

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

REVISED

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

LLS NO. 25-0043.01 Rebecca Bayetti x4348

SENATE BILL 25-204

SENATE SPONSORSHIP

Catlin and Ball,

HOUSE SPONSORSHIP

Carter and Luck,

Senate Committees

Transportation & Energy

House Committees

Energy & Environment

A BILL FOR AN ACT

101 **CONCERNING THE RELOCATION OF A DEFINITION IN HOUSE BILL**
102 **24-1266 RELATED TO UTILITY COMPANY BETTERMENT DURING**
103 **LOCAL GOVERNMENT UTILITY RELOCATION.**

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/>.)

Statutory Revision Committee. The bill modifies the placement of the definition of "utility company betterment" from House Bill 24-1266 concerning local government utility relocation arrangements to clarify its applicability to the entire statutory section.

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.

HOUSE
2nd Reading Unamended
April 25, 2025

SENATE
3rd Reading Unamended
April 4, 2025

SENATE
2nd Reading Unamended
April 3, 2025

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

2 **SECTION 1.** In Colorado Revised Statutes, 38-5-109, **amend**
3 (3)(c); and **add** (1)(j.5) as follows:

4 **38-5-109. Utility relocation clearance letter - definitions.**

5 (1) As used in this section, unless the context otherwise requires:

6 (j.5) "UTILITY COMPANY BETTERMENT" MEANS ANY UPGRADE OF
7 THE UTILITY FACILITIES BEING RELOCATED THAT IS NOT ATTRIBUTABLE TO
8 THE ROAD IMPROVEMENT PROJECT AND THAT IS MADE SOLELY FOR THE
9 BENEFIT AND AT THE ELECTION OF THE AFFECTED UTILITY COMPANY.

10 (3) (c) ~~(f)~~ The clearance letter may allow for utility company
11 betterment at the expense of the utility company; except that any utility
12 company betterment must not materially delay the utility relocation.

13 ~~(H) As used in this subsection (3)(c), "utility company betterment"~~
14 ~~means any upgrade of the utility facilities being relocated that is not~~
15 ~~attributable to the road improvement project and that is made solely for~~
16 ~~the benefit and at the election of the affected utility company.~~

17 **SECTION 2. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2026 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.