO THE AREA WHERE THE CHARGING SYSTEM IS INSTALLED SHALL ASSUME RESPONSIBILITY FOR THE REPAIR, MAINTENANCE, REMOVAL, AND REPLACEMENT OF THE CHARGING SYSTEM UNTIL THE SYSTEM HAS BEEN REMOVED;

(c) THE TENANT AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE RIGHTS TO THE AREA WHERE THE SYSTEM IS INSTALLED SHALL AT ALL TIMES HAVE AND MAINTAIN AN INSURANCE POLICY COVERING THE OBLIGATIONS OF THE TENANT UNDER THIS SUBSECTION (4) AND SHALL NAME THE LANDLORD AS AN ADDITIONAL INSURED UNDER THE POLICY; AND

(d) THE TENANT AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE RIGHTS TO THE AREA WHERE THE SYSTEM IS INSTALLED IS RESPONSIBLE FOR REMOVING THE SYSTEM IF REASONABLY NECESSARY OR CONVENIENT FOR THE REPAIR, MAINTENANCE, OR REPLACEMENT OF ANY PROPERTY OF THE LANDLORD, WHETHER OR NOT LEASED TO ANOTHER TENANT.

(5) A CHARGING SYSTEM INSTALLED AT THE TENANT'S COST IS PROPERTY OF THE TENANT. UPON TERMINATION OF THE LEASE, IF THE CHARGING SYSTEM IS REMOVABLE, THE TENANT MAY EITHER REMOVE IT OR SELL IT TO THE LANDLORD OR ANOTHER TENANT FOR AN AGREED PRICE. NOTHING IN THIS SUBSECTION (5) REQUIRES THE LANDLORD OR ANOTHER TENANT TO PURCHASE THE CHARGING SYSTEM.

(6) AS USED IN THIS SECTION:

(a) "ELECTRIC VEHICLE CHARGING SYSTEM" OR "CHARGING SYSTEM" MEANS A DEVICE THAT IS USED TO PROVIDE ELECTRICITY TO A PLUG-IN ELECTRIC VEHICLE OR PLUG-IN HYBRID VEHICLE, IS DESIGNED TO ENSURE THAT A SAFE CONNECTION HAS BEEN MADE BETWEEN THE ELECTRIC GRID AND THE VEHICLE, AND IS ABLE TO COMMUNICATE WITH THE VEHICLE'S CONTROL SYSTEM SO THAT ELECTRICITY FLOWS AT AN APPROPRIATE VOLTAGE AND CURRENT LEVEL. AN ELECTRIC VEHICLE CHARGING SYSTEM MAY BE WALL-MOUNTED OR PEDESTAL STYLE, AND MAY PROVIDE MULTIPLE CORDS TO CONNECT WITH ELECTRIC VEHICLES. AN ELECTRIC VEHICLE CHARGING SYSTEM MUST BE CERTIFIED BY UNDERWRITERS LABORATORIES OR AN

EQUIVALENT CERTIFICATION, AND MUST COMPLY WITH THE CURRENT VERSION OF ARTICLE 625 OF THE NATIONAL ELECTRICAL CODE.

(b) "LEVEL 1" MEANS A CHARGING SYSTEM THAT PROVIDES CHARGING THROUGH A ONE-HUNDRED-TWENTY VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD.

(c) "LEVEL 2" MEANS A CHARGING SYSTEM THAT PROVIDES CHARGING THROUGH A TWO-HUNDRED-EIGHT TO TWO-HUNDRED-FORTY VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD.

(7) THIS SECTION APPLIES ONLY TO RESIDENTIAL RENTAL PROPERTIES.

SECTION 2. In Colorado Revised Statutes, add 38-33.3-106.8 as follows:

38-33.3-106.8. Unreasonable restrictions on electric vehicle charging systems - legislative declaration - definitions. (1) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT:

(a) THE WIDESPREAD USE OF PLUG-IN ELECTRIC VEHICLES CAN DRAMATICALLY IMPROVE ENERGY EFFICIENCY AND AIR QUALITY FOR ALL COLORADANS, AND SHOULD BE ENCOURAGED WHEREVER POSSIBLE;

(b) MOST HOMES IN COLORADO, INCLUDING THE VAST MAJORITY OF NEW HOMES, ARE IN COMMON INTEREST COMMUNITIES;

(c) THE PRIMARY PURPOSE OF THIS SECTION IS TO ENSURE THAT COMMON INTEREST COMMUNITIES PROVIDE THEIR RESIDENTS WITH AT LEAST A MEANINGFUL OPPORTUNITY TO TAKE ADVANTAGE OF THE AVAILABILITY OF PLUG-IN ELECTRIC VEHICLES RATHER THAN CREATE ARTIFICIAL RESTRICTIONS ON THE ADOPTION OF THIS PROMISING TECHNOLOGY; AND

(d) THE GENERAL ASSEMBLY ENCOURAGES COMMON INTEREST COMMUNITIES NOT ONLY TO ALLOW ELECTRIC VEHICLE CHARGING STATIONS IN ACCORDANCE WITH THIS SECTION, BUT ALSO TO APPLY FOR GRANTS FROM THE ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, C.R.S., OR OTHERWISE FUND THE INSTALLATION OF CHARGING STATIONS ON COMMON PROPERTY AS AN AMENITY FOR RESIDENTS AND GUESTS.

(2) NOTWITHSTANDING ANY PROVISION IN THE DECLARATION, BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION TO THE CONTRARY, AND EXCEPT AS PROVIDED IN SUBSECTION (3) OR (3.5) OF THIS SECTION, AN ASSOCIATION SHALL NOT:

(a) PROHIBIT A UNIT OWNER FROM USING, OR INSTALLING AT THE UNIT OWNER'S EXPENSE FOR THE UNIT OWNER'S OWN USE, A LEVEL 1 OR LEVEL 2 ELECTRIC VEHICLE CHARGING SYSTEM ON OR IN A UNIT; OR

(b) ASSESS OR CHARGE A UNIT OWNER ANY FEE FOR THE PLACEMENT OR USE OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON OR IN THE UNIT OWNER'S UNIT; EXCEPT THAT THE ASSOCIATION MAY REQUIRE REIMBURSEMENT FOR THE ACTUAL COST OF

ELECTRICITY PROVIDED BY THE ASSOCIATION THAT WAS USED BY THE CHARGING SYSTEM OR, ALTERNATIVELY, MAY CHARGE A REASONABLE FEE FOR ACCESS. IF THE CHARGING SYSTEM IS PART OF A NETWORK FOR WHICH A NETWORK FEE IS CHARGED, THE ASSOCIATION'S REIMBURSEMENT MAY INCLUDE THE AMOUNT OF THE NETWORK FEE. NOTHING IN THIS SECTION REQUIRES AN ASSOCIATION TO IMPOSE UPON A UNIT OWNER ANY FEE OR CHARGE OTHER THAN THE REGULAR ASSESSMENTS SPECIFIED IN THE DECLARATION, BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION.

(3) SUBSECTION (2) OF THIS SECTION DOES NOT APPLY TO:

(a) BONA FIDE SAFETY REQUIREMENTS, CONSISTENT WITH AN APPLICABLE BUILDING CODE OR RECOGNIZED SAFETY STANDARD, FOR THE PROTECTION OF PERSONS AND PROPERTY;

(b) A REQUIREMENT THAT THE CHARGING SYSTEM BE REGISTERED WITH THE ASSOCIATION WITHIN THIRTY DAYS AFTER INSTALLATION; OR

(c) REASONABLE AESTHETIC PROVISIONS THAT GOVERN THE DIMENSIONS, PLACEMENT, OR EXTERNAL APPEARANCE OF AN ELECTRIC VEHICLE CHARGING SYSTEM.

(3.5) THIS SECTION DOES NOT APPLY TO A UNIT, OR THE OWNER THEREOF, IF THE UNIT IS A TIME SHARE UNIT, AS DEFINED IN SECTION 38-33-110 (7).

(4) AN ASSOCIATION SHALL CONSENT TO A UNIT OWNER'S PLACEMENT OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON A LIMITED COMMON ELEMENT PARKING SPACE, CARPORT, OR GARAGE OWNED BY THE UNIT OWNER OR OTHERWISE ASSIGNED TO THE OWNER IN THE DECLARATION OR OTHER RECORDED DOCUMENT IF:

(a) NOTWITHSTANDING ANY EXISTING BAN ON ELECTRIC VEHICLE CHARGING SYSTEMS, THE SYSTEM OTHERWISE COMPLIES WITH THE DECLARATION, BYLAWS, AND RULES AND REGULATIONS OF THE ASSOCIATION; AND

(b) THE UNIT OWNER AGREES IN WRITING TO:

(I) COMPLY WITH THE ASSOCIATION'S DESIGN SPECIFICATIONS FOR THE INSTALLATION OF THE SYSTEM;

(II) ENGAGE THE SERVICES OF A DULY LICENSED AND REGISTERED ELECTRICAL CONTRACTOR FAMILIAR WITH THE INSTALLATION AND CODE REQUIREMENTS OF AN ELECTRIC VEHICLE CHARGING SYSTEM;

(III) BEAR THE EXPENSE OF INSTALLATION, INCLUDING COSTS TO RESTORE ANY COMMON ELEMENTS DISTURBED IN THE PROCESS OF INSTALLING THE SYSTEM; AND

(IV)(A) PROVIDE, WITHIN THE TIME SPECIFIED IN SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (IV), A CERTIFICATE OF INSURANCE NAMING THE ASSOCIATION AS AN ADDITIONAL INSURED ON THE HOMEOWNER'S INSURANCE POLICY FOR ANY CLAIM RELATED TO THE INSTALLATION, MAINTENANCE, OR USE OF THE SYSTEM OR, IF THE SYSTEM IS LOCATED ON A COMMON ELEMENT, REIMBURSEMENT TO THE ASSOCIATION FOR THE ACTUAL COST OF ANY INCREASED INSURANCE PREMIUM AMOUNT

ATTRIBUTABLE TO THE SYSTEM, NOTWITHSTANDING ANY PROVISION TO THE CONTRARY IN THE ASSOCIATION'S DECLARATION, BYLAWS, OR RULES AND REGULATIONS.

(B) A CERTIFICATE OF INSURANCE UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV) MUST BE PROVIDED WITHIN FOURTEEN DAYS AFTER THE UNIT OWNER RECEIVES THE ASSOCIATION'S CONSENT FOR THE INSTALLATION. REIMBURSEMENT FOR AN INCREASED INSURANCE PREMIUM AMOUNT UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV) MUST BE PROVIDED WITHIN FOURTEEN DAYS AFTER THE UNIT OWNER RECEIVES THE ASSOCIATION'S INVOICE FOR THE AMOUNT ATTRIBUTABLE TO THE SYSTEM.

(5) IF THE ASSOCIATION CONSENTS TO A UNIT OWNER'S INSTALLATION OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON A LIMITED COMMON ELEMENT, INCLUDING A PARKING SPACE, CARPORT, OR GARAGE STALL, THEN, UNLESS OTHERWISE SPECIFIED IN A WRITTEN CONTRACT OR IN THE DECLARATION, BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION:

(a) THE UNIT OWNER, AND EACH SUCCESSIVE UNIT OWNER WITH EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT WHERE THE CHARGING SYSTEM IS INSTALLED, IS RESPONSIBLE FOR ANY COSTS FOR DAMAGES TO THE SYSTEM, ANY OTHER LIMITED COMMON ELEMENT OR GENERAL COMMON ELEMENT OF THE COMMON INTEREST COMMUNITY, AND ANY ADJACENT UNITS, GARAGE STALLS, CARPORTS, OR PARKING SPACES THAT ARISE OR RESULT FROM THE INSTALLATION, MAINTENANCE, REPAIR, REMOVAL, OR REPLACEMENT OF THE SYSTEM;

(b) EACH SUCCESSIVE UNIT OWNER WITH EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT SHALL ASSUME RESPONSIBILITY FOR THE REPAIR, MAINTENANCE, REMOVAL, AND REPLACEMENT OF THE CHARGING SYSTEM UNTIL THE SYSTEM HAS BEEN REMOVED;

(c) THE UNIT OWNER AND EACH SUCCESSIVE UNIT OWNER WITH EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT SHALL AT ALL TIMES HAVE AND MAINTAIN AN INSURANCE POLICY COVERING THE OBLIGATIONS OF THE UNIT OWNER UNDER THIS SUBSECTION (5), IS SUBJECT TO ALL OBLIGATIONS SPECIFIED UNDER SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION, AND SHALL NAME THE ASSOCIATION AS AN ADDITIONAL INSURED UNDER THE POLICY; AND

(d) THE UNIT OWNER AND EACH SUCCESSIVE UNIT OWNER WITH EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT IS RESPONSIBLE FOR REMOVING THE SYSTEM IF REASONABLY NECESSARY OR CONVENIENT FOR THE REPAIR, MAINTENANCE, OR REPLACEMENT OF THE LIMITED COMMON ELEMENTS OR GENERAL COMMON ELEMENTS OF THE COMMON INTEREST COMMUNITY.

(6) A CHARGING SYSTEM INSTALLED AT THE UNIT OWNER'S COST IS PROPERTY OF THE UNIT OWNER. UPON SALE OF THE UNIT, IF THE CHARGING SYSTEM IS REMOVABLE, THE UNIT OWNER MAY EITHER REMOVE IT OR SELL IT TO THE BUYER OF THE UNIT OR TO THE ASSOCIATION FOR AN AGREED PRICE. NOTHING IN THIS SUBSECTION (6) REQUIRES THE BUYER OR THE ASSOCIATION TO PURCHASE THE CHARGING SYSTEM.

(7) AS USED IN THIS SECTION:

(a) "ELECTRIC VEHICLE CHARGING SYSTEM" OR "CHARGING SYSTEM" MEANS A DEVICE THAT IS USED TO PROVIDE ELECTRICITY TO A PLUG-IN ELECTRIC VEHICLE OR PLUG-IN HYBRID VEHICLE, IS DESIGNED TO ENSURE THAT A SAFE CONNECTION HAS BEEN MADE BETWEEN THE ELECTRIC GRID AND THE VEHICLE, AND IS ABLE TO COMMUNICATE WITH THE VEHICLE'S CONTROL SYSTEM SO THAT ELECTRICITY FLOWS AT AN APPROPRIATE VOLTAGE AND CURRENT LEVEL. AN ELECTRIC VEHICLE CHARGING SYSTEM MAY BE WALL-MOUNTED OR PEDESTAL STYLE, AND MAY PROVIDE MULTIPLE CORDS TO CONNECT WITH ELECTRIC VEHICLES. AN ELECTRIC VEHICLE CHARGING SYSTEM MUST BE CERTIFIED BY UNDERWRITERS LABORATORIES OR AN EQUIVALENT CERTIFICATION, AND MUST COMPLY WITH THE CURRENT VERSION OF ARTICLE 625 OF THE NATIONAL ELECTRICAL CODE.

(b) "LEVEL 1" MEANS A CHARGING SYSTEM THAT PROVIDES CHARGING THROUGH A ONE-HUNDRED-TWENTY VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD.

(c) "LEVEL 2" MEANS A CHARGING SYSTEM THAT PROVIDES CHARGING THROUGH A TWO-HUNDRED-EIGHT TO TWO-HUNDRED-FORTY VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD.

(8) THIS SECTION APPLIES ONLY TO RESIDENTIAL UNITS.

SECTION 3. In Colorado Revised Statutes, 24-38.5-103, **amend** (1) as follows:

24-38.5-103. Electric vehicle grant fund - creation - administration.

(1) There is hereby created in the state treasury the electric vehicle grant fund, referred to in this section as the "fund". The fund shall be used to provide grants to local governments, LANDLORDS OF MULTI-FAMILY APARTMENT BUILDINGS, AND THE UNIT OWNERS' ASSOCIATIONS OF COMMON INTEREST COMMUNITIES AS DEFINED IN ARTICLE 33.3 OF TITLE 38, C.R.S., to install recharging stations for electric vehicles. The grants shall be prioritized based upon the ~~local government's~~ PROSPECTIVE RECIPIENTS' POTENTIAL FOR, AND commitment to, energy efficiency.

SECTION 4. Effective date - applicability. This act takes effect upon passage and applies to the installation and use of an electric vehicle charging system on or after the effective date of this act.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 3, 2013