

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 24-0705.02 Christopher McMichael x4775

HOUSE BILL 24-1173

HOUSE SPONSORSHIP

Valdez,

SENATE SPONSORSHIP

(None),

House Committees
Energy & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING EXPEDITING THE PROCESS FOR PERMITTING ELECTRIC**
102 **MOTOR VEHICLE CHARGING SYSTEMS.**

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 establishes an expedited permitting process for the approval of electric motor vehicle (EV) charging systems for counties and municipalities.

A board of county commissioners or the governing body of a municipality must adopt an application procedure for an applicant to apply for an EV charger permit to install an EV motor vehicle charging

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

system. Once the application is complete, the county permitting agency or municipal permitting agency will review and approve, conditionally approve, or deny an EV charger permit:

- Within 30 days after the application is considered complete, for an application that proposes to build fewer than 13 charging stations on a parcel where the EV charging system is considered an accessory land use to the existing or primary land use on that parcel; or
- Within 60 days after the application is considered complete, for an application that proposes to build 13 or more charging stations or for applications where the EV charging system complies with the primary land use on that parcel.

If the county permitting agency or municipal permitting agency does not approve, conditionally approve, or deny a completed application for an EV charger permit within those time periods, the application is approved and the EV charger permit is granted to the applicant.

The county or municipality may deny an application if the application does not comply with the objective standards for EV charging systems set forth by the county or municipality or for health or safety reasons.

The bill also instructs the Colorado energy office to develop a model code regarding the approval of EV charger permits and provide counties and municipalities technical assistance in developing and administering the expedited EV charger permitting process.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The transportation sector is a leading source of greenhouse gas
5 emissions and pollution, and vehicle electrification is a key component in
6 reducing greenhouse gas emissions in the transportation sector;

7 (b) According to the United States department of energy, an
8 electric vehicle produces an average of less than one-fourth of the average
9 emissions of a motor vehicle powered by an internal combustion engine
10 over its lifetime;

11 (c) To further promote the adoption of electric vehicles, the state

1 needs to encourage the rapid development of a network of electric vehicle
2 charging systems and other infrastructure to support those electric
3 vehicles;

4 (d) As of January 2024, there are more than 108,000 electric
5 vehicles on the road in Colorado but less than 4,000 Level 2 and only 755
6 DC fast charging electric vehicle charging ports available for public use;

7 (e) The "2023 Colorado EV Plan" calls for at least 5,800 Level 2
8 and 1,700 DC fast charging electric vehicle charging ports available for
9 public use by 2025; and

10 (f) The promotion of electric vehicles and the development of
11 electric vehicle charging systems is a matter of mixed state and local
12 concern.

13 (2) The general assembly further declares that it is in the best
14 interest of Coloradans and a matter of mixed state and local concern to
15 facilitate the permitting of electric vehicle charging systems by
16 streamlining the process for local governments to approve permits for
17 developing electric vehicle charging infrastructure.

18 **SECTION 2.** In Colorado Revised Statutes, **add** 30-28-213 as
19 follows:

20 **30-28-213. Electric motor vehicle charging systems - county**
21 **permitting procedures - permit application - approval process -**
22 **definitions. (1) Definitions.** AS USED IN THIS SECTION, UNLESS THE
23 CONTEXT OTHERWISE REQUIRES:

24 (a) "ADMINISTRATIVE REVIEW PROCESS" MEANS A PROCESS:
25 (I) IN WHICH AN EV CHARGER PERMIT IS APPROVED, APPROVED
26 WITH CONDITIONS, OR DENIED BY ADMINISTRATIVE STAFF OF A COUNTY
27 PERMITTING AGENCY BASED SOLELY ON THE APPLICATION'S COMPLIANCE

1 WITH OBJECTIVE STANDARDS SET FORTH IN COUNTY ZONING LAWS OR
2 OTHER COUNTY LAWS; AND

3 (II) THAT DOES NOT REQUIRE A PUBLIC HEARING, A
4 RECOMMENDATION, OR A DECISION BY AN ELECTED OR APPOINTED PUBLIC
5 BODY OR HEARING OFFICER EXCEPT AS PROVIDED IN SUBSECTION (5)(d) OF
6 THIS SECTION.

7 (b) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY
8 OFFICE CREATED IN SECTION 24-38.5-101.

9 (c) (I) "COUNTY PERMITTING AGENCY" MEANS THE ENTITY OR
10 ENTITIES FOR A COUNTY THAT ARE RESPONSIBLE FOR ISSUING AN EV
11 CHARGER PERMIT FOR THE CONSTRUCTION OF AN ELECTRIC MOTOR
12 VEHICLE CHARGING SYSTEM.

13 (II) "COUNTY PERMITTING AGENCY" MAY INCLUDE:

14 (A) A COUNTY BUILDING DEPARTMENT OR AGENCY;

15 (B) A COUNTY PLANNING DEPARTMENT OR AGENCY; OR

16 (C) A COUNTY PUBLIC WORKS OR ROAD AND BRIDGE DEPARTMENT
17 OR AGENCY.

18 (d) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE
19 MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

20 (e) "ELECTRIC MOTOR VEHICLE CHARGING SYSTEM" OR "CHARGING
21 SYSTEM" HAS THE MEANING SET FORTH IN SECTION 38-12-601 (6)(a).

22 (f) "EV CHARGER PERMIT" MEANS THE FINAL APPROVAL OF AN
23 APPLICATION FOR INSTALLATION OF AN ELECTRIC MOTOR VEHICLE
24 CHARGING SYSTEM THAT A COUNTY MAY REQUIRE TO AUTHORIZE AN
25 APPLICANT TO COMMENCE CONSTRUCTION OF THE CHARGING SYSTEM.

26 (g) "OBJECTIVE STANDARD" MEANS A STANDARD THAT:

27 (I) IS UNIFORMLY VERIFIABLE AND ASCERTAINABLE BY REFERENCE

1 TO AN AVAILABLE EXTERNAL OR UNIFORM BENCHMARK OR CRITERION BY
2 THE APPLICANT AND COUNTY PERMITTING AGENCY STAFF PRIOR TO THE
3 APPLICANT'S FILING OF AN EV CHARGER PERMIT APPLICATION; AND

4 (II) DOES NOT REQUIRE COUNTY PERMITTING AGENCY STAFF TO
5 MAKE A SUBJECTIVE DETERMINATION CONCERNING AN EV CHARGER
6 PERMIT APPLICATION.

7 (2) (a) ON OR BEFORE DECEMBER 31, 2025, THE BOARD OF COUNTY
8 COMMISSIONERS OF A COUNTY WITH A POPULATION OF TWENTY THOUSAND
9 OR MORE ACCORDING TO THE 2020 FEDERAL CENSUS SHALL:

10 (I) (A) ADOPT AN ORDINANCE OR RESOLUTION TO INCORPORATE
11 THE SAME OBJECTIVE STANDARDS OR LESS RESTRICTIVE STANDARDS THAN
12 THE STANDARDS IN THE EV CHARGER PERMITTING MODEL CODE
13 DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION
14 (3) OF THIS SECTION; OR

15 (B) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES
16 OBJECTIVE STANDARDS TO BE USED BY THE COUNTY PERMITTING AGENCY
17 DURING THE ADMINISTRATIVE REVIEW PROCESS FOR APPLICATIONS FOR EV
18 CHARGER PERMITS; AND

19 (II) IN CONSULTATION WITH THE LOCAL FIRE DEPARTMENT OR FIRE
20 DISTRICT, ANY ELECTRIC UTILITIES SERVING THE COUNTY, AND OTHER
21 RELEVANT STAKEHOLDERS, ADOPT AN ORDINANCE OR RESOLUTION
22 ESTABLISHING AN ADMINISTRATIVE REVIEW PROCESS FOR APPLICATIONS
23 FOR EV CHARGER PERMITS IN ACCORDANCE WITH THE REQUIREMENTS OF
24 SUBSECTIONS (4), (5), AND (6) OF THIS SECTION.

25 (b) ON OR BEFORE JANUARY 31, 2026, A COUNTY WITH A
26 POPULATION OF TWENTY THOUSAND OR MORE ACCORDING TO THE 2020
27 FEDERAL CENSUS SHALL SUBMIT A REPORT TO THE COLORADO ENERGY

1 OFFICE DESCRIBING THE COUNTY'S COMPLIANCE WITH SUBSECTION (2)(a)
2 OF THIS SECTION.

3 (c) A COUNTY SUBJECT TO THE REQUIREMENTS OF SUBSECTION
4 (2)(a) OF THIS SECTION SHALL MAINTAIN ELECTRONIC RECORDS OF EACH
5 APPLICATION FOR AN EV CHARGER PERMIT FOR AT LEAST TWO YEARS
6 AFTER THE DATE ON WHICH THE COUNTY PERMITTING AGENCY MAKES A
7 FINAL DETERMINATION OF WHETHER TO GRANT THE PERMIT. THE
8 ELECTRONIC RECORDS MUST INCLUDE:

9 (I) THE FINAL DETERMINATION MADE BY THE COUNTY PERMITTING
10 AGENCY FOR EACH EV CHARGER PERMIT APPLICATION; AND

11 (II) FOR EACH EV CHARGER PERMIT APPLICATION SUBMITTED TO
12 THE COUNTY PERMITTING AGENCY, THE DURATION BETWEEN THE DATE
13 THAT THE EV CHARGER PERMIT APPLICATION WAS DEEMED COMPLETE BY
14 THE COUNTY PERMITTING AGENCY AND THE DATE THAT THE COUNTY
15 PERMITTING AGENCY MADE A FINAL DETERMINATION ON THE EV CHARGER
16 PERMIT APPLICATION.

17 (3) (a) ON OR BEFORE MARCH 31, 2025, THE COLORADO ENERGY
18 OFFICE SHALL PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT
19 CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT
20 OBJECTIVE STANDARDS AND PERMITTING PROCESSES FOR COUNTIES.

21 (b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
22 THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3)(a) OF THIS
23 SECTION MUST BE DEVELOPED IN CONSULTATION WITH COUNTIES,
24 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,
25 AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE
26 COLORADO ENERGY OFFICE.

27 (4) (a) A COUNTY PERMITTING AGENCY SHALL APPROVE,

1 CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER
2 PERMIT USING THE COUNTY'S ADMINISTRATIVE REVIEW PROCESS TO
3 DETERMINE IF THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING
4 SYSTEM IS IN COMPLIANCE WITH THE COUNTY'S OBJECTIVE STANDARDS.

5 (b) A COUNTY PERMITTING AGENCY SHALL NOT DENY OR PLACE
6 CONDITIONS ON AN EV CHARGER PERMIT APPLICATION UNLESS THE DENIAL
7 OR CONDITIONS ARE FOR THE PURPOSE OF REASONABLY PROTECTING
8 PUBLIC HEALTH OR SAFETY.

9 (c) IF A COUNTY PERMITTING AGENCY DENIES AN APPLICATION FOR
10 AN EV CHARGER PERMIT, THE COUNTY PERMITTING AGENCY SHALL MAKE
11 WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE
12 CHARGING SYSTEM WOULD VIOLATE THE COUNTY'S OBJECTIVE STANDARDS
13 OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC HEALTH OR
14 SAFETY AND PROVIDE THOSE WRITTEN FINDINGS TO THE APPLICANT.

15 (d) AN APPLICANT FOR AN EV CHARGER PERMIT THAT IS DENIED
16 A PERMIT OR HAS CONDITIONS PLACED ON THE APPROVAL OF AN EV
17 CHARGER PERMIT BY A COUNTY PERMITTING AGENCY MAY APPEAL THE
18 COUNTY PERMITTING AGENCY'S DECISION TO THE BOARD OF COUNTY
19 COMMISSIONERS OF THE COUNTY.

20 (5) (a) THE COUNTY PERMITTING AGENCY MUST MAKE AVAILABLE
21 TO PROSPECTIVE APPLICANTS FOR EV CHARGER PERMITS A CHECKLIST OF
22 ALL REQUIREMENTS THAT MUST BE INCLUDED IN AN APPLICATION FOR AN
23 EV CHARGER PERMIT.

24 (b) A COUNTY PERMITTING AGENCY SHALL REVIEW AN
25 APPLICATION FOR AN EV CHARGER PERMIT TO CONFIRM THAT THE
26 APPLICATION SUFFICIENTLY MEETS THE REQUIREMENTS OF THE CHECKLIST
27 DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

1 (c) A COUNTY PERMITTING AGENCY SHALL CONSIDER AN
2 APPLICATION FOR AN EV CHARGER PERMIT THAT SATISFIES THE
3 REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF
4 THIS SECTION A COMPLETE APPLICATION.

5 (d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN
6 APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE
7 CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE
8 COUNTY PERMITTING AGENCY SHALL SEND A WRITTEN NOTICE TO THE
9 APPLICANT THAT DETAILS ALL OF THE DEFICIENCIES WITH THE
10 APPLICATION AND ANY ADDITIONAL INFORMATION REQUIRED FOR THE
11 APPLICATION TO BE CONSIDERED COMPLETE.

12 (6) (a) A COUNTY PERMITTING AGENCY THAT HAS RECEIVED AN
13 APPLICATION FOR AN EV CHARGER PERMIT SHALL:

14 (I) REVIEW THE APPLICATION FOR COMPLETENESS WITHIN TEN
15 BUSINESS DAYS; AND

16 (II) WITHIN THREE BUSINESS DAYS AFTER THE COUNTY
17 PERMITTING AGENCY HAS COMPLETED ITS INITIAL REVIEW OF THE
18 APPLICATION, SEND WRITTEN NOTICE TO THE APPLICANT THAT STATES
19 WHETHER THE APPLICATION IS COMPLETE.

20 (b) AN APPLICATION FOR AN EV CHARGER PERMIT THAT IS
21 CONSIDERED COMPLETE SHALL BE REVIEWED BY THE COUNTY PERMITTING
22 AGENCY THROUGH THE ADMINISTRATIVE REVIEW PROCESS WITHIN THE
23 FOLLOWING TIME PERIODS:

24 (I) FOR AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT IS
25 AN ACCESSORY LAND USE TO AN EXISTING OR PLANNED PRIMARY LAND
26 USE ON THE SAME PARCEL AND THAT HAS FEWER THAN THIRTEEN
27 CHARGING STATIONS, THE APPLICATION FOR AN EV CHARGER PERMIT IS

1 REVIEWED THROUGH THE ADMINISTRATIVE REVIEW PROCESS WITHIN
2 THIRTY DAYS AFTER THE COUNTY PERMITTING AGENCY SENDS NOTICE TO
3 THE APPLICANT THAT THE APPLICANT'S EV CHARGER PERMIT APPLICATION
4 IS COMPLETE.

5 (II) FOR AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT IS
6 THE PRIMARY LAND USE ON A PARCEL OR THAT HAS THIRTEEN OR MORE
7 CHARGING STATIONS, THE APPLICATION FOR AN EV CHARGER PERMIT IS
8 REVIEWED THROUGH THE ADMINISTRATIVE REVIEW PROCESS WITHIN SIXTY
9 DAYS AFTER THE COUNTY PERMITTING AGENCY SENDS NOTICE TO THE
10 APPLICANT THAT THE APPLICANT'S EV CHARGER PERMIT APPLICATION IS
11 COMPLETE.

12 (c) A COUNTY PERMITTING AGENCY THAT DENIES OR
13 CONDITIONALLY APPROVES AN APPLICATION MUST DENY OR
14 CONDITIONALLY APPROVE THE APPLICATION WITHIN THE TIME PERIODS
15 SPECIFIED IN SUBSECTION (6)(b) OF THIS SECTION.

16 (d) IF THE COUNTY PERMITTING AGENCY DOES NOT APPROVE,
17 CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER
18 PERMIT THAT IS CONSIDERED COMPLETE WITHIN THE TIME PERIODS
19 DESCRIBED IN SUBSECTION (6)(b) OF THIS SECTION, THE APPLICATION IS
20 CONSIDERED APPROVED AND THE EV CHARGER PERMIT IS GRANTED TO
21 THE APPLICANT.

22 (7)(a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
23 ASSISTANCE TO COUNTIES TO ASSIST A COUNTY IN COMPLYING WITH THE
24 REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:

25 (I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF COUNTY
26 CODES; AND

27 (II) MATERIALS AND SUPPORT FOR TRAINING COUNTY PERMITTING

1 AGENCY STAFF WITH INTERPRETING AND APPLYING EV CHARGER PERMIT
2 STANDARDS AND PROCESSES.

3 (b) THE COLORADO ENERGY OFFICE SHALL PRIORITIZE PROVIDING
4 TECHNICAL ASSISTANCE TO COUNTIES THAT HAVE A SIGNIFICANT NUMBER
5 OF DISPROPORTIONATELY IMPACTED COMMUNITIES.

6 **SECTION 3.** In Colorado Revised Statutes, **add** 31-23-316 as
7 follows:

8 **31-23-316. Electric motor vehicle charging systems -**
9 **municipal permitting procedures - permit application - approval**
10 **process - definitions. (1) Definitions.** AS USED IN THIS SECTION, UNLESS
11 THE CONTEXT OTHERWISE REQUIRES:

12 (a) "ADMINISTRATIVE REVIEW PROCESS" MEANS A PROCESS:

13 (I) IN WHICH AN EV CHARGER PERMIT IS APPROVED, APPROVED
14 WITH CONDITIONS, OR DENIED BY ADMINISTRATIVE STAFF OF A MUNICIPAL
15 PERMITTING AGENCY BASED SOLELY ON THE APPLICATION'S COMPLIANCE
16 WITH OBJECTIVE STANDARDS SET FORTH IN MUNICIPAL ZONING LAWS OR
17 OTHER MUNICIPAL LAWS; AND

18 (II) THAT DOES NOT REQUIRE A PUBLIC HEARING, A
19 RECOMMENDATION, OR A DECISION BY AN ELECTED OR APPOINTED PUBLIC
20 BODY OR HEARING OFFICER EXCEPT AS PROVIDED IN SUBSECTION (5)(d) OF
21 THIS SECTION.

22 (b) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY
23 OFFICE CREATED IN SECTION 24-38.5-101.

24 (c) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE
25 MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

26 (d) "ELECTRIC MOTOR VEHICLE CHARGING SYSTEM" OR "CHARGING
27 SYSTEM" HAS THE MEANING SET FORTH IN SECTION 38-12-601 (6)(a).

1 (e) "EV CHARGER PERMIT" MEANS THE FINAL APPROVAL OF AN
2 APPLICATION FOR INSTALLATION OF AN ELECTRIC MOTOR VEHICLE
3 CHARGING SYSTEM THAT A MUNICIPALITY MAY REQUIRE TO AUTHORIZE AN
4 APPLICANT TO COMMENCE CONSTRUCTION OF THE CHARGING SYSTEM.

5 (f) (I) "MUNICIPAL PERMITTING AGENCY" MEANS THE ENTITY OR
6 ENTITIES FOR A MUNICIPALITY THAT ARE RESPONSIBLE FOR ISSUING AN EV
7 CHARGER PERMIT FOR THE CONSTRUCTION OF AN ELECTRIC MOTOR
8 VEHICLE CHARGING SYSTEM.

9 (II) "MUNICIPAL PERMITTING AGENCY" MAY INCLUDE:

10 (A) A MUNICIPAL BUILDING DEPARTMENT OR AGENCY;

11 (B) A MUNICIPAL PLANNING DEPARTMENT OR AGENCY; OR

12 (C) A MUNICIPAL PUBLIC WORKS OR ROAD AND BRIDGE
13 DEPARTMENT OR AGENCY.

14 (g) "OBJECTIVE STANDARD" MEANS A STANDARD THAT:

15 (I) IS UNIFORMLY VERIFIABLE AND ASCERTAINABLE BY REFERENCE
16 TO AN AVAILABLE EXTERNAL OR UNIFORM BENCHMARK OR CRITERION BY
17 THE APPLICANT AND MUNICIPAL PERMITTING AGENCY STAFF PRIOR TO THE
18 APPLICANT'S FILING OF AN EV CHARGER PERMIT APPLICATION; AND

19 (II) DOES NOT REQUIRE MUNICIPAL PERMITTING AGENCY STAFF TO
20 MAKE A SUBJECTIVE DETERMINATION CONCERNING AN EV CHARGER
21 PERMIT APPLICATION.

22 (2) (a) ON OR BEFORE DECEMBER 31, 2025, THE GOVERNING BODY
23 OF A MUNICIPALITY SHALL:

24 (I) (A) ADOPT AN ORDINANCE OR RESOLUTION TO INCORPORATE
25 THE SAME OBJECTIVE STANDARDS OR LESS RESTRICTIVE STANDARDS THAN
26 THE STANDARDS IN THE EV CHARGER PERMITTING MODEL CODE
27 DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION

1 (3) OF THIS SECTION; OR

2 (B) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES
3 OBJECTIVE STANDARDS TO BE USED BY THE MUNICIPAL PERMITTING
4 AGENCY DURING THE ADMINISTRATIVE REVIEW PROCESS FOR
5 APPLICATIONS FOR EV CHARGER PERMITS; AND

6 (II) IN CONSULTATION WITH THE LOCAL FIRE DEPARTMENT OR FIRE
7 DISTRICT, ANY ELECTRIC UTILITIES SERVING THE MUNICIPALITY, AND
8 OTHER RELEVANT STAKEHOLDERS, ADOPT AN ORDINANCE OR RESOLUTION
9 ESTABLISHING AN ADMINISTRATIVE REVIEW PROCESS FOR APPLICATIONS
10 FOR EV CHARGER PERMITS IN ACCORDANCE WITH THE REQUIREMENTS OF
11 SUBSECTIONS (4), (5), AND (6) OF THIS SECTION.

12 (b) ON OR BEFORE JANUARY 31, 2026, A MUNICIPALITY SHALL
13 SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE DESCRIBING THE
14 MUNICIPALITY'S COMPLIANCE WITH SUBSECTION (2)(a) OF THIS SECTION.

15 (c) A MUNICIPALITY SHALL MAINTAIN ELECTRONIC RECORDS OF
16 EACH APPLICATION FOR AN EV CHARGER PERMIT FOR AT LEAST TWO
17 YEARS AFTER THE DATE ON WHICH THE MUNICIPAL PERMITTING AGENCY
18 MAKES A FINAL DETERMINATION OF WHETHER TO GRANT THE PERMIT. THE
19 ELECTRONIC RECORDS MUST INCLUDE:

20 (I) THE FINAL DETERMINATION MADE BY THE MUNICIPAL
21 PERMITTING AGENCY FOR EACH EV CHARGER PERMIT APPLICATION; AND

22 (II) FOR EACH EV CHARGER PERMIT APPLICATION SUBMITTED TO
23 THE MUNICIPAL PERMITTING AGENCY, THE DURATION BETWEEN THE DATE
24 THAT THE EV CHARGER PERMIT APPLICATION WAS DEEMED COMPLETE BY
25 THE MUNICIPAL PERMITTING AGENCY AND THE DATE THAT THE MUNICIPAL
26 PERMITTING AGENCY MADE A FINAL DETERMINATION ON THE EV CHARGER
27 PERMIT APPLICATION.

1 (3) (a) ON OR BEFORE MARCH 31, 2025, THE COLORADO ENERGY
2 OFFICE SHALL PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT
3 CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT
4 OBJECTIVE STANDARDS AND PERMITTING PROCESSES FOR MUNICIPALITIES.

5 (b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
6 THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3)(a) OF THIS
7 SECTION MUST BE DEVELOPED IN CONSULTATION WITH MUNICIPALITIES,
8 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,
9 AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE
10 COLORADO ENERGY OFFICE.

11 (4) (a) A MUNICIPAL PERMITTING AGENCY SHALL APPROVE,
12 CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER
13 PERMIT USING THE MUNICIPALITY'S ADMINISTRATIVE REVIEW PROCESS TO
14 DETERMINE IF THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING
15 SYSTEM IS IN COMPLIANCE WITH THE MUNICIPALITY'S OBJECTIVE
16 STANDARDS.

17 (b) A MUNICIPAL PERMITTING AGENCY SHALL NOT DENY OR PLACE
18 CONDITIONS ON AN EV CHARGER PERMIT APPLICATION UNLESS THE DENIAL
19 OR CONDITIONS ARE FOR THE PURPOSE OF REASONABLY PROTECTING
20 PUBLIC HEALTH OR SAFETY.

21 (c) IF A MUNICIPAL PERMITTING AGENCY DENIES AN APPLICATION
22 FOR AN EV CHARGER PERMIT, THE MUNICIPAL PERMITTING AGENCY SHALL
23 MAKE WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE
24 CHARGING SYSTEM WOULD VIOLATE THE MUNICIPALITY'S OBJECTIVE
25 STANDARDS OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC
26 HEALTH OR SAFETY AND PROVIDE THOSE WRITTEN FINDINGS TO THE
27 APPLICANT.

1 (d) AN APPLICANT FOR AN EV CHARGER PERMIT THAT IS DENIED
2 A PERMIT OR HAS CONDITIONS PLACED ON THE APPROVAL OF AN EV
3 CHARGER PERMIT BY A MUNICIPAL PERMITTING AGENCY MAY APPEAL THE
4 MUNICIPAL PERMITTING AGENCY'S DECISION TO THE GOVERNING BODY OF
5 THE MUNICIPALITY.

6 (5) (a) THE MUNICIPAL PERMITTING AGENCY MUST MAKE
7 AVAILABLE TO PROSPECTIVE APPLICANTS FOR EV CHARGER PERMITS A
8 CHECKLIST OF ALL REQUIREMENTS THAT MUST BE INCLUDED IN AN
9 APPLICATION FOR AN EV CHARGER PERMIT.

10 (b) A MUNICIPAL PERMITTING AGENCY SHALL REVIEW AN
11 APPLICATION FOR AN EV CHARGER PERMIT TO CONFIRM THAT THE
12 APPLICATION SUFFICIENTLY MEETS THE REQUIREMENTS OF THE CHECKLIST
13 DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

14 (c) A MUNICIPAL PERMITTING AGENCY SHALL CONSIDER AN
15 APPLICATION FOR AN EV CHARGER PERMIT THAT SATISFIES THE
16 REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF
17 THIS SECTION A COMPLETE APPLICATION.

18 (d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN
19 APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE
20 CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE
21 MUNICIPAL PERMITTING AGENCY SHALL SEND A WRITTEN NOTICE TO THE
22 APPLICANT THAT DETAILS ALL OF THE DEFICIENCIES WITH THE
23 APPLICATION AND ANY ADDITIONAL INFORMATION REQUIRED FOR THE
24 APPLICATION TO BE CONSIDERED COMPLETE.

25 (6) (a) A MUNICIPAL PERMITTING AGENCY THAT HAS RECEIVED AN
26 APPLICATION FOR AN EV CHARGER PERMIT SHALL:

27 (I) REVIEW THE APPLICATION FOR COMPLETENESS WITHIN TEN

1 BUSINESS DAYS; AND

2 (II) WITHIN THREE BUSINESS DAYS AFTER THE MUNICIPAL
3 PERMITTING AGENCY HAS COMPLETED ITS INITIAL REVIEW OF THE
4 APPLICATION, SEND WRITTEN NOTICE TO THE APPLICANT THAT STATES
5 WHETHER THE APPLICATION IS COMPLETE.

6 (b) AN APPLICATION FOR AN EV CHARGER PERMIT THAT IS
7 CONSIDERED COMPLETE SHALL BE REVIEWED BY THE MUNICIPAL
8 PERMITTING AGENCY THROUGH THE ADMINISTRATIVE REVIEW PROCESS
9 WITHIN THE FOLLOWING TIME PERIODS:

10 (I) FOR AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT IS
11 AN ACCESSORY LAND USE TO AN EXISTING OR PLANNED PRIMARY LAND
12 USE ON THE SAME PARCEL AND THAT HAS FEWER THAN THIRTEEN
13 CHARGING STATIONS, THE APPLICATION FOR AN EV CHARGER PERMIT IS
14 REVIEWED THROUGH THE ADMINISTRATIVE REVIEW PROCESS WITHIN
15 THIRTY DAYS AFTER THE MUNICIPAL PERMITTING AGENCY SENDS NOTICE
16 TO THE APPLICANT THAT THE APPLICANT'S EV CHARGER PERMIT
17 APPLICATION IS COMPLETE.

18 (II) FOR AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT IS
19 THE PRIMARY LAND USE ON A PARCEL OR THAT HAS THIRTEEN OR MORE
20 CHARGING STATIONS, THE APPLICATION FOR AN EV CHARGER PERMIT IS
21 REVIEWED THROUGH THE ADMINISTRATIVE REVIEW PROCESS WITHIN SIXTY
22 DAYS AFTER THE MUNICIPAL PERMITTING AGENCY SENDS NOTICE TO THE
23 APPLICANT THAT THE APPLICANT'S EV CHARGER PERMIT APPLICATION IS
24 COMPLETE.

25 (c) A MUNICIPAL PERMITTING AGENCY THAT DENIES OR
26 CONDITIONALLY APPROVES AN APPLICATION MUST DENY OR
27 CONDITIONALLY APPROVE THE APPLICATION WITHIN THE TIME PERIODS

1 SPECIFIED IN SUBSECTION (6)(b) OF THIS SECTION.

2 (d) IF THE MUNICIPAL PERMITTING AGENCY DOES NOT APPROVE,
3 CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER
4 PERMIT THAT IS CONSIDERED COMPLETE WITHIN THE TIME PERIODS
5 DESCRIBED IN SUBSECTION (6)(b) OF THIS SECTION, THE APPLICATION IS
6 CONSIDERED APPROVED AND THE EV CHARGER PERMIT IS GRANTED TO
7 THE APPLICANT.

8 (7)(a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
9 ASSISTANCE TO MUNICIPALITIES TO ASSIST A MUNICIPALITY IN COMPLYING
10 WITH THE REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:

11 (I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF MUNICIPAL
12 CODES; AND

13 (II) MATERIALS AND SUPPORT FOR TRAINING MUNICIPAL
14 PERMITTING AGENCY STAFF WITH INTERPRETING AND APPLYING EV
15 CHARGER PERMIT STANDARDS AND PROCESSES.

16 (b) THE COLORADO ENERGY OFFICE SHALL PRIORITIZE PROVIDING
17 TECHNICAL ASSISTANCE TO COUNTIES THAT HAVE A SIGNIFICANT NUMBER
18 OF DISPROPORTIONATELY IMPACTED COMMUNITIES.

19 **SECTION 4.** In Colorado Revised Statutes, 24-38.5-102, **amend**
20 (1)(l) and (1)(m); and **add** (1)(n) as follows:

21 **24-38.5-102. Colorado energy office - duties and powers -**
22 **definitions.** (1) The Colorado energy office shall:

23 (l) Develop basic consumer education or guidance about leased
24 solar installation and purchased solar installation in consultation with
25 industries that offer these options to consumers; **and**

26 (m) In consultation with the appropriate industries, develop basic
27 consumer education or guidance about purchased or, if available, leased

1 installation of a system that uses geothermal energy for water heating or
2 space heating or cooling in a single building or for space heating for more
3 than one building through a pipeline network; AND

4 (n) PROVIDE ASSISTANCE AND SUPPORT TO A BOARD OF COUNTY
5 COMMISSIONERS OR THE GOVERNING BODY OF A MUNICIPALITY IN
6 DEVELOPING ORDINANCES OR RESOLUTIONS FOR THE PERMITTING OF
7 ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS IN ACCORDANCE WITH
8 SECTIONS 30-28-213 AND 31-23-316.

9 **SECTION 5. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly; except
12 that, if a referendum petition is filed pursuant to section 1 (3) of article V
13 of the state constitution against this act or an item, section, or part of this
14 act within such period, then the act, item, section, or part will not take
15 effect unless approved by the people at the general election to be held in
16 November 2024 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.