

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 07-0476.01 Esther van Mourik

SENATE BILL 07-145

SENATE SPONSORSHIP

Tupa, Fitz-Gerald, Gordon, Schwartz, Brophy, Groff, Morse, Renfro, Romer, Sandoval, and Shaffer

HOUSE SPONSORSHIP

Gibbs, Green, Carroll M., Carroll T., Fischer, Gardner C., Kerr A., Levy, Madden, Marostica, McFadyen, McNulty, Merrifield, Primavera, Stephens, Todd, Weissmann, and Witwer

Senate Committees
Local Government

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF CERTAIN LOCAL GOVERNMENTS TO**
102 **OFFER INCENTIVES FOR THE USE OF RENEWABLE ENERGY**
103 **FIXTURES, AND, IN CONNECTION THEREWITH, ENACTING THE**
104 **"RENEWABLE ENERGY INCENTIVES ACT".**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

 Gives counties and municipalities the authority to grant incentives to homeowners for installation of renewable energy fixtures on residential property.

 Defines terms.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
Amended 2nd Reading
February 23, 2007

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

2 **SECTION 1. Short title.** This act shall be known and may be
3 cited as the "Renewable Energy Incentives Act".

4 **SECTION 2.** Part 1 of article 11 of title 30, Colorado Revised
5 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
6 read:

7 **30-11-107.3. Incentives for installation of renewable energy**
8 **fixtures - definitions.** (1) NOTWITHSTANDING ANY LAW TO THE
9 CONTRARY, ANY COUNTY MAY OFFER AN INCENTIVE, IN THE FORM OF A
10 COUNTY PROPERTY TAX OR SALES TAX CREDIT OR REBATE, TO A
11 RESIDENTIAL OR COMMERCIAL PROPERTY OWNER WHO INSTALLS A
12 RENEWABLE ENERGY FIXTURE ON HIS OR HER RESIDENTIAL OR
13 COMMERCIAL PROPERTY.

14 (2) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
15 OTHERWISE REQUIRES:

16 (a) "COUNTY" MEANS ANY COUNTY OR CITY AND COUNTY.

17 (b) "RENEWABLE ENERGY FIXTURE" MEANS ANY FIXTURE,
18 PRODUCT, SYSTEM, DEVICE, OR INTERACTING GROUP OF DEVICES THAT
19 PRODUCE ELECTRICITY FROM RENEWABLE RESOURCES, INCLUDING, BUT
20 NOT LIMITED TO, PHOTOVOLTAIC SYSTEMS, SOLAR THERMAL SYSTEMS,
21 SMALL WIND SYSTEMS, OR BIOMASS SYSTEMS. SMALL WIND SYSTEMS, OR
22 GEOTHERMAL SYSTEMS. _____

23 **SECTION 3.** Part 1 of article 20 of title 31, Colorado Revised
24 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
25 read:

26 **31-20-101.3. Incentives for installation of renewable energy**

1 **fixtures - definitions.** (1) NOTWITHSTANDING ANY LAW TO THE
2 CONTRARY, A GOVERNING BODY OF ANY MUNICIPALITY MAY OFFER AN
3 INCENTIVE, IN THE FORM OF A MUNICIPAL PROPERTY TAX OR SALES TAX
4 CREDIT OR REBATE, TO A RESIDENTIAL OR COMMERCIAL PROPERTY OWNER
5 WHO INSTALLS A RENEWABLE ENERGY FIXTURE ON HIS OR HER
6 RESIDENTIAL OR COMMERCIAL PROPERTY.

7 (2) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
8 OTHERWISE REQUIRES, "RENEWABLE ENERGY FIXTURE" MEANS ANY
9 FIXTURE, PRODUCT, SYSTEM, DEVICE, OR INTERACTING GROUP OF DEVICES
10 THAT PRODUCE ELECTRICITY FROM RENEWABLE RESOURCES, INCLUDING,
11 BUT NOT LIMITED TO, PHOTOVOLTAIC SYSTEMS, SOLAR THERMAL SYSTEMS,
12 SMALL WIND SYSTEMS, OR BIOMASS SYSTEMS. SMALL WIND SYSTEMS, OR
13 GEOTHERMAL SYSTEMS.

14 **SECTION 4. Effective date.** This act shall take effect at 12:01
15 a.m. on the day following the expiration of the ninety-day period after
16 final adjournment of the general assembly that is allowed for submitting
17 a referendum petition pursuant to article V, section 1 (3) of the state
18 constitution, (August 8, 2007, if adjournment sine die is on May 9, 2007);
19 except that, if a referendum petition is filed against this act or an item,
20 section, or part of this act within such period, then the act, item, section,
21 or part, if approved by the people, shall take effect on the date of the
22 official declaration of the vote thereon by proclamation of the governor.