

**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. 25-0337.02 Christopher McMichael x4775

HOUSE BILL 25-1234

HOUSE SPONSORSHIP

Ricks and Joseph,

SENATE SPONSORSHIP

Winter F.,

House Committees
Energy & Environment

Senate Committees

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.

- 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 (a) Consumer protection for utility customers is essential to the
5 well-being of all Coloradans. Utility services, including water, electricity,
6 and gas, are vital to daily life. Safeguarding vulnerable populations, such
7 as families with low incomes, seniors, and individuals with disabilities,
8 is a priority. These groups are at heightened risk of exploitation, including
9 unfair billing, discrimination, and utility disconnections. The state must
10 ensure that all residents can access these essential services without fear
11 of undue harm.

1 (b) In an era of advanced technology, the safeguarding of personal
2 data, particularly related to utility usage, is necessary. The sharing of
3 customer data with third parties, especially for purposes of surveillance
4 or deportation, is a threat to privacy and safety. It is important that
5 personal information collected by a public utility is not disclosed, sold, or
6 resold to other governmental entities or third parties. The protection of
7 data from these potentially harmful practices is essential to the privacy
8 and security of residents, particularly those in immigrant and other
9 vulnerable communities.

10 (c) Utility disconnections during extreme weather or medical
11 emergencies present significant risks to public health and safety. The loss
12 of essential services, such as electricity, gas, or water, during extreme
13 heat, cold, or medical crises, can lead to serious harm, especially for
14 vulnerable individuals. Prohibiting the disconnection of utility service
15 during these conditions protects the health and safety of all residents.

16

17 (2) Therefore, the general assembly finds and declares that
18 promoting consumer protection, safeguarding personal data, and
19 expanding support for low-income households are fundamental to the
20 well-being of all Coloradans.

21

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

24 **26-1-109. Cooperation with federal government - grants-in-aid**
25 **- low income home energy assistance program - applications.**

26 **(10) Low-income home energy assistance program. (a) THE STATE**
27 **DEPARTMENT SHALL NOT REQUIRE AN APPLICANT TO PROVIDE THEIR**

1 CITIZENSHIP OR IMMIGRATION STATUS ON ANY APPLICATION FOR
2 ASSISTANCE PAYMENTS, UNLESS THE INFORMATION IS REQUIRED AS A
3 CONDITION OF ELIGIBILITY FOR THE ASSISTANCE PAYMENTS.

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

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

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

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

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

27 (II) WHEN AN INVESTOR-OWNED PUBLIC UTILITY RECEIVES THE

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

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

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