

SENATE COMMITTEE OF REFERENCE REPORT

	April 29, 2025
Chair of Committee	Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

HB25-1268 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend reengrossed bill, page 6, strike lines 20 and 21 and substitute "A
2 PARTICIPATING UTILITY, A UTILITY-DESIGNATED ADMINISTRATOR, OR THE
3 PROGRAM ADMINISTRATOR, MONEY PROVIDED TO THE PARTICIPATING
4 UTILITY, A UTILITY-DESIGNATED ADMINISTRATOR, OR THE PROGRAM
5 ADMINISTRATOR".
- 6 Page 7, line 11, strike "PROGRAM" and substitute "ITS UTILITY
7 DESIGNATED".
- 8 Page 8, lines 4 and 5, strike "A PARTICIPATING UTILITY'S
9 UTILITY-DESIGNATED ADMINISTRATOR OR A" and substitute "A
10 PARTICIPATING UTILITY, ITS UTILITY-DESIGNATED ADMINISTRATOR, OR
11 THE".
- 12 Page 9, line 3 and 4, strike "UTILITY OR THE REGULATED UTILITY'S" and
13 substitute "PARTICIPATING UTILITY OR ITS".
- 14 Page 9, strike lines 7 through 10 and substitute:
15 "(d) A PARTICIPATING UTILITY, ITS UTILITY-DESIGNATED
16 ADMINISTRATOR, OR THE PROGRAM ADMINISTRATOR SHALL BE
17 RESPONSIBLE FOR REPAYING THE AMOUNT OF FUNDING PROVIDED FROM
18 THE ON-BILL CASH FUND TO THE PARTICIPATING UTILITY, ITS
19 UTILITY-DESIGNATED ADMINISTRATOR, OR THE PROGRAM
20 ADMINISTRATOR".
- 21 Page 11, line 21, strike "SECTION." and substitute "SECTION, SO LONG AS
22 THE UTILITY REPORTS INFORMATION IN DEMAND-SIDE MANAGEMENT
23 REPORTING OR IN ANOTHER REPORT, AS DIRECTED BY THE COMMISSION,

1 REGARDING PROGRAM PARTICIPANTS' BAD DEBT OR LACK OF FULL
2 PAYMENT FOR UTILITY SERVICE AND THE REPAYMENT OBLIGATION
3 ASSOCIATED WITH THE UTILITY'S ON-BILL PROGRAM.

4 (7) FOR A PARTICIPATING UTILITY WITH MORE THAN FIVE HUNDRED
5 THOUSAND CUSTOMERS IN THE STATE THAT ELECTS TO USE A
6 UTILITY-DESIGNATED ADMINISTRATOR FOR ITS ON-BILL PROGRAM:

7 (a) A LOAN FROM THE ON-BILL CASH FUND SHALL BE MADE
8 DIRECTLY TO THE UTILITY-DESIGNATED ADMINISTRATOR AND SHALL NOT
9 BE MADE IN A MANNER THAT REQUIRES THE LOAN TO BE REFLECTED IN THE
10 FINANCIAL STATEMENTS OF THE PARTICIPATING UTILITY;

11 (b) THE PARTICIPATING UTILITY SHALL ACT ONLY AS THE
12 COLLECTION AGENT FOR ITS UTILITY-DESIGNATED ADMINISTRATOR; AND

13 (c) THE UTILITY-DESIGNATED ADMINISTRATOR MAY ADDRESS THE
14 RISK OF LOSSES ASSOCIATED WITH THE LOANS AND BAD DEBT IN THE
15 INTEREST RATES CHARGED TO PROGRAM PARTICIPANTS."

16 Page 15, strike lines 25 and 26 and substitute "PURSUANT TO SECTION
17 24-38.5-604, A PARTICIPATING UTILITY THAT, ON THE EFFECTIVE DATE OF
18 THIS SECTION, HAS AN EXISTING ON-BILL PROGRAM AND ITS OWN
19 UTILITY-DESIGNATED ADMINISTRATOR MAY SEEK".

20 Page 19, after line 27 insert:

21 "(b) IN EVALUATING WHETHER A UTILITY'S ON-BILL PROGRAM IS IN
22 THE PUBLIC INTEREST, THE COMMISSION SHALL ENSURE THAT, IF A
23 PROGRAM PARTICIPANT'S UTILITY BILL PAYMENT IS INSUFFICIENT TO
24 COVER BOTH THE COSTS OF UTILITY SERVICE AND THEIR REPAYMENT
25 OBLIGATION ASSOCIATED WITH THE UTILITY'S ON-BILL PROGRAM, THE
26 UTILITY APPLIES THE CUSTOMER'S PAYMENT IN A MANNER THAT
27 PRIORITIZES COVERAGE OF THE COSTS OF UTILITY SERVICE BEFORE
28 APPLYING ANY OF THE PAYMENT TOWARD THEIR REPAYMENT OBLIGATION
29 ASSOCIATED WITH THE UTILITY'S ON-BILL PROGRAM, UNLESS THE
30 COMMISSION FINDS THAT AN ALTERNATIVE PAYMENT APPLICATION
31 STRUCTURE:

32 (I) DOES NOT HARM NONPARTICIPATING CUSTOMERS;

33 (II) DOES NOT HARM THE UTILITY'S FINANCIAL HEALTH; OR

34 (III) ALLOWS FOR ACCESS TO LOWER-COST CAPITAL TO FUND THE
35 ON-BILL PROGRAM."

36 Reletter succeeding paragraph accordingly.

37 Page 20, line 8, strike "(1)(e)" and substitute "(2)(e)".

- 1 Page 20, strike lines 17 through 19 and substitute:
2 "(2) (e) If CLAIMS MADE PURSUANT TO THIS ARTICLE 13 EXCEED
3 THE BALANCE IN THE UNCLAIMED PROPERTY TRUST FUND, THE STATE
4 TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE
5 UNCLAIMED PROPERTY TRUST FUND AN AMOUNT NEEDED TO PAY THE
6 CLAIMS AND SHALL NOTIFY THE JOINT BUDGET COMMITTEE OF THE
7 GENERAL ASSEMBLY OF THE TRANSFER AND THE AMOUNT OF THE
8 TRANSFER FROM THE GENERAL FUND."
- 9 Page 22, line 27, strike "UTILITIES OR" and substitute "PARTICIPATING
10 UTILITIES,".
- 11 Page 23, line 1, strike "ADMINISTRATORS" and substitute
12 "ADMINISTRATORS, OR THE PROGRAM ADMINISTRATOR".
- 13 Page 32, line 23, strike "THREE PERCENT." and substitute "A RATE BASED
14 ON FAIR MARKET VALUE.".
- 15 Page 53, strike lines 3 through 5 and substitute:
16 **"SECTION 8. Effective date.** (1) Except as provided in
17 subsections (2) and (3) of this section, this act takes effect upon passage.
18 (2) Section 38-13-801 (2)(e), Colorado Revised Statutes, as
19 enacted in section 3 of this act, takes effect only if Senate Bill 25-290
20 does not become law.
21 (3) Subsection (2) of section 7 of this act takes effect only if
22 House Bill 25-1269 does not become law."
- 23 Strike "UTILITY OR" and substitute "UTILITY, A UTILITY-DESIGNATED
24 ADMINISTRATOR, OR THE" on: **Page 7**, lines 3 and 4; **Page 9**, line 17; **Page**
25 **13**, lines 15, 17, and 26; **Page 14**, lines 10 and 21; and **Page 15**, line 4.
- 26 Before "UTILITY" insert "PARTICIPATING" on: **Page 8**, line 14; **Page 11**,
27 lines 3 and 18; and **Page 15**, line 15.
- 28 Before "UTILITIES" insert "PARTICIPATING" on: **Page 8**, line 19; **Page 9**,
29 line 25; and **Page 35**, line 13.

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