

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 07-0476.01 Esther van Mourik

SENATE BILL 07-145

SENATE SPONSORSHIP

Tupa, Fitz-Gerald, Gordon, Schwartz, Brophy, Groff, Morse, Renfroe, 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.*

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 OR
18 PRODUCT DESIGNED TO REDUCE POWER CONSUMPTION AND INCLUDES, BUT
19 IS NOT LIMITED TO, PHOTOVOLTAIC OR SOLAR THERMAL SYSTEMS.

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

23 **31-20-101.3. Incentives for installation of renewable energy**
24 **fixtures - definitions.** (1) NOTWITHSTANDING ANY LAW TO THE
25 CONTRARY, A GOVERNING BODY OF ANY MUNICIPALITY MAY OFFER AN
26 INCENTIVE, IN THE FORM OF A MUNICIPAL PROPERTY TAX OR SALES TAX

1 CREDIT OR REBATE, TO A RESIDENTIAL OR COMMERCIAL PROPERTY OWNER
2 WHO INSTALLS A RENEWABLE ENERGY FIXTURE ON HIS OR HER
3 RESIDENTIAL OR COMMERCIAL PROPERTY.

4 (2) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
5 OTHERWISE REQUIRES, "RENEWABLE ENERGY FIXTURE" MEANS ANY
6 FIXTURE OR PRODUCT DESIGNED TO REDUCE POWER CONSUMPTION AND
7 INCLUDES, BUT IS NOT LIMITED TO, PHOTOVOLTAIC OR SOLAR THERMAL
8 SYSTEMS.

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