

**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. 25-0337.02 Christopher McMichael x4775

HOUSE BILL 25-1234

HOUSE SPONSORSHIP

Ricks and Joseph, Bacon, Bird, Boesenecker, English, Jackson, Lindsay, Rutinel, Story

SENATE SPONSORSHIP

Winter F.,

House Committees
Energy & Environment

Senate Committees
Transportation & Energy

A BILL FOR AN ACT

101 **CONCERNING CONSUMER PROTECTION FOR UTILITY CUSTOMERS.**

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 enacts various consumer protection measures to protect electric and gas utility customers in Colorado.

Section 1 of the bill requires an electric or gas public utility (utility) to protect the personal data of its customers. The utility is prohibited from disclosing, selling, or reselling a customer's personal data to:

- A state or federal government entity, unless the disclosure is necessary for participation in a state or federal assistance

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.

SENATE
Amended 2nd Reading
March 31, 2025

HOUSE
3rd Reading Unamended
March 17, 2025

HOUSE
Amended 2nd Reading
March 14, 2025

- program; or
- A third party.

Under current law, utilities regulated by the public utilities commission (commission) are prohibited from disconnecting a customer's utility service for nonpayment under certain circumstances. **Sections 2 through 4** add the following circumstances in which disconnection of utility service for nonpayment is prohibited:

- During periods of extreme heat or cold, including during the months of October through May;
- If the air quality index measures over 100; and
- During a period in which a residential customer has a medical emergency, as evidenced by a medical certificate from a licensed physician or health-care provider, and requiring the utility to postpone the disconnection of service for up to 180 days.

The bill also applies the prohibitions regarding disconnection of a utility customer's service due to nonpayment to electric and gas municipal utilities and cooperative electric associations that have not exempted themselves from regulation by the commission.

Section 5 requires a utility to use money collected from the energy assistance system benefit charge for direct bill payment assistance year-round, including for customers participating in the low-income energy assistance program when assistance through that program is unavailable.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 ==
5 (a) Ensuring access to affordable energy assistance is vital for the
6 well-being of Colorado households with low-income. Many residents,
7 especially those facing financial hardship, rely on assistance programs
8 like the Low-income Energy Assistance Program (LEAP) to help cover
9 essential utility costs. It is crucial that these programs are accessible to all
10 eligible individuals to promote fairness and equity.

11 (b) Protecting the privacy of individuals applying for or receiving

1 energy assistance is essential. The disclosure of personal information,
2 including citizenship or immigration status, to federal law enforcement
3 agencies can deter vulnerable populations from seeking assistance.
4 Safeguarding personal information is necessary to ensure that individuals
5 feel secure in applying for energy assistance without fear of
6 discrimination or unintended consequences.

7 (c) In order to ensure that applicants are not unduly harmed by
8 delays or denials of assistance, it is important to provide sufficient time
9 for individuals to address any application deficiencies. Setting clear
10 deadlines for submitting required documentation and fixing any
11 application deficiencies will help applicants navigate the process of
12 applying for assistance without unnecessary barriers.

13 (d) Furthermore, utility service disconnections should be paused
14 during the application process for energy assistance while an individual's
15 application is pending or in review. This measure is crucial to prevent
16 utility shutoffs for applicants who may be eligible for assistance but are
17 awaiting a final determination on their application.

18 (2) Therefore, the general assembly finds and declares that
19 protecting the rights and privacy of applicants for low-income energy
20 assistance, promoting equitable access to that assistance, and ensuring
21 protections against utility disconnections during the application process
22 are fundamental to the well-being of all Coloradans.

23

24 **SECTION 2.** In Colorado Revised Statutes, 26-1-109, **add** (10)
25 as follows:

26 **26-1-109. Cooperation with federal government - grants-in-aid**
27 **- low income home energy assistance program - applications.**

1 **(10) Low-income home energy assistance program.** (a) THE STATE
2 DEPARTMENT SHALL NOT REQUIRE AN APPLICANT TO PROVIDE THEIR
3 CITIZENSHIP OR IMMIGRATION STATUS ON ANY APPLICATION FOR
4 ASSISTANCE PAYMENTS, UNLESS THE INFORMATION IS REQUIRED AS A
5 CONDITION OF ELIGIBILITY FOR THE ASSISTANCE PAYMENTS.

6 (b) THE STATE DEPARTMENT SHALL NOT SHARE INFORMATION
7 RELATED TO THE CITIZENSHIP OR IMMIGRATION STATUS OF AN APPLICANT
8 FOR OR RECIPIENT OF ASSISTANCE PAYMENTS WITH ANY FEDERAL LAW
9 ENFORCEMENT AGENCY, UNLESS DISCLOSURE OF THE INFORMATION IS
10 REQUIRED BY LAW OR COURT ORDER.

11 (c) IF THE STATE DEPARTMENT DENIES AN INDIVIDUAL'S
12 APPLICATION FOR ASSISTANCE PAYMENTS DUE TO INSUFFICIENT OR
13 INCOMPLETE DOCUMENTATION, THE STATE DEPARTMENT SHALL:

14 (I) PROVIDE NOTICE TO THE APPLICANT WITHIN SEVEN CALENDAR
15 DAYS THAT THEIR APPLICATION HAS BEEN DENIED DUE TO INSUFFICIENT OR
16 INCOMPLETE DOCUMENTATION; AND

17 (II) INCLUDE, AS PART OF THE NOTICE PROVIDED PURSUANT TO
18 SUBSECTION (10)(c)(I) OF THIS SECTION, A DEADLINE BY WHICH THE
19 APPLICANT MAY CORRECT OR COMPLETE THEIR APPLICATION, WHICH
20 DEADLINE MUST BE NO LESS THAN SIXTY DAYS AFTER THE DATE THE
21 APPLICANT WAS SENT THE NOTICE, BUT NO LATER THAN JUNE 15 OF THE
22 CALENDAR YEAR IN WHICH THE INDIVIDUAL SUBMITTED THEIR
23 APPLICATION TO THE STATE DEPARTMENT.

24 (d) (I) WHEN THE STATE DEPARTMENT DENIES AN INDIVIDUAL'S
25 APPLICATION FOR ASSISTANCE PAYMENTS DUE TO INSUFFICIENT OR
26 INCOMPLETE DOCUMENTATION, THE STATE DEPARTMENT SHALL NOTIFY
27 THE INVESTOR-OWNED PUBLIC UTILITY OF WHICH THE INDIVIDUAL IS A

1 CUSTOMER THAT THE INDIVIDUAL'S APPLICATION IS PENDING REVIEW.

2 (II) WHEN AN INVESTOR-OWNED PUBLIC UTILITY RECEIVES THE
3 NOTICE FROM THE STATE DEPARTMENT PURSUANT TO SUBSECTION
4 (10)(d)(I) OF THIS SECTION, THE INVESTOR-OWNED PUBLIC UTILITY SHALL
5 PLACE A DISCONNECTION HOLD ON THE UTILITY SERVICE PROVIDED TO THE
6 CUSTOMER, WHICH DISCONNECTION HOLD MUST BE IN EFFECT FOR NO
7 MORE THAN SIXTY DAYS OR FOR LESS THAN SIXTY DAYS IF THE
8 INVESTOR-OWNED PUBLIC UTILITY RECEIVES NOTICE DURING THE
9 SIXTY-DAY HOLD THAT THE CUSTOMER'S APPLICATION FOR ASSISTANCE
10 HAS BEEN APPROVED OR DENIED.

11 (e) AS USED IN THIS SECTION, UNLESS CONTEXT OTHERWISE
12 REQUIRES, "INVESTOR-OWNED PUBLIC UTILITY" MEANS A RETAIL ELECTRIC
13 UTILITY OR RETAIL GAS UTILITY OPERATING IN THE STATE AND REGULATED
14 BY THE PUBLIC UTILITIES COMMISSION, CREATED IN SECTION 40-2-101,
15 AND DOES NOT INCLUDE A COOPERATIVE ELECTRIC ASSOCIATION OR
16 MUNICIPALLY OWNED UTILITY.

17 **SECTION 3. Safety clause.** The general assembly finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, or safety or for appropriations for
20 the support and maintenance of the departments of the state and state
21 institutions.