

**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. 25-0727.04 Rebecca Bayetti x4348

HOUSE BILL 25-1267

HOUSE SPONSORSHIP

Paschal and McCormick,

SENATE SPONSORSHIP

Winter F. and Amabile,

House Committees

Energy & Environment
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING SUPPORT FOR STATEWIDE ENERGY STRATEGIES, AND, IN**
102 **CONNECTION THEREWITH, MODIFYING THE ELECTRIC VEHICLE**
103 **GRANT FUND WITHIN THE COLORADO ENERGY OFFICE,**
104 **ALLOWING THE COMMUNITY ACCESS ENTERPRISE TO REDUCE**
105 **THE RETAIL DELIVERY FEE IT IMPOSES, REGULATING RETAIL**
106 **ELECTRIC VEHICLE CHARGING, AND MAKING AN**
107 **APPROPRIATION.**

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>.)

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.

The bill requires the director of the division of oil and public safety in the department of labor and employment to adopt rules concerning retail electric vehicle charging by July 1, 2026, and to enforce the rules beginning July 1, 2027. The bill also broadens the allowable uses of money in the electric vehicle grant fund within the Colorado energy office to include:

- Operational and policy work to support electric vehicle adoption, electric vehicle charging, and affordable, clean electricity for electric motor vehicles, including covering the administrative costs of this work; and
- Support for the development and enforcement of retail electric vehicle charging rules by the division of oil and public safety.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-20-102, **add** (5) as
3 follows:

4 **8-20-102. Duties of director of division of oil and public safety**
5 **- rules.** (5) THE DIRECTOR OF THE DIVISION OF OIL AND PUBLIC SAFETY
6 SHALL ADOPT AND ENFORCE RULES CONCERNING RETAIL ELECTRIC
7 VEHICLE CHARGING AS OUTLINED IN SECTION 8-20-107.

8 **SECTION 2.** In Colorado Revised Statutes, **add** 8-20-107 as
9 follows:

10 **8-20-107. Retail electric vehicle charging - rules - definitions.**

11 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
12 REQUIRES:

13 (a) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
14 EMPLOYMENT.

15 (b) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION.

16 (c) "DIVISION" MEANS THE DIVISION OF OIL AND PUBLIC SAFETY IN
17 THE DEPARTMENT.

1 (d) "RETAIL ELECTRIC VEHICLE CHARGING" MEANS A PUBLICLY
2 ACCESSIBLE ELECTRIC VEHICLE CHARGING STATION WHERE A CHARGE FOR
3 SERVICE IS BASED WHOLLY OR PARTIALLY ON THE QUANTITY OF
4 ELECTRICITY DISPENSED IN VEHICLE FUEL APPLICATIONS.

5 (2) (a) (I) ON OR BEFORE JULY 1, 2026, THE DIRECTOR SHALL
6 ADOPT RULES CONCERNING RETAIL ELECTRIC VEHICLE CHARGING. THE
7 RULES MUST SET FORTH MINIMUM STANDARDS RELATING TO
8 SPECIFICATIONS AND TOLERANCES FOR RETAIL ELECTRIC VEHICLE
9 CHARGING EQUIPMENT AND METHODS OF RETAIL SALE AT PUBLICLY
10 ACCESSIBLE ELECTRIC VEHICLE CHARGING STATIONS TO PROMOTE
11 CONSISTENCY IN THE MARKETPLACE.

12 (II) THE DIRECTOR SHALL CONSULT WITH THE DIRECTOR OF THE
13 COLORADO ENERGY OFFICE, CREATED IN SECTION 24-38.5-101, BEFORE
14 INITIATING A RULE-MAKING PROCEEDING ON OR MODIFYING RULES
15 CONCERNING RETAIL ELECTRIC VEHICLE CHARGING.

16 (b) THE DIVISION SHALL BEGIN ENFORCING THE RULES REQUIRED
17 BY THIS SUBSECTION (2) ON JULY 1, 2027, FOR ALL RETAIL ELECTRIC
18 VEHICLE CHARGING STATIONS INSTALLED ON OR AFTER JULY 1, 2026.
19 RETAIL ELECTRIC VEHICLE CHARGING STATIONS INSTALLED BEFORE JULY
20 1, 2026, MUST COMPLY WITH THE SCHEDULE OUTLINED IN THE RULES. THE
21 DIRECTOR MAY MODIFY THE RULES AT THE DIRECTOR'S DISCRETION,
22 UTILIZING A PUBLIC STAKEHOLDER PROCESS AND PROVIDING ADVANCE
23 NOTICE FOR ANY PROPOSED MODIFICATIONS.

24 (c) EACH RULE REQUIRED BY THIS SUBSECTION (2) MUST BE
25 REASONABLY NECESSARY FOR THE PROTECTION OF THE HEALTH, WELFARE,
26 AND SAFETY OF THE PUBLIC AND PERSONS USING RETAIL ELECTRIC
27 VEHICLE CHARGING STATIONS, AND THE RULES MUST SUBSTANTIALLY

1 CONFORM WITH THE GENERALLY ACCEPTED STANDARDS OF SAFETY
2 CONCERNING ELECTRIC VEHICLE CHARGING. THE DIRECTOR SHALL ADOPT
3 THE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24.

4 (3) THIS SECTION DOES NOT APPLY TO RETAIL ELECTRIC VEHICLE
5 CHARGING STATIONS THAT ARE OWNED, MAINTAINED, OR USED BY A
6 PUBLIC UTILITY AS DESCRIBED IN SECTION 40-1-103.

7 **SECTION 3.** In Colorado Revised Statutes, 24-38.5-103, **amend**
8 (1)(a)(I)(B); and **add** (1)(a)(I)(D) and (1)(a)(I)(E) as follows:

9 **24-38.5-103. Electric vehicle grant fund - creation -**
10 **administration - legislative declaration.** (1) (a) (I) There is created in
11 the state treasury the electric vehicle grant fund, referred to in this section
12 as the "fund". The Colorado energy office shall use the fund to:

13 (B) Cover the administrative costs of providing grants pursuant to
14 subsection (1)(a)(I)(A) of this section; ~~and~~

15 (D) SUPPORT OR DIRECTLY ENGAGE IN OPERATIONAL AND POLICY
16 WORK TO SUPPORT ELECTRIC VEHICLE ADOPTION, ELECTRIC VEHICLE
17 CHARGING, AND AFFORDABLE, CLEAN ELECTRICITY FOR ELECTRIC
18 VEHICLES, INCLUDING COVERING THE ADMINISTRATIVE COSTS OF THIS
19 WORK; AND

20 (E) SUPPORT THE DEVELOPMENT AND ENFORCEMENT OF RETAIL
21 ELECTRIC VEHICLE CHARGING RULES BY THE DIVISION OF OIL AND PUBLIC
22 SAFETY IN THE DEPARTMENT OF LABOR AND EMPLOYMENT.

23 **SECTION 4.** In Colorado Revised Statutes, 24-38.5-303, **amend**
24 (7)(c)(II); and **add** (7)(c)(III) as follows:

25 **24-38.5-303. Community access enterprise - creation - board**
26 **- powers and duties - fund - fee - transparency and reporting.**

27 (7) (c) (II) The enterprise is authorized to adjust the amount of the

1 community access retail delivery fee for retail deliveries of tangible
2 personal property purchased during a state fiscal year. ~~only if the~~
3 ~~department of revenue adjusts the amount of the retail delivery fee~~
4 ~~imposed by section 43-4-218 (3) for retail deliveries of tangible personal~~
5 ~~property purchased during the state fiscal year.~~

6 (7) (c) (III) (A) NOTWITHSTANDING SUBSECTION (7)(c)(I) OF THIS
7 SECTION, IF IMPOSING THE COMMUNITY ACCESS RETAIL DELIVERY FEE IN
8 ANY AMOUNT WOULD CAUSE THE ENTERPRISE TO RECEIVE MORE THAN ONE
9 HUNDRED MILLION DOLLARS IN TOTAL FEE REVENUE IN ITS FIRST FIVE
10 FISCAL YEARS, WHICH FIVE-YEAR PERIOD FOR THE PURPOSE OF SECTION
11 24-77-108 ENDS ON JUNE 30, 2026, THE ENTERPRISE SHALL IMPOSE THE
12 COMMUNITY ACCESS RETAIL DELIVERY FEE IN A LOWER AMOUNT FOR ALL
13 OR A PORTION OF A STATE FISCAL YEAR. ANY REDUCTION IN THE AMOUNT
14 OF THE FEE IMPOSED PURSUANT TO THIS SUBSECTION (7)(c)(III) DOES NOT
15 REDUCE THE MAXIMUM AMOUNT OF THE FEE THAT THE ENTERPRISE MAY
16 IMPOSE IN ANY SUBSEQUENT STATE FISCAL YEAR.

17 (B) NOTWITHSTANDING SUBSECTION (7)(c)(I) OF THIS SECTION, IF
18 THE ENTERPRISE IMPOSES A LOWER FEE AMOUNT PURSUANT TO THIS
19 SUBSECTION (7)(c)(III), THE ENTERPRISE SHALL NOTIFY THE DEPARTMENT
20 OF REVENUE OF THE LOWER AMOUNT OF THE COMMUNITY ACCESS RETAIL
21 DELIVERY FEE TO BE COLLECTED NO LATER THAN THIRTY DAYS AFTER THE
22 DATE OF THE DECISION OF THE GOVERNING BOARD TO LOWER THE FEE AND
23 THE DEPARTMENT OF REVENUE SHALL PUBLISH THE LOWER AMOUNT ON
24 THE FIRST OF THE MONTH FOLLOWING NOTIFICATION FROM THE
25 ENTERPRISE OF THE LOWER FEE AMOUNT, BUT NOT LATER THAN SIXTY
26 DAYS FOLLOWING SUCH NOTIFICATION.

27 **SECTION 5. Appropriation.** (1) For the 2025-26 state fiscal

1 year, \$225,320 is appropriated to the department of labor and employment
2 for use by the division of oil and public safety. This appropriation is from
3 reappropriated funds received from the office of the governor that is
4 continuously appropriated to the Colorado energy office from the electric
5 vehicle grant fund created in section 24-38.5-103 (1)(a)(I), C.R.S. To
6 implement this act, the division may use this appropriation as follows:

7 (a) \$87,844 for personal services, which amount is based on an
8 assumption that the division will require an additional 1.2 FTE; and

9 (b) \$137,476 for operating expenses.

10 **SECTION 6. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly; except
13 that, if a referendum petition is filed pursuant to section 1 (3) of article V
14 of the state constitution against this act or an item, section, or part of this
15 act within such period, then the act, item, section, or part will not take
16 effect unless approved by the people at the general election to be held in
17 November 2026 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.