

2023-2024 #86 – Final [technical corrections]

Be it enacted by the People of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, title 40, **add** article 44 as follows:

40-44-101. Energy choice – declaration – definitions.

- (1) **Declaration.** THE VOTERS OF THE STATE OF COLORADO FIND AND DECLARE THAT ENERGY CONSUMPTION IS A MATTER OF STATEWIDE CONCERN. THE INTENT OF THE VOTERS IN ENACTING THIS SECTION IS TO PROTECT CONSUMER CHOICE IN ENERGY.
- (2) **Definitions.** AS USED IN THIS SECTION, UNLESS CONTEXT OTHERWISE REQUIRES:
 - (a) “CONSUMER CHOICE” MEANS ALLOWING A CONSUMER TO CHOOSE THEIR PREFERRED ENERGY SOURCE.
 - (b) “ENERGY” MEANS CONSUMER USE OF ELECTRICITY, NATURAL GAS AS DEFINED IN SECTION 34-64-102, SOLAR ENERGY DEVICE AS DEFINED IN SECTION 38-32.5-100.3, OR WIND ELECTRIC GENERATION, AND, WITH RESPECT TO A SOLAR ENERGY DEVICE OR WIND ELECTRIC GENERATION, THAT MEETS THE INTERCONNECTION STANDARDS ESTABLISHED IN RULES PROMULGATED BY THE PUBLIC UTILITIES COMMISSION PURSUANT TO SECTION 40-2-124.
 - (c) “RESTRICT” MEANS FAVORING OR DISCRIMINATING AGAINST AN ENERGY SOURCE.
- (3) A STATUTE, ORDINANCE, REGULATION OR CODE OF THE STATE OR ANY POLITICAL SUBDIVISION OF THE STATE SHALL NOT RESTRICT AN ENERGY SOURCE USED FOR COOKING, HOT WATER SYSTEMS, GENERATORS OR HEATING SYSTEMS BASED UPON THE TYPE OF ENERGY TO BE DELIVERED TO AN INDIVIDUAL CONSUMER.

SECTION 2. Effective date.

This act shall take effect upon proclamation by the Governor announcing the approval, by the registered electors of the state, of the proposed initiative.