

An Act

SENATE BILL 25-204

BY SENATOR(S) Catlin and Ball;
also REPRESENTATIVE(S) Carter and Luck, Bradley, Duran.

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

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

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

38-5-109. Utility relocation clearance letter - definitions. (1) As used in this section, unless the context otherwise requires:

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

(3) (c) ~~(c)~~ The clearance letter may allow for utility company betterment at the expense of the utility company; except that any utility

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

company betterment must not materially delay the utility relocation.

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

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

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

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO