

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-0692.01 Duane Gall x4335

**HOUSE BILL 19-1003**

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**HOUSE SPONSORSHIP**

**Hansen, Valdez A.**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Energy & Environment

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING COMMUNITY SOLAR GARDENS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill amends the current statute authorizing the creation of community solar gardens (CSGs) by:

- ! Increasing the maximum size of a CSG from 2 megawatts to 10 megawatts; and
- ! Removing the requirement that a CSG subscriber's identified physical location be in the same county as, or a county adjacent to, that of the CSG, while retaining the requirement that it be within the service territory of the

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

same electric utility.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-2-127, **amend**  
3 (2)(b)(I)(A) and (2)(b)(II) as follows:

4 **40-2-127. Community energy funds - community solar**  
5 **gardens - definitions - rules - legislative declaration. (2) Definitions.**

6 As used in this section, unless the context otherwise requires:

7 (b) In addition:

8 (I) (A) "Community solar garden" means a solar electric  
9 generation facility with a nameplate rating of ~~two~~ TEN megawatts or less  
10 that is located in or near a community served by a qualifying retail utility  
11 where the beneficial use of the electricity generated by the facility  
12 belongs to the subscribers to the community solar garden. There shall be  
13 at least ten subscribers. The owner of the community solar garden may be  
14 the qualifying retail utility or any other for-profit or nonprofit entity or  
15 organization, including a subscriber organization organized under this  
16 section, that contracts to sell the output from the community solar garden  
17 to the qualifying retail utility. A community solar garden shall be deemed  
18 to be "located on the site of customer facilities".

19 (II) "Subscriber" means a retail customer of a qualifying retail  
20 utility who owns a subscription and who has identified one or more  
21 physical locations to which the subscription is attributed. Such physical  
22 locations must be within the service territory of the same qualifying retail  
23 utility ~~and also in the same county as, or a county adjacent to, that of AS~~  
24 the community solar garden. The subscriber may change from time to  
25 time the premises to which the community solar garden electricity

1 generation shall be attributed, so long as the premises are within the  
2 ~~geographical limits allowed for a subscriber~~ SAME SERVICE TERRITORY.

3           **SECTION 2. Act subject to petition - effective date.** This act  
4 takes effect at 12:01 a.m. on the day following the expiration of the  
5 ninety-day period after final adjournment of the general assembly (August  
6 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
7 referendum petition is filed pursuant to section 1 (3) of article V of the  
8 state constitution against this act or an item, section, or part of this act  
9 within such period, then the act, item, section, or part will not take effect  
10 unless approved by the people at the general election to be held in  
11 November 2020 and, in such case, will take effect on the date of the  
12 official declaration of the vote thereon by the governor.