

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 12, 2013
Date

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

SB13-126 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** 38-12-601 as
4 follows:

5 **38-12-601. Unreasonable restrictions on electric vehicle**
6 **charging systems - definitions.** (1) NOTWITHSTANDING ANY PROVISION
7 IN THE LEASE TO THE CONTRARY, AND SUBJECT TO SUBSECTION (2) OF THIS
8 SECTION:

9 (a) A TENANT MAY INSTALL, AT THE TENANT'S EXPENSE FOR THE
10 TENANT'S OWN USE, A LEVEL 1 OR LEVEL 2 ELECTRIC VEHICLE CHARGING
11 SYSTEM ON OR IN THE LEASED PREMISES; AND

12 (b) A LANDLORD SHALL NOT ASSESS OR CHARGE A TENANT ANY
13 FEE FOR THE PLACEMENT OR USE OF AN ELECTRIC VEHICLE CHARGING
14 SYSTEM, EXCEPT THAT:

15 (I) THE LANDLORD MAY REQUIRE REIMBURSEMENT FOR THE
16 ACTUAL COST OF ELECTRICITY PROVIDED BY THE LANDLORD THAT WAS
17 USED BY THE CHARGING SYSTEM OR, ALTERNATIVELY, MAY CHARGE A
18 REASONABLE FEE FOR ACCESS;

19 (II) THE LANDLORD MAY REQUIRE REIMBURSEMENT FOR THE COST
20 OF THE INSTALLATION OF THE CHARGING SYSTEM, INCLUDING ANY
21 ADDITIONS OR UPGRADES TO EXISTING WIRING DIRECTLY ATTRIBUTABLE
22 TO THE REQUIREMENTS OF THE CHARGING SYSTEM, IF THE LANDLORD
23 PLACES OR CAUSES THE ELECTRIC VEHICLE CHARGING SYSTEM TO BE

1 PLACED AT THE REQUEST OF THE TENANT; AND
2 (III) IF THE TENANT DESIRES TO PLACE AN ELECTRIC VEHICLE
3 CHARGING SYSTEM IN AN AREA ACCESSIBLE TO OTHER TENANTS, THE
4 LANDLORD MAY ASSESS OR CHARGE THE TENANT A REASONABLE FEE TO
5 RESERVE A SPECIFIC PARKING SPOT IN WHICH TO INSTALL THE CHARGING
6 SYSTEM.
7 (2) A LANDLORD MAY REQUIRE A TENANT TO COMPLY WITH:
8 (a) BONA FIDE SAFETY REQUIREMENTS, CONSISTENT WITH AN
9 APPLICABLE BUILDING CODE OR RECOGNIZED SAFETY STANDARD, FOR THE
10 PROTECTION OF PERSONS AND PROPERTY;
11 (b) A REQUIREMENT THAT THE CHARGING SYSTEM BE REGISTERED
12 WITH THE LANDLORD WITHIN THIRTY DAYS AFTER INSTALLATION; OR
13 (c) REASONABLE AESTHETIC PROVISIONS THAT GOVERN THE
14 DIMENSIONS, PLACEMENT, OR EXTERNAL APPEARANCE OF AN ELECTRIC
15 VEHICLE CHARGING SYSTEM.
16 (3) A TENANT MAY PLACE AN ELECTRIC VEHICLE CHARGING
17 SYSTEM IN AN AREA ACCESSIBLE TO OTHER TENANTS IF:
18 (a) THE CHARGING SYSTEM IS IN COMPLIANCE WITH ALL
19 APPLICABLE REQUIREMENTS ADOPTED PURSUANT TO SUBSECTION (2) OF
20 THIS SECTION; AND
21 (b) THE TENANT AGREES IN WRITING TO:
22 (I) COMPLY WITH THE LANDLORD'S DESIGN SPECIFICATIONS FOR
23 THE INSTALLATION OF THE CHARGING SYSTEM;
24 (II) ENGAGE THE SERVICES OF A DULY LICENSED AND REGISTERED
25 ELECTRICAL CONTRACTOR FAMILIAR WITH THE INSTALLATION AND CODE
26 REQUIREMENTS OF AN ELECTRIC VEHICLE CHARGING SYSTEM; AND
27 (III) PROVIDE, WITHIN FOURTEEN DAYS AFTER RECEIVING THE
28 LANDLORD'S CONSENT FOR THE INSTALLATION, A CERTIFICATE OF
29 INSURANCE NAMING THE LANDLORD AS AN ADDITIONAL INSURED ON THE
30 TENANT'S RENTERS' INSURANCE POLICY FOR ANY CLAIM RELATED TO THE
31 INSTALLATION, MAINTENANCE, OR USE OF THE SYSTEM.
32 (4) IF THE LANDLORD CONSENTS TO A TENANT'S INSTALLATION OF
33 AN ELECTRIC VEHICLE CHARGING SYSTEM ON PROPERTY ACCESSIBLE TO
34 OTHER TENANTS, INCLUDING A PARKING SPACE, CARPORT, OR GARAGE
35 STALL, THEN, UNLESS OTHERWISE SPECIFIED IN A WRITTEN AGREEMENT
36 WITH THE LANDLORD:
37 (a) THE TENANT, AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE
38 RIGHTS TO THE AREA WHERE THE CHARGING SYSTEM IS INSTALLED, IS
39 RESPONSIBLE FOR ANY COSTS FOR DAMAGES TO THE CHARGING SYSTEM
40 AND TO ANY OTHER PROPERTY OF THE LANDLORD OR OF ANOTHER TENANT
41 THAT ARISE OR RESULT FROM THE INSTALLATION, MAINTENANCE, REPAIR,

1 REMOVAL, OR REPLACEMENT OF THE CHARGING SYSTEM;
2 (b) EACH SUCCESSIVE TENANT WITH EXCLUSIVE RIGHTS TO THE
3 AREA WHERE THE CHARGING SYSTEM IS INSTALLED SHALL ASSUME
4 RESPONSIBILITY FOR THE REPAIR, MAINTENANCE, REMOVAL, AND
5 REPLACEMENT OF THE CHARGING SYSTEM UNTIL THE SYSTEM HAS BEEN
6 REMOVED;
7 (c) THE TENANT AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE
8 RIGHTS TO THE AREA WHERE THE SYSTEM IS INSTALLED SHALL AT ALL
9 TIMES HAVE AND MAINTAIN AN INSURANCE POLICY COVERING THE
10 OBLIGATIONS OF THE TENANT UNDER THIS SUBSECTION (4) AND SHALL
11 NAME THE LANDLORD AS AN ADDITIONAL INSURED UNDER THE POLICY;
12 AND
13 (d) THE TENANT AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE
14 RIGHTS TO THE AREA WHERE THE SYSTEM IS INSTALLED IS RESPONSIBLE
15 FOR REMOVING THE SYSTEM IF REASONABLY NECESSARY OR CONVENIENT
16 FOR THE REPAIR, MAINTENANCE, OR REPLACEMENT OF ANY PROPERTY OF
17 THE LANDLORD, WHETHER OR NOT LEASED TO ANOTHER TENANT.
18 (5) A CHARGING SYSTEM INSTALLED AT THE TENANT'S COST IS
19 PROPERTY OF THE TENANT. UPON TERMINATION OF THE LEASE, IF THE
20 CHARGING SYSTEM IS REMOVABLE, THE TENANT MAY EITHER REMOVE IT
21 OR SELL IT TO THE LANDLORD OR ANOTHER TENANT FOR AN AGREED PRICE.
22 NOTHING IN THIS SUBSECTION (5) REQUIRES THE LANDLORD OR ANOTHER
23 TENANT TO PURCHASE THE CHARGING SYSTEM.
24 (6) AS USED IN THIS SECTION:
25 (a) "ELECTRIC VEHICLE CHARGING SYSTEM" OR "CHARGING
26 SYSTEM" MEANS A DEVICE THAT IS USED TO PROVIDE ELECTRICITY TO A
27 PLUG-IN ELECTRIC VEHICLE OR PLUG-IN HYBRID VEHICLE, IS DESIGNED TO
28 ENSURE THAT A SAFE CONNECTION HAS BEEN MADE BETWEEN THE
29 ELECTRIC GRID AND THE VEHICLE, AND IS ABLE TO COMMUNICATE WITH
30 THE VEHICLE'S CONTROL SYSTEM SO THAT ELECTRICITY FLOWS AT AN
31 APPROPRIATE VOLTAGE AND CURRENT LEVEL. AN ELECTRIC VEHICLE
32 CHARGING SYSTEM MAY BE WALL-MOUNTED OR PEDESTAL STYLE, AND
33 MAY PROVIDE MULTIPLE CORDS TO CONNECT WITH ELECTRIC VEHICLES.
34 AN ELECTRIC VEHICLE CHARGING SYSTEM MUST BE CERTIFIED BY
35 UNDERWRITERS LABORATORIES OR AN EQUIVALENT CERTIFICATION, AND
36 MUST COMPLY WITH THE CURRENT VERSION OF ARTICLE 625 OF THE
37 NATIONAL ELECTRICAL CODE.
38 (b) "LEVEL 1" MEANS A CHARGING SYSTEM THAT PROVIDES
39 CHARGING THROUGH A ONE-HUNDRED-TWENTY VOLT AC PLUG WITH A
40 CORD CONNECTOR THAT MEETS THE SAE INTERNATIONAL J1772
41 STANDARD OR A SUCCESSOR STANDARD. BASED ON THE BATTERY TYPE

1 AND VEHICLE, A LEVEL 1 CHARGING SYSTEM ADDS APPROXIMATELY TWO
2 TO FIVE MILES OF RANGE TO AN ELECTRIC VEHICLE PER HOUR OF CHARGING
3 TIME.

4 (c) "LEVEL 2" MEANS A CHARGING SYSTEM THAT PROVIDES
5 CHARGING THROUGH A TWO-HUNDRED-EIGHT TO TWO-HUNDRED-FORTY
6 VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE
7 INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD. BASED ON
8 THE BATTERY TYPE AND VEHICLE, A LEVEL 2 CHARGING SYSTEM ADDS
9 ABOUT TEN TO TWENTY MILES OF RANGE TO AN ELECTRIC VEHICLE PER
10 HOUR OF CHARGING TIME.

11 **SECTION 2.** In Colorado Revised Statutes, **add** 38-33.3-106.8
12 as follows:

13 **38-33.3-106.8. Unreasonable restrictions on electric vehicle**
14 **charging systems - legislative declaration - definitions.** (1) THE
15 GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT:

16 (a) THE WIDESPREAD USE OF PLUG-IN ELECTRIC VEHICLES CAN
17 DRAMATICALLY IMPROVE ENERGY EFFICIENCY AND AIR QUALITY FOR ALL
18 COLORADANS, AND SHOULD BE ENCOURAGED WHEREVER POSSIBLE;

19 (b) MOST HOMES IN COLORADO, INCLUDING THE VAST MAJORITY
20 OF NEW HOMES, ARE IN COMMON INTEREST COMMUNITIES;

21 (c) THE PRIMARY PURPOSE OF THIS SECTION IS TO ENSURE THAT
22 COMMON INTEREST COMMUNITIES PROVIDE THEIR RESIDENTS WITH AT
23 LEAST A MEANINGFUL OPPORTUNITY TO TAKE ADVANTAGE OF THE
24 AVAILABILITY OF PLUG-IN ELECTRIC VEHICLES RATHER THAN CREATE
25 ARTIFICIAL RESTRICTIONS ON THE ADOPTION OF THIS PROMISING
26 TECHNOLOGY; AND

27 (d) THE GENERAL ASSEMBLY ENCOURAGES COMMON INTEREST
28 COMMUNITIES NOT ONLY TO ALLOW ELECTRIC VEHICLE CHARGING
29 STATIONS IN ACCORDANCE WITH THIS SECTION, BUT ALSO TO APPLY FOR
30 GRANTS FROM THE ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION
31 24-38.5-103, C.R.S., OR OTHERWISE FUND THE INSTALLATION OF
32 CHARGING STATIONS ON COMMON PROPERTY AS AN AMENITY FOR
33 RESIDENTS AND GUESTS.

34 (2) NOTWITHSTANDING ANY PROVISION IN THE DECLARATION,
35 BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION TO THE
36 CONTRARY, AND EXCEPT AS PROVIDED IN SUBSECTION (3) OR (3.5) OF THIS
37 SECTION, AN ASSOCIATION SHALL NOT:

38 (a) PROHIBIT A UNIT OWNER FROM USING, OR INSTALLING AT THE
39 UNIT OWNER'S EXPENSE FOR THE UNIT OWNER'S OWN USE, A LEVEL 1 OR
40 LEVEL 2 ELECTRIC VEHICLE CHARGING SYSTEM ON OR IN A UNIT; OR

41 (b) ASSESS OR CHARGE A UNIT OWNER ANY FEE FOR THE

1 PLACEMENT OR USE OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON OR IN
2 THE UNIT OWNER'S UNIT; EXCEPT THAT THE ASSOCIATION MAY REQUIRE
3 REIMBURSEMENT FOR THE ACTUAL COST OF ELECTRICITY PROVIDED BY
4 THE ASSOCIATION THAT WAS USED BY THE CHARGING SYSTEM OR,
5 ALTERNATIVELY, MAY CHARGE A REASONABLE FEE FOR ACCESS.

6 (3) SUBSECTION (2) OF THIS SECTION DOES NOT APPLY TO:

7 (a) BONA FIDE SAFETY REQUIREMENTS, CONSISTENT WITH AN
8 APPLICABLE BUILDING CODE OR RECOGNIZED SAFETY STANDARD, FOR THE
9 PROTECTION OF PERSONS AND PROPERTY;

10 (b) A REQUIREMENT THAT THE CHARGING SYSTEM BE REGISTERED
11 WITH THE ASSOCIATION WITHIN THIRTY DAYS AFTER INSTALLATION; OR

12 (c) REASONABLE AESTHETIC PROVISIONS THAT GOVERN THE
13 DIMENSIONS, PLACEMENT, OR EXTERNAL APPEARANCE OF AN ELECTRIC
14 VEHICLE CHARGING SYSTEM.

15 (3.5) THIS SECTION DOES NOT APPLY TO A UNIT, OR THE OWNER
16 THEREOF, IF THE UNIT IS A TIME SHARE UNIT, AS DEFINED IN SECTION
17 38-33-110 (7).

18 (4) AN ASSOCIATION SHALL CONSENT TO A UNIT OWNER'S
19 PLACEMENT OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON A LIMITED
20 COMMON ELEMENT PARKING SPACE, CARPORT, OR GARAGE OWNED BY THE
21 UNIT OWNER OR OTHERWISE ASSIGNED TO THE OWNER IN THE
22 DECLARATION OR OTHER RECORDED DOCUMENT IF:

23 (a) THE SYSTEM IS IN COMPLIANCE WITH ANY DECLARATIONS,
24 BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION; AND

25 (b) THE UNIT OWNER AGREES IN WRITING TO:

26 (I) COMPLY WITH THE ASSOCIATION'S DESIGN SPECIFICATIONS FOR
27 THE INSTALLATION OF THE SYSTEM;

28 (II) ENGAGE THE SERVICES OF A DULY LICENSED AND REGISTERED
29 ELECTRICAL CONTRACTOR FAMILIAR WITH THE INSTALLATION AND CODE
30 REQUIREMENTS OF AN ELECTRIC VEHICLE CHARGING SYSTEM;

31 (III) BEAR THE EXPENSE OF INSTALLATION, INCLUDING COSTS TO
32 RESTORE ANY COMMON ELEMENTS DISTURBED IN THE PROCESS OF
33 INSTALLING THE SYSTEM; AND

34 (IV) (A) PROVIDE, WITHIN THE TIME SPECIFIED IN
35 SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (IV), A CERTIFICATE OF
36 INSURANCE NAMING THE ASSOCIATION AS AN ADDITIONAL INSURED ON
37 THE HOMEOWNER'S INSURANCE POLICY FOR ANY CLAIM RELATED TO THE
38 INSTALLATION, MAINTENANCE, OR USE OF THE SYSTEM OR, IF THE SYSTEM
39 IS LOCATED ON A COMMON ELEMENT, REIMBURSEMENT TO THE
40 ASSOCIATION FOR THE ACTUAL COST OF ANY INCREASED INSURANCE
41 PREMIUM AMOUNT ATTRIBUTABLE TO THE SYSTEM, NOTWITHSTANDING

1 ANY PROVISION TO THE CONTRARY IN THE ASSOCIATION'S DECLARATION,
2 BYLAWS, OR RULES AND REGULATIONS.

3 (B) A CERTIFICATE OF INSURANCE UNDER SUB-SUBPARAGRAPH (A)
4 OF THIS SUBPARAGRAPH (IV) MUST BE PROVIDED WITHIN FOURTEEN DAYS
5 AFTER THE UNIT OWNER RECEIVES THE ASSOCIATION'S CONSENT FOR THE
6 INSTALLATION. REIMBURSEMENT FOR AN INCREASED INSURANCE PREMIUM
7 AMOUNT UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV)
8 MUST BE PROVIDED WITHIN FOURTEEN DAYS AFTER THE UNIT OWNER
9 RECEIVES THE ASSOCIATION'S INVOICE FOR THE AMOUNT ATTRIBUTABLE
10 TO THE SYSTEM.

11 (5) IF THE ASSOCIATION CONSENTS TO A UNIT OWNER'S
12 INSTALLATION OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON A LIMITED
13 COMMON ELEMENT, INCLUDING A PARKING SPACE, CARPORT, OR GARAGE
14 STALL, THEN, UNLESS OTHERWISE SPECIFIED IN A WRITTEN CONTRACT OR
15 IN THE DECLARATION, BYLAWS, OR RULES AND REGULATIONS OF THE
16 ASSOCIATION:

17 (a) THE UNIT OWNER, AND EACH SUCCESSIVE UNIT OWNER WITH
18 EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT WHERE THE
19 CHARGING SYSTEM IS INSTALLED, IS RESPONSIBLE FOR ANY COSTS FOR
20 DAMAGES TO THE SYSTEM, ANY OTHER LIMITED COMMON ELEMENT OR
21 GENERAL COMMON ELEMENT OF THE COMMON INTEREST COMMUNITY, AND
22 ANY ADJACENT UNITS, GARAGE STALLS, CARPORTS, OR PARKING SPACES
23 THAT ARISE OR RESULT FROM THE INSTALLATION, MAINTENANCE, REPAIR,
24 REMOVAL, OR REPLACEMENT OF THE SYSTEM;

25 (b) EACH SUCCESSIVE UNIT OWNER WITH EXCLUSIVE RIGHTS TO
26 THE LIMITED COMMON ELEMENT SHALL ASSUME RESPONSIBILITY FOR THE
27 REPAIR, MAINTENANCE, REMOVAL, AND REPLACEMENT OF THE CHARGING
28 SYSTEM UNTIL THE SYSTEM HAS BEEN REMOVED;

29 (c) THE UNIT OWNER AND EACH SUCCESSIVE UNIT OWNER WITH
30 EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT SHALL AT ALL
31 TIMES HAVE AND MAINTAIN AN INSURANCE POLICY COVERING THE
32 OBLIGATIONS OF THE UNIT OWNER UNDER THIS SUBSECTION (5), IS SUBJECT
33 TO ALL OBLIGATIONS SPECIFIED UNDER SUBPARAGRAPH (IV) OF
34 PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION, AND SHALL NAME
35 THE ASSOCIATION AS AN ADDITIONAL INSURED UNDER THE POLICY; AND

36 (d) THE UNIT OWNER AND EACH SUCCESSIVE UNIT OWNER WITH
37 EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT IS RESPONSIBLE
38 FOR REMOVING THE SYSTEM IF REASONABLY NECESSARY OR CONVENIENT
39 FOR THE REPAIR, MAINTENANCE, OR REPLACEMENT OF THE LIMITED
40 COMMON ELEMENTS OR GENERAL COMMON ELEMENTS OF THE COMMON
41 INTEREST COMMUNITY.

1 (6) A CHARGING SYSTEM INSTALLED AT THE UNIT OWNER'S COST
2 IS PROPERTY OF THE UNIT OWNER. UPON SALE OF THE UNIT, IF THE
3 CHARGING SYSTEM IS REMOVABLE, THE UNIT OWNER MAY EITHER REMOVE
4 IT OR SELL IT TO THE BUYER OF THE UNIT OR TO THE ASSOCIATION FOR AN
5 AGREED PRICE. NOTHING IN THIS SUBSECTION (6) REQUIRES THE BUYER OR
6 THE ASSOCIATION TO PURCHASE THE CHARGING SYSTEM.

7 (7) AS USED IN THIS SECTION:

8 (a) "ELECTRIC VEHICLE CHARGING SYSTEM" OR "CHARGING
9 SYSTEM" MEANS A DEVICE THAT IS USED TO PROVIDE ELECTRICITY TO A
10 PLUG-IN ELECTRIC VEHICLE OR PLUG-IN HYBRID VEHICLE, IS DESIGNED TO
11 ENSURE THAT A SAFE CONNECTION HAS BEEN MADE BETWEEN THE
12 ELECTRIC GRID AND THE VEHICLE, AND IS ABLE TO COMMUNICATE WITH
13 THE VEHICLE'S CONTROL SYSTEM SO THAT ELECTRICITY FLOWS AT AN
14 APPROPRIATE VOLTAGE AND CURRENT LEVEL. AN ELECTRIC VEHICLE
15 CHARGING SYSTEM MAY BE WALL-MOUNTED OR PEDESTAL STYLE, AND
16 MAY PROVIDE MULTIPLE CORDS TO CONNECT WITH ELECTRIC VEHICLES.
17 AN ELECTRIC VEHICLE CHARGING SYSTEM MUST BE CERTIFIED BY
18 UNDERWRITERS LABORATORIES OR AN EQUIVALENT CERTIFICATION, AND
19 MUST COMPLY WITH THE CURRENT VERSION OF ARTICLE 625 OF THE
20 NATIONAL ELECTRICAL CODE.

21 (b) "LEVEL 1" MEANS A CHARGING SYSTEM THAT PROVIDES
22 CHARGING THROUGH A ONE-HUNDRED-TWENTY VOLT AC PLUG WITH A
23 CORD CONNECTOR THAT MEETS THE SAE INTERNATIONAL J1772
24 STANDARD OR A SUCCESSOR STANDARD. BASED ON THE BATTERY TYPE
25 AND VEHICLE, A LEVEL 1 CHARGING SYSTEM ADDS APPROXIMATELY TWO
26 TO FIVE MILES OF RANGE TO AN ELECTRIC VEHICLE PER HOUR OF CHARGING
27 TIME.

28 (c) "LEVEL 2" MEANS A CHARGING SYSTEM THAT PROVIDES
29 CHARGING THROUGH A TWO-HUNDRED-EIGHT TO TWO-HUNDRED-FORTY
30 VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE
31 INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD. BASED ON
32 THE BATTERY TYPE AND VEHICLE, A LEVEL 2 CHARGING SYSTEM ADDS
33 ABOUT TEN TO TWENTY MILES OF RANGE TO AN ELECTRIC VEHICLE PER
34 HOUR OF CHARGING TIME.

35 **SECTION 3.** In Colorado Revised Statutes, 24-38.5-103, **amend**
36 (1) as follows:

37 **24-38.5-103. Electric vehicle grant fund - creation -**
38 **administration.** (1) There is hereby created in the state treasury the
39 electric vehicle grant fund, referred to in this section as the "fund". The
40 fund shall be used to provide grants to local governments, LANDLORDS OF
41 MULTI-FAMILY APARTMENT BUILDINGS, AND THE UNIT OWNERS'

1 ASSOCIATIONS OF COMMON INTEREST COMMUNITIES AS DEFINED IN
2 ARTICLE 33.3 OF TITLE 38, C.R.S., to install recharging stations for electric
3 vehicles. The grants shall be prioritized based upon the local
4 government's PROSPECTIVE RECIPIENTS' POTENTIAL FOR, AND commitment
5 to, energy efficiency.

6 **SECTION 4. Applicability.** This act takes effect upon passage,
7 and applies to the installation and use of an electric vehicle charging
8 system on or after the effective date of this act.

9 **SECTION 5. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.".

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