

B **Initiative 2025-2026 #77**
 Access to Energy Sources in Common Use

Received by Legislative Council Staff
4/11/25 at 12:10 pm

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

SECTION 1. In Colorado Constitution, Article XXVIII, **add** Section 17 as follows:

Section 17. Energy choice.

(1) Access to energy as a right. BECAUSE ACCESS TO ALL ENERGY SOURCES IN THE COMMON USE ENHANCES THE SAFETY, WELFARE, AND STANDARD OF LIVING OF ALL PEOPLE IN COLORADO, CONSUMERS HAVE A RIGHT TO ACCESS TO ENERGY TO POWER AND HEAT HOMES, COOK, AND OPERATE EQUIPMENT SUCH AS GAS-POWERED VEHICLES, STOVES, HEATERS, LAWNMOWERS, AND PROPANE-FUELED PRODUCTS.

(2) A GOVERNMENTAL ENTITY THAT FURNISHES AN ENERGY SOURCE SHALL PROVIDE THAT SOURCE TO THOSE INHABITANTS THAT DEMAND, APPLY FOR, AND ARE REASONABLY ENTITLED TO RECEIVE THE ENERGY SOURCE, EVEN IF OTHER ENERGY SERVICES OR ENERGY SOURCES MAY BE AVAILABLE.

(3) Products and services shall be allowed. PRODUCTS AND SERVICE CONNECTIONS POWERED BY AN ENERGY SUPPLY IN COMMON USE SHALL BE ALLOWED BY STATE AND LOCAL GOVERNMENTS, AND SUCH USE MAY NOT BE PENALIZED OR LIMITED, EXCEPT FOR HEALTH OR SAFETY RESTRICTIONS OF THE INTERNATIONAL BUILDING CODE OR ITS SUCCESSOR, OR IN THE CASE OF A PUBLIC SAFETY EMERGENCY SUCH AS FIRE OR IMMINENT RISK OF FIRE.

(4) Public safety exception. THE PROVISIONS OF THIS SECTION DO NOT APPLY TO HEALTH OR SAFETY RESTRICTIONS OF THE INTERNATIONAL BUILDING CODE OR ITS SUCCESSOR, OR IN CASE OF A PUBLIC SAFETY EMERGENCY SUCH AS FIRE OR NATURAL DISASTER.