

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0109.01 Clare Haffner x6137

HOUSE BILL 25-1126

HOUSE SPONSORSHIP

Martinez and Winter T.,

SENATE SPONSORSHIP

Pelton B.,

House Committees

Energy & Environment
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AN INCREASE IN THE DIVERSITY OF INTERESTS**
102 **REPRESENTED IN PROCEEDINGS BEFORE THE PUBLIC UTILITIES**
103 **COMMISSION, AND, IN CONNECTION THEREWITH, INCREASING**
104 **THE NUMBER OF COMMISSIONERS AND ESTABLISHING**
105 **GEOGRAPHIC REGIONS FROM WHICH CERTAIN COMMISSIONERS**
106 **ARE APPOINTED.**

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 increases the membership of the public utilities

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.

commission from 3 to 5, with 2 of the commissioners representing the state at large and 3 representing one district each. The 3 districts are defined to include named counties, with one consisting of the Denver metro area, one of the western region of the state, and one of the eastern region of the state.

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

SECTION 1. In Colorado Revised Statutes, 40-2-101, **amend** (1)(b) and (2); and **add** (1)(c), (1)(d), and (4) as follows:

40-2-101. Creation - appointment - term - subject to termination - repeal of part - repeal. (1) (b) The ~~public-utilities~~ commission consists of three members appointed by the governor with the consent of the senate. ~~Persons~~ MEMBERS holding office on July 1, 1993, shall continue to serve in such office, but the term of one of these ~~persons~~ ~~shall expire~~ MEMBERS EXPIRES on the Monday preceding the second Tuesday of January 1995, of another, the Monday preceding the second Tuesday of January 1996, and of the third, the Monday preceding the second Tuesday of January 1997, all as the governor shall designate; except that such designation ~~shall~~ MUST not result in the extension of the term of any member to more than four years' duration. ~~Thereafter,~~ SUBSEQUENT appointments shall be made for terms of four years. THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE JULY 1, 2026.

(c) ON AND AFTER JULY 1, 2026, THE COMMISSION CONSISTS OF FIVE MEMBERS APPOINTED BY THE GOVERNOR WITH THE CONSENT OF THE SENATE. MEMBERS HOLDING OFFICE ON JULY 1, 2025, SHALL CONTINUE TO SERVE IN SUCH OFFICE, BUT THE TERM OF ONE OF THESE MEMBERS EXPIRES ON THE MONDAY PRECEDING THE SECOND TUESDAY OF JANUARY 2026, OF ANOTHER, THE MONDAY PRECEDING THE SECOND TUESDAY OF JANUARY 2027, AND OF THE THIRD, THE MONDAY PRECEDING THE SECOND TUESDAY

1 OF JANUARY 2029, ALL AS DESIGNATED BY THE GOVERNOR; EXCEPT THAT
2 THE DESIGNATION MUST NOT RESULT IN THE EXTENSION OF THE TERM OF
3 ANY MEMBER TO MORE THAN FOUR YEARS' DURATION. SUBSEQUENT
4 APPOINTMENTS SHALL BE MADE FOR TERMS OF FOUR YEARS; EXCEPT THAT
5 THE INITIAL TERM OF ONE OF THE TWO MEMBERS APPOINTED TO SERVE
6 BEGINNING JULY 1, 2026, IS THREE YEARS.

7 (d) EFFECTIVE JULY 1, 2026, THE GOVERNOR SHALL DESIGNATE
8 THREE OF THE FIVE COMMISSIONERS TO REPRESENT IDENTIFIED
9 GEOGRAPHIC REGIONS OF THE STATE. THE OTHER TWO COMMISSIONERS
10 SHALL REPRESENT THE STATE AT LARGE. THE IDENTIFIED GEOGRAPHIC
11 REGIONS, EACH TO BE REPRESENTED BY ONE OF THE THREE
12 COMMISSIONERS SO DESIGNATED, ARE AS FOLLOWS:

13 (I) DENVER METRO REGION, CONSISTING OF THE COUNTIES OF
14 ADAMS, ARAPAHOE, BOULDER, LARIMER, WELD, DOUGLAS, JEFFERSON,
15 PARK, CLEAR CREEK, GILPIN, AND ELBERT, AND THE CITIES AND
16 COUNTIES OF DENVER AND BROOMFIELD;

17 (II) WESTERN REGION, CONSISTING OF THE COUNTIES OF JACKSON,
18 CHAFFEE, FREMONT, CUSTER, TELLER, COSTILLA, ALAMOSA, CONEJOS,
19 RIO GRANDE, MINERAL, SAGUACHE, ARCHULETA, HINSDALE, GUNNISON,
20 PITKIN, LAKE, EAGLE, SUMMIT, GRAND, ROUTT, MOFFAT, RIO BLANCO,
21 GARFIELD, MESA, DELTA, MONTROSE, OURAY, SAN JUAN, LA PLATA,
22 MONTEZUMA, DOLORES, AND SAN MIGUEL; AND

23 (III) EASTERN REGION, CONSISTING OF THE COUNTIES OF
24 HUERFANO, PUEBLO, EL PASO, CROWLEY, OTERO, BENT, KIOWA,
25 CHEYENNE, PROWERS, BACA, LAS ANIMAS, LOGAN, SEDGWICK, PHILLIPS,
26 YUMA, WASHINGTON, MORGAN, KIT CARSON, AND LINCOLN.

27 (2) No more than ~~two~~ THREE members of the ~~public utilities~~

1 commission shall be affiliated with the same political party, and any
2 appointment to fill a vacancy shall be for the unexpired term. Each
3 commissioner shall be a qualified elector of this state. The governor shall
4 designate one member of the commission as chair of the commission. The
5 commissioners shall devote their entire time to the duties of their office
6 to the exclusion of any other employment and shall receive such
7 compensation as is designated by law. A majority of the commission ~~shall~~
8 ~~constitute~~ CONSTITUTES a quorum for the transaction of its business.

9 (4) (a) ON OR AFTER JULY 1, 2026, THROUGH JUNE 30, 2027,
10 COMMISSIONERS APPOINTED PURSUANT TO THIS SECTION MAY HOLD
11 VIRTUAL MEETINGS TO CONDUCT BUSINESS.

12 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2028.

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