

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

REREVISED

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

LLS NO. 25-0876.01 Rebecca Bayetti x4348

HOUSE BILL 25-1292

HOUSE SPONSORSHIP

Boesenecker and Joseph, Bacon, Lindsay, Marshall, McCluskie, Ricks, Rutinel, Smith

SENATE SPONSORSHIP

Winter F., Amabile, Bridges, Cutter, Kipp, Snyder

House Committees

Transportation, Housing & Local Government
Finance
Appropriations

Senate Committees

Transportation & Energy
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE PROCESS TO ALLOW A TRANSMISSION DEVELOPER**
102 **TO LOCATE HIGH VOLTAGE TRANSMISSION LINES WITHIN A**
103 **STATE HIGHWAY RIGHT-OF-WAY.**

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 allows a transmission developer to locate high voltage transmission lines within a state highway right-of-way, according to a process developed by rule by the department of transportation (department). The department may impose surcharges on a transmission developer for its co-location of high voltage lines in a state highway

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
3rd Reading Unamended
May 6, 2025

SENATE
Amended 2nd Reading
May 5, 2025

HOUSE
3rd Reading Unamended
April 30, 2025

HOUSE
Amended 2nd Reading
April 29, 2025

right-of-way, including a one-time surcharge to cover the costs of a permit for the use of the state highway right-of-way and an annual use surcharge. Upon the request of a transmission developer, the department is required to provide to the transmission developer the best available information on potential future state highway development projects that could impact the placement of a high voltage line within a state highway right-of-way. In assessing potential sites for the placement of high voltage lines, a transmission developer is required to consider development sites in the following order of priority: First, existing utility corridors; second, state highway rights-of-way; and last, new utility corridors.

The bill also requires the Colorado energy office and the Colorado electric transmission authority, through a public-private partnership and in collaboration with the department, the Colorado public utilities commission, and other state agencies, to study state highway corridors to identify potential corridors that may be suitable for high voltage transmission line development.

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 (a) Colorado will need to expand electric transmission to meet its
5 clean energy and greenhouse gas reduction targets and reliability and
6 affordability obligations;

7 (b) It is the policy of the state that high voltage transmission lines
8 may be constructed or maintained within the access control lines of
9 highway, freeway, and interstate highway rights-of-way unless the
10 executive director of the Colorado department of transportation,
11 consulting with appropriate state agencies, disapproves of this co-location
12 to protect public safety, communities, and wildlife habitat, crossings, and
13 migratory corridors or to ensure the proper functioning of a state
14 highway, freeway, or interstate highway. If the installation is on an
15 interstate highway, the express approval of the federal highway
16 administration is required and the project may be required to undergo the

1 review process required by the federal "National Environmental Policy
2 Act of 1969", 42 U.S.C. sec. 4321, et seq.

3 (c) Co-locating transmission lines along highways can
4 significantly reduce impacts on wildlife and habitat compared to building
5 new lines through greenfield areas. The impacts on communities,
6 including disproportionately impacted communities, must be evaluated
7 and mitigated through the use of approaches like those outlined in the
8 Colorado electric transmission authority's 2024 "Principles of Community
9 Engagement" and the Colorado environmental justice action task force's
10 2022 "Final Report of Recommendations".

11 **SECTION 2.** In Colorado Revised Statutes, **add** 43-1-228 as
12 follows:

13 **43-1-228. High voltage lines in state highway right-of-way -**
14 **development projects and priorities - surcharge - study - rules -**
15 **definitions. (1) Definitions.** AS USED IN THIS SECTION, UNLESS THE
16 CONTEXT OTHERWISE REQUIRES:

17 (a) "HIGH VOLTAGE LINE" MEANS ANY LINE FOR THE
18 TRANSMISSION OF ELECTRIC CURRENT WITH A NOMINAL VOLTAGE IN
19 EXCESS OF ONE HUNDRED FIFTEEN KILOVOLTS THAT IS CO-LOCATED
20 LONGITUDINALLY IN A STATE HIGHWAY RIGHT-OF-WAY, AND ALL
21 SUPPORTING STRUCTURES AND ACCESSORIES NECESSARY FOR SUCH LINE.
22 "HIGH VOLTAGE LINE" DOES NOT INCLUDE ANY LINE FOR THE
23 TRANSMISSION OF ELECTRIC CURRENT THAT CROSSES A STATE HIGHWAY
24 RIGHT-OF-WAY.

25 (b) "RULE" HAS THE SAME MEANING AS SET FORTH IN SECTION
26 24-4-102 (15).

27 (c) "STATE HIGHWAY" MEANS ANY HIGHWAY OWNED,

1 CONTROLLED, OR MAINTAINED BY THE STATE, INCLUDING FEDERAL-AID
2 PRIMARY OR SECONDARY SYSTEMS OR THE INTERSTATE SYSTEM. "STATE
3 HIGHWAY" DOES NOT INCLUDE A PUBLIC HIGHWAY OPERATED BY A PUBLIC
4 HIGHWAY AUTHORITY IN ACCORDANCE WITH THE "PUBLIC HIGHWAY
5 AUTHORITY LAW", PART 5 OF ARTICLE 4 OF THIS TITLE 43.

6 (d) "TRANSMISSION DEVELOPER" MEANS:

7 (I) A TRANSMISSION UTILITY, AS DEFINED IN SECTION 40-5-108
8 (1)(b);

9 (II) THE COLORADO ELECTRIC TRANSMISSION AUTHORITY
10 CREATED IN SECTION 40-42-103;

11 (III) A GENERATION AND TRANSMISSION COOPERATIVE OR
12 ASSOCIATION;

13 (IV) AN INDEPENDENT TRANSMISSION DEVELOPER, WHICH IS AN
14 ENTITY NOT OWNED BY A PUBLIC OR INVESTOR-OWNED UTILITY AND
15 WHICH DEVELOPS TRANSMISSION LINES AND INFRASTRUCTURE; AND

16 (V) ANY OF THE FOLLOWING ENTITIES THAT HAVE VOTED TO
17 EXEMPT THEMSELVES FROM THE "PUBLIC UTILITIES LAW", ARTICLES 1 TO
18 7 OF TITLE 40, PURSUANT TO SECTION 40-9.5-103:

19 (A) A MUNICIPALLY OWNED UTILITY;

20 (B) A POWER AUTHORITY ESTABLISHED PURSUANT TO SECTION
21 29-1-204 (1); OR

22 (C) A COOPERATIVE ELECTRIC ASSOCIATION, AS DEFINED IN
23 SECTION 40-9.5-102 (1).

24 (2) **State highway high voltage line co-location projects.**

25 (a) (I) UPON THE REQUEST OF A TRANSMISSION DEVELOPER, THE
26 DEPARTMENT SHALL PROVIDE TO THE TRANSMISSION DEVELOPER THE BEST
27 AVAILABLE INFORMATION ON POTENTIAL FUTURE STATE HIGHWAY

1 DEVELOPMENT PROJECTS, AS INCLUDED IN THE STATEWIDE
2 TRANSPORTATION PLAN, THAT COULD IMPACT THE PLACEMENT OF A HIGH
3 VOLTAGE LINE WITHIN A STATE HIGHWAY RIGHT-OF-WAY.

4 (II) THE DEPARTMENT SHALL PROCESS SUCH A REQUEST FOR
5 INFORMATION IN THE ORDER THAT IT WAS RECEIVED, IN ACCORDANCE
6 WITH THE DEPARTMENT'S SPECIAL USE PERMITTING PROCESS.

7 (b) (I) IF THE DEPARTMENT AND A TRANSMISSION DEVELOPER
8 AGREE THAT AN IDENTIFIED SITE MAY BE SUITABLE FOR DEVELOPMENT OR
9 CONSTRUCTION OF A HIGH VOLTAGE LINE WITHIN A STATE HIGHWAY
10 RIGHT-OF-WAY, THE DEPARTMENT SHALL DEVELOP A PRECONSTRUCTION
11 PLAN REVIEW SCHEDULE THAT INCLUDES ALL APPLICABLE SECTIONS OF
12 THE STATE HIGHWAY UTILITY ACCOMMODATION CODE, 2 CCR 601-18, OR
13 ANY SUCCESSOR CODE.

14 (II) UPON APPROVAL OF THE PRECONSTRUCTION REQUIREMENTS
15 OUTLINED IN A PRECONSTRUCTION PLAN, THE TRANSMISSION DEVELOPER
16 SHALL PROVIDE A CONSTRUCTABILITY, ACCESS, AND MAINTENANCE
17 REPORT TO BE UTILIZED WHEN TRANSMISSION LINE CO-LOCATION PROJECTS
18 IN A STATE HIGHWAY RIGHT-OF-WAY ARE BEING PLANNED AND APPROVED.

19 (III) THE CONSTRUCTABILITY, ACCESS, AND MAINTENANCE REPORT
20 MUST INCLUDE MITIGATION STRATEGIES FOR POTENTIAL IMPACTS OF THE
21 PROPOSED HIGH VOLTAGE LINE, AS IDENTIFIED BY THE DEPARTMENT IN
22 CONSULTATION WITH THE COLORADO ENERGY OFFICE CREATED IN
23 SECTION 24-38.5-101 AND OTHER CONSULTING AGENCIES IN THE
24 DISCRETION OF THE DEPARTMENT. POTENTIAL IMPACTS INCLUDE IMPACTS
25 TO:

26 (A) HABITAT, WILDLIFE, AND WILDLIFE CROSSINGS;

27 (B) COMMUNITIES; AND

1 (C) DISPROPORTIONATELY IMPACTED COMMUNITIES, AS DEFINED
2 IN SECTION 24-4-109 (2)(b)(II).

3 (IV) (A) A MITIGATION STRATEGY FOR AN IMPACT TO A
4 DISPROPORTIONATELY IMPACTED COMMUNITY, AS OUTLINED IN A
5 CONSTRUCTABILITY, ACCESS, AND MAINTENANCE REPORT, MUST INCLUDE
6 COMMUNITY ENGAGEMENT THAT FOLLOWS BEST PRACTICES FOR
7 COMMUNITY ENGAGEMENT. THE DEPARTMENT SHALL REVIEW WHETHER
8 A TRANSMISSION DEVELOPER HAS FOLLOWED BEST PRACTICES FOR
9 COMMUNITY ENGAGEMENT. IN ITS REVIEW, THE DEPARTMENT SHALL
10 CONSIDER THE RECOMMENDATIONS OUTLINED IN THE COLORADO
11 ENVIRONMENTAL JUSTICE ACTION TASK FORCE'S 2022 FINAL REPORT OF
12 THE TASK FORCE, AS DEFINED IN SECTION 25-1-133 (1)(f).

13 (B) COMMUNITY ENGAGEMENT ACTIVITIES THAT ARE CONSISTENT
14 WITH REGULATIONS OR REQUIREMENTS OF THE PUBLIC UTILITIES
15 COMMISSION SATISFY THE REQUIREMENTS OF THIS SUBSECTION (2)(b)(IV)
16 FOR COMMUNITY ENGAGEMENT.

17 (V) A CONSTRUCTABILITY, ACCESS, AND MAINTENANCE REPORT
18 MUST BE APPROVED BY THE DEPARTMENT BEFORE THE DEPARTMENT
19 ISSUES A PERMIT FOR THE USE OF A STATE HIGHWAY RIGHT-OF-WAY.

20 (c) ALL WORK PERFORMED UNDER A CONTRACT FOR THE LOCATION
21 OF A HIGH VOLTAGE LINE WITHIN A STATE HIGHWAY RIGHT-OF-WAY, AS
22 ALLOWED PURSUANT TO THIS SECTION, THAT IS AN ENERGY SECTOR PUBLIC
23 WORKS PROJECT, AS DEFINED IN SECTION 24-92-303 (5)(a), MUST COMPLY
24 WITH THE REQUIREMENTS OF SECTION 24-92-115 (7) AND PART 2 OF
25 ARTICLE 92 OF TITLE 24. ANY CONTRACTOR HIRED TO PERFORM SUCH
26 WORK SHALL COMPLY WITH THE STANDARDS DESCRIBED IN SECTION
27 40-42-107.

1 (d) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
2 CONTRARY, A TRANSMISSION DEVELOPER SEEKING TO LOCATE A HIGH
3 VOLTAGE LINE WITHIN A STATE HIGHWAY RIGHT-OF-WAY WITHIN THE
4 EXTERIOR BOUNDARIES OF AN INDIAN RESERVATION SHALL FIRST OBTAIN
5 WRITTEN CONSENT OF THE APPLICABLE TRIBAL GOVERNMENT.

6 (3) **High voltage line or facility site priorities - reports.**

7 (a) BEGINNING ON JANUARY 1, 2027, WITHIN THIRTY CALENDAR DAYS OF
8 FILING FOR A LOCAL PERMIT FOR THE CONSTRUCTION OR DEVELOPMENT OF
9 HIGH VOLTAGE LINES OR FACILITIES NECESSARY FOR HIGH VOLTAGE
10 TRANSMISSION, A TRANSMISSION DEVELOPER SHALL MAKE AVAILABLE ON
11 A PUBLIC-FACING PROJECT WEBSITE OR UTILITY WEBSITE A REPORT THAT:

12 (I) DESCRIBES THE ANALYSIS UNDERTAKEN FOR ROUTE SELECTION;

13 (II) DEMONSTRATES THAT THE TRANSMISSION DEVELOPER
14 CONSIDERED OR IS CONSIDERING DEVELOPMENT SITES IN THE FOLLOWING
15 ORDER OF PRIORITY:

16 (A) FIRST, EXISTING UTILITY CORRIDORS, WHERE ADDING NEW
17 LINES OR MAKING IMPROVEMENTS TO EXISTING LINES CAN ACHIEVE
18 EXPANDED ELECTRIC CAPACITY AT THE LOWEST POSSIBLE COST;

19 (B) SECOND, STATE HIGHWAY RIGHTS-OF-WAY; AND

20 (C) LAST, NEW UTILITY CORRIDORS; AND

21 (III) INCLUDES AN EVALUATION OF THE ECONOMIC IMPACTS,
22 ENGINEERING CONSIDERATIONS, AND RELIABILITY OF THE ELECTRIC
23 SYSTEM.

24 (b) A TRANSMISSION DEVELOPER SHALL UPDATE THE REPORT
25 DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION IF THE TRANSMISSION
26 DEVELOPER MATERIALLY CHANGES THE TRANSMISSION ROUTE BEYOND
27 MINOR ROUTE ADJUSTMENTS AND SHALL MAKE THE UPDATED REPORT

1 AVAILABLE ON THE SAME PUBLIC-FACING PROJECT WEBSITE OR UTILITY
2 WEBSITE.

3 (c) NOTHING IN THIS SUBSECTION (3) REQUIRES A TRANSMISSION
4 DEVELOPER TO SELECT AN EXISTING UTILITY CORRIDOR OR A STATE
5 HIGHWAY RIGHT-OF-WAY FOR DEVELOPMENT OF HIGH VOLTAGE LINES OR
6 FACILITIES.

7 (d) THE FAILURE OF A TRANSMISSION DEVELOPER TO COMPLY WITH
8 THIS SUBSECTION (3) DOES NOT:

9 (I) CREATE A CAUSE OF ACTION FOR A CIVIL SUIT SEEKING
10 MONETARY DAMAGES OR INJUNCTIVE RELIEF; AND

11 (II) CONSTITUTE A LEGAL BASIS FOR A GOVERNMENTAL ENTITY TO
12 DENY A PERMIT OR WITHHOLD OTHER APPROVAL FOR A HIGH VOLTAGE
13 LINE.

14 (4) **Compensation to department for right-of-way access.**

15 (a) (I) A TRANSMISSION DEVELOPER SHALL COMPENSATE THE
16 DEPARTMENT FOR ITS CO-LOCATION OF HIGH VOLTAGE LINES IN A STATE
17 HIGHWAY RIGHT-OF-WAY. A TRANSMISSION DEVELOPER MAY
18 COMPENSATE THE DEPARTMENT THROUGH SURCHARGES AS PROVIDED IN
19 SUBSECTION (4)(b) OF THIS SECTION OR THROUGH A PUBLIC-PRIVATE
20 INITIATIVE AS PROVIDED IN SUBSECTION (4)(c) OF THIS SECTION.

21 (II) THE SURCHARGES FOR A TRANSMISSION DEVELOPER'S USE OF
22 A STATE HIGHWAY RIGHT-OF-WAY IS AN ALTERNATIVE METHOD TO
23 COMPENSATING THE STATE THROUGH IN-KIND INFRASTRUCTURE
24 EXCHANGE IN A PUBLIC-PRIVATE INITIATIVE, AS DEFINED IN SECTION
25 43-1-1201 (3). THE ENTITY REQUESTING ACCESS TO THE RIGHT-OF-WAY
26 HAS THE DISCRETION TO CHOOSE WHICH PROCESS IT WILL USE TO
27 COMPENSATE THE STATE FOR ITS USE OF THE RIGHT-OF-WAY.

1 (III) A TRANSMISSION DEVELOPER MAY ENTER INTO A
2 PUBLIC-PRIVATE INITIATIVE TO COMPENSATE THE DEPARTMENT FOR
3 ACCESS TO THE STATE HIGHWAY RIGHT-OF-WAY AFTER RULEMAKING
4 PURSUANT TO SUBSECTION (6) OF THIS SECTION IS COMPLETE. THE OPTION
5 TO COMPENSATE THE DEPARTMENT FOR ACCESS TO THE STATE HIGHWAY
6 RIGHT-OF-WAY BY PAYING SURCHARGES IS AVAILABLE BEGINNING ON
7 JULY 1, 2027.

8 (b) THE DEPARTMENT MAY IMPOSE SURCHARGES ON A
9 TRANSMISSION DEVELOPER FOR ITS ACCESS TO A STATE HIGHWAY
10 RIGHT-OF-WAY, INCLUDING A ONE-TIME SURCHARGE TO COVER THE COSTS
11 OF A PERMIT FOR THE USE OF THE RIGHT-OF-WAY AND AN ANNUAL USE
12 SURCHARGE FOR THE USE OF THE RIGHT-OF-WAY. THE DEPARTMENT SHALL
13 ESTABLISH THE SURCHARGES BY RULE PURSUANT TO SUBSECTION
14 (6)(b)(IV) OF THIS SECTION.

15 (c) A TRANSMISSION DEVELOPER MAY COMPENSATE THE
16 DEPARTMENT FOR ITS ACCESS TO A STATE HIGHWAY RIGHT-OF-WAY
17 THROUGH IN-KIND INFRASTRUCTURE EXCHANGE IN A PUBLIC-PRIVATE
18 INITIATIVE, AS DEFINED IN SECTION 43-1-1201 (3).

19 (5) **State highway corridor study - report.** (a) THROUGH A
20 PUBLIC-PRIVATE PARTNERSHIP, WHERE FUNDING IS PROVIDED BY PRIVATE
21 PARTNERS, THE COLORADO ELECTRIC TRANSMISSION AUTHORITY
22 CREATED IN SECTION 40-42-103, IN COLLABORATION WITH THE
23 DEPARTMENT, THE COLORADO ENERGY OFFICE CREATED IN SECTION
24 24-38.5-101, THE COLORADO PUBLIC UTILITIES COMMISSION CREATED IN
25 SECTION 40-2-101, AND OTHER STATE AGENCIES, INCLUDING THE DIVISION
26 OF PARKS AND WILDLIFE IN THE DEPARTMENT OF NATURAL RESOURCES
27 CREATED IN SECTION 33-9-104, SHALL STUDY STATE HIGHWAY CORRIDORS

1 TO IDENTIFY POTENTIAL CORRIDORS THAT MAY BE SUITABLE FOR HIGH
2 VOLTAGE TRANSMISSION LINE DEVELOPMENT. THE STUDY MUST IDENTIFY
3 ALL PRIVATE ENTITIES PROVIDING FUNDING.

4 (b) THE COLORADO ELECTRIC TRANSMISSION AUTHORITY
5 SHALL COMPLETE THE STUDY REQUIRED BY THIS SUBSECTION (5) NO LATER
6 THAN EIGHTEEN MONTHS AFTER THE DATE THAT FUNDING IS SECURED
7 FROM PRIVATE PARTNERS.

8 (c) THE COLORADO ELECTRIC TRANSMISSION AUTHORITY SHALL
9 PUBLISH A REPORT ON THE FINDINGS OF THE STUDY REQUIRED BY THIS
10 SUBSECTION (5) ON ITS WEBSITE AND SHALL SHARE THE REPORT WITH THE
11 DEPARTMENT, THE COLORADO ENERGY OFFICE, THE COLORADO PUBLIC
12 UTILITIES COMMISSION, THE DIVISION OF PARKS AND WILDLIFE IN THE
13 DEPARTMENT OF NATURAL RESOURCES CREATED IN SECTION 33-9-104,
14 AND, AS APPROPRIATE, OTHER STATE AGENCIES.

15 (6) **Rules.** (a) THE DEPARTMENT SHALL UPDATE ITS RULES
16 CONCERNING ACCESS TO STATE HIGHWAY RIGHTS-OF-WAY TO
17 ACCOMMODATE HIGH VOLTAGE LINES PURSUANT TO THE STATE HIGHWAY
18 UTILITY ACCOMMODATION CODE, 2 CCR 601-18, OR ANY SUCCESSOR
19 CODE.

20 (b) THE EXECUTIVE DIRECTOR SHALL ADOPT RULES AS NECESSARY
21 TO IMPLEMENT THIS SECTION. THE RULES MUST:

22 (I) CLARIFY THAT LONGITUDINAL HIGH VOLTAGE LINES MAY BE
23 PERMITTED IN STATE HIGHWAY RIGHTS-OF-WAY IF IDENTIFIED CRITERIA
24 ARE MET;

25 (II) CREATE A PROCESS THROUGH WHICH A TRANSMISSION
26 DEVELOPER MUST SUBMIT A REQUEST TO THE DEPARTMENT FOR A PERMIT
27 FOR THE USE OF A STATE HIGHWAY RIGHT-OF-WAY TO CONSTRUCT A HIGH

1 VOLTAGE LINE;

2 (III) ESTABLISH THE PROCESS FOR THE DENIAL OF A PERMIT
3 REQUEST SUBMITTED BY A TRANSMISSION DEVELOPER FOR A HIGH
4 VOLTAGE LINE IF THE PROPOSED PROJECT PRESENTS A RISK TO PUBLIC
5 SAFETY OR PREVENTS THE PROPER FUNCTIONING OF THE STATE HIGHWAY;
6 AND

7 (IV) SET THE SURCHARGES FOR A TRANSMISSION DEVELOPER'S
8 ACCESS TO A STATE HIGHWAY RIGHT-OF-WAY, AS DESCRIBED IN
9 SUBSECTION (4) OF THIS SECTION, AS FOLLOWS:

10 (A) SURCHARGES MUST BE PAID AT A RATE OF SIX HUNDRED
11 DOLLARS PER MILE;

12 (B) SURCHARGES COVER A TWENTY-YEAR ACCESS TERM AND MAY
13 BE PAID AS A LUMP SUM ONE-TIME PAYMENT OF TWELVE THOUSAND
14 DOLLARS PER MILE OR AS AN ANNUAL PAYMENT OF SIX HUNDRED DOLLARS
15 PER MILE FOR EACH YEAR OF THE TWENTY-YEAR ACCESS TERM;

16 (C) BEGINNING ON JULY 1, 2028, AND ON EVERY JULY 1
17 THEREAFTER, THE DEPARTMENT MAY ADJUST THE AMOUNT OF THE
18 DOLLAR-PER-MILE SURCHARGE FOR INFLATION IN ACCORDANCE WITH THE
19 AVERAGE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES
20 DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION,
21 NATIONAL HIGHWAY CONSTRUCTION COST INDEX OR ITS APPLICABLE
22 PREDECESSOR OR SUCCESSOR INDEX FOR THE FIVE-YEAR PERIOD ENDING
23 ON THE LAST DECEMBER 31 BEFORE A STATE FISCAL YEAR FOR WHICH AN
24 INFLATION ADJUSTMENT TO THE SURCHARGE IS MADE TO BEGIN;

25 (D) THE TWENTY-YEAR ACCESS TERM COVERED BY THE
26 SURCHARGES MAY BE RENEWED EVERY TWENTY YEARS; AND

27 (E) THE DEPARTMENT SHALL ESTABLISH PRORATED SURCHARGES

1 FOR HIGH VOLTAGE LINE TRANSMISSION DEVELOPMENT PROJECTS WITH
2 INSTALLATIONS OF LESS THAN THREE HUNDRED FEET.

3 (c) THE DEPARTMENT SHALL UPDATE ITS RULES AS REQUIRED BY
4 SUBSECTION (6)(a) OF THIS SECTION AND ADOPT THE RULES REQUIRED BY
5 SUBSECTION (6)(b) OF THIS SECTION NO LATER THAN JANUARY 1, 2027.

6 **SECTION 3.** In Colorado Revised Statutes, 12-10-602, **amend**
7 (9)(b)(VI) as follows:

8 **12-10-602. Definitions.** As used in this part 6, unless the context
9 otherwise requires:

10 (9) (b) "Real estate appraiser" or "appraiser" does not include:

11 (VI) A right-of-way acquisition agent, an appraiser who is
12 licensed and certified pursuant to this part 6, or any other individual who
13 has sufficient understanding of the local real estate market to be qualified
14 to make a waiver valuation when the agent, appraiser, or other qualified
15 individual is employed by or contracts with a public entity and provides
16 an opinion of value that is not represented as an appraisal and when, for
17 any purpose, the property or portion of property being valued is valued at
18 ~~twenty-five thousand dollars or less, as~~ NOT MORE THAN THE SPECIFIED
19 AMOUNT permitted by federal law and 49 CFR 24.102 (c)(2), as amended;

20 **SECTION 4. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly; except
23 that, if a referendum petition is filed pursuant to section 1 (3) of article V
24 of the state constitution against this act or an item, section, or part of this
25 act within such period, then the act, item, section, or part will not take
26 effect unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.