

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 25-0727.04 Rebecca Bayetti x4348

HOUSE BILL 25-1267

HOUSE SPONSORSHIP

Paschal and McCormick, Brown, Jackson, Smith

SENATE SPONSORSHIP

Winter F. and Amabile, Cutter, Jodeh, Kipp, Michaelson Jenet, Wallace

House Committees

Energy & Environment
Appropriations

Senate Committees

Transportation & Energy
Appropriations

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 **MODIFYING THE COMMUNITY IMPACT CASH FUND WITHIN THE**
105 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT,**
106 **ALLOWING THE COMMUNITY ACCESS ENTERPRISE TO REDUCE**
107 **THE RETAIL DELIVERY FEE IT IMPOSES, REGULATING RETAIL**
108 **ELECTRIC VEHICLE CHARGING, AND MAKING AN**
109 **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

*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 21, 2025

HOUSE
Amended 2nd Reading
April 17, 2025

applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

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

1 THE DEPARTMENT.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (7) (c) (II) The enterprise is authorized to adjust the amount of the
2 community access retail delivery fee for retail deliveries of tangible
3 personal property purchased during a state fiscal year. ~~only if the~~
4 ~~department of revenue adjusts the amount of the retail delivery fee~~
5 ~~imposed by section 43-4-218 (3) for retail deliveries of tangible personal~~
6 ~~property purchased during the state fiscal year.~~

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

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

1 **SECTION 5.** In Colorado Revised Statutes, 25-7-129, **add (3)(f)**
2 **as follows:**

3 **25-7-129. Disposition of fines - community impact cash fund**
4 **- repeal. (3) (f) THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND**
5 **FOR PURPOSES OF ANY ENVIRONMENTAL EQUITY AND CUMULATIVE IMPACT**
6 **ANALYSES IN ACCORDANCE WITH SECTION 25-1-133.**

7 **SECTION 6. Appropriation.** (1) For the 2025-26 state fiscal
8 year, \$225,320 is appropriated to the department of labor and employment
9 for use by the division of oil and public safety. This appropriation is from
10 reappropriated funds received from the office of the governor that is
11 continuously appropriated to the Colorado energy office from the electric
12 vehicle grant fund created in section 24-38.5-103 (1)(a)(I), C.R.S. To
13 implement this act, the division may use this appropriation as follows:

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

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

17 **SECTION 7. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2026 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.