

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 24-0957.01 Christopher McMichael x4775

**SENATE BILL 24-151**

**SENATE SPONSORSHIP**

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**Senate Committees**

Business, Labor, & Technology  
Appropriations

**House Committees**

Business Affairs & Labor

HOUSE  
3rd Reading Unamended  
May 4, 2024

**A BILL FOR AN ACT**

101 **CONCERNING TELECOMMUNICATIONS SECURITY, AND, IN CONNECTION**  
102 **THEREWITH, REQUIRING THE DIVISION OF HOMELAND SECURITY**  
103 **AND EMERGENCY MANAGEMENT WITHIN THE DEPARTMENT OF**  
104 **PUBLIC SAFETY TO PROMULGATE RULES RELATED TO THE**  
105 **REMOVAL, DISCONTINUANCE, OR REPLACEMENT OF CRITICAL**  
106 **TELECOMMUNICATIONS INFRASTRUCTURE THAT UTILIZES**  
107 **EQUIPMENT MANUFACTURED BY A FEDERALLY BANNED ENTITY.**

HOUSE  
2nd Reading Unamended  
May 3, 2024

SENATE  
3rd Reading Unamended  
April 29, 2024

**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>.)*

SENATE  
Amended 2nd Reading  
April 26, 2024

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.*

The bill requires telecommunications providers that operate in Colorado to remove, discontinue, or replace all critical telecommunications infrastructure that utilizes equipment from a federally banned entity or foreign adversary.

The bill requires telecommunications providers to register with the public utilities commission (commission) and certify that the telecommunications provider is:

- Not operating critical telecommunications infrastructure that utilizes equipment from a federally banned entity or foreign adversary; or
- Participating in the federal reimbursement program established by the federal "Secure and Trusted Communications Networks Act of 2019" and is in compliance with the reimbursement program.

The bill grants the commission authority to enforce the requirements established by the bill by administering fines against telecommunications providers for noncompliance. The bill also grants the commission rule-making authority to implement the requirements.

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

2 **SECTION 1. Legislative declaration.** The general assembly  
3 finds and declares that it is in the best interest of the state to secure  
4 Colorado's telecommunications network and protect national security by  
5 identifying and removing communications hardware and software that is  
6 produced by countries of concern or by other sanctioned entities from  
7 Colorado's telecommunications network and by monitoring the progress  
8 of the removal of such equipment.

9 **SECTION 2.** In Colorado Revised Statutes, add 24-33.5-1624 as  
10 follows:

11 **24-33.5-1624. Telecommunications security -**  
12 **telecommunications network - national security - general provisions**  
13 **- registration - rules - secure telecommunications cash fund -**  
14 **definitions. (1) Definitions. AS USED IN THIS SECTION, UNLESS THE**

1 CONTEXT OTHERWISE REQUIRES:

2 (a) (I) "CRITICAL TELECOMMUNICATIONS INFRASTRUCTURE"  
3 MEANS ALL PHYSICAL TELECOMMUNICATIONS INFRASTRUCTURE AND  
4 EQUIPMENT THAT SUPPORTS THE TRANSMISSION OF INFORMATION,  
5 REGARDLESS OF THE TRANSMISSION MEDIUM OR TECHNOLOGY EMPLOYED,  
6 AND THAT CONNECTS TO A TELECOMMUNICATIONS NETWORK THAT  
7 PERMITS THE USER TO ENGAGE IN THE USE OF TELECOMMUNICATIONS  
8 SERVICE, INCLUDING TELECOMMUNICATIONS SERVICE PROVIDED DIRECTLY  
9 TO THE PUBLIC OR TO SUCH CLASSES OF USES AS TO BE EFFECTIVELY  
10 AVAILABLE TO THE PUBLIC.

11 (II) "CRITICAL TELECOMMUNICATIONS INFRASTRUCTURE" DOES  
12 NOT INCLUDE TELECOMMUNICATIONS EQUIPMENT THAT IS USED SOLELY  
13 FOR THE OPERATION OF A UTILITY AND THAT IS NOT USED IN CONNECTION  
14 WITH TELECOMMUNICATIONS SERVICE OFFERED TO THE PUBLIC.

15 (b) "FEDERALLY BANNED ENTITY" MEANS ANY ENTITY OR  
16 EQUIPMENT THAT THE FEDERAL GOVERNMENT HAS BANNED OR IMPOSED  
17 SANCTIONS AGAINST, INCLUDING BANNING OR SANCTIONS IMPOSED BY THE  
18 FOLLOWING FEDERAL AGENCIES AND ACTS:

19 (I) THE FEDERAL COMMUNICATIONS COMMISSION, INCLUDING:

20 (A) ANY ENTITY, EQUIPMENT, OR SERVICE DEEMED TO POSE A  
21 THREAT TO NATIONAL SECURITY IDENTIFIED ON THE COVERED LIST  
22 DESCRIBED IN 47 CFR 1.50002; AND

23 (B) ANY ENTITY, EQUIPMENT, OR SERVICE IDENTIFIED ON THE  
24 COVERED LIST PUBLISHED BY THE PUBLIC SAFETY AND HOMELAND  
25 SECURITY BUREAU PURSUANT TO THE FEDERAL "SECURE AND TRUSTED  
26 COMMUNICATIONS NETWORKS ACT OF 2019", 47 U.S.C. SEC. 1601 ET  
27 SEQ., AS AMENDED;

1           (II) THE UNITED STATES DEPARTMENT OF COMMERCE;

2           (III) THE UNITED STATES CYBERSECURITY AND INFRASTRUCTURE  
3 SECURITY AGENCY;

4           (IV) THE FEDERAL ACQUISITION SECURITY COUNCIL, ESTABLISHED  
5 PURSUANT TO THE FEDERAL "SECURE TECHNOLOGY ACT", 41 U.S.C.  
6 SEC. 1322, AS AMENDED; AND

7           (V) SECTION 889 OF THE FEDERAL "JOHN S. MCCAIN NATIONAL  
8 DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019", PUB.L. 115-232.

9           (c) (I) "TELECOMMUNICATIONS PROVIDER" MEANS AN ENTITY  
10 THAT OFFERS WIRELESS TELECOMMUNICATIONS SERVICE FOR A FEE  
11 DIRECTLY TO THE PUBLIC OR TO SUCH CLASSES OF USES AS TO BE  
12 EFFECTIVELY AVAILABLE TO THE PUBLIC.

13           (II) "TELECOMMUNICATIONS PROVIDER" DOES NOT INCLUDE A  
14 MUNICIPALITY OR A MUNICIPALLY OWNED UTILITY.

15           (2) General provisions. (a) ALL CRITICAL TELECOMMUNICATIONS  
16 INFRASTRUCTURE LOCATED WITHIN COLORADO MUST BE CONSTRUCTED TO  
17 NOT INCLUDE ANY EQUIPMENT MANUFACTURED BY A FEDERALLY BANNED  
18 ENTITY OR ANY OTHER TELECOMMUNICATIONS EQUIPMENT THAT IS  
19 BANNED BY THE FEDERAL GOVERNMENT.

20           (b) (I) FOR ALL CRITICAL TELECOMMUNICATIONS INFRASTRUCTURE  
21 LOCATED WITHIN COLORADO THAT IS CURRENTLY IN OPERATION AND  
22 THAT UTILIZES EQUIPMENT THAT IS PROHIBITED BY SUBSECTION (2)(a) OF  
23 THIS SECTION, THE PROHIBITED EQUIPMENT MUST BE REMOVED AND  
24 REPLACED WITH EQUIPMENT THAT IS NOT MANUFACTURED BY A  
25 FEDERALLY BANNED ENTITY, IN ACCORDANCE WITH THE FEDERAL  
26 "SECURE AND TRUSTED COMMUNICATIONS NETWORKS ACT OF 2019", 47  
27 U.S.C. SEC. 1601 ET SEQ., AS AMENDED.

1           (II) A TELECOMMUNICATIONS PROVIDER THAT REMOVES,  
2           DISCONTINUES, OR REPLACES ANY TELECOMMUNICATIONS EQUIPMENT  
3           MANUFACTURED BY A FEDERALLY BANNED ENTITY IS NOT REQUIRED TO  
4           OBTAIN ADDITIONAL PERMITS FROM ANY STATE AGENCY OR POLITICAL  
5           SUBDIVISION OF THE STATE FOR THE REMOVAL, DISCONTINUANCE, OR  
6           REPLACEMENT OF THE TELECOMMUNICATIONS EQUIPMENT IF:

7           (A) THE TELECOMMUNICATIONS PROVIDER NOTIFIES THE DIVISION  
8           OR RELEVANT POLITICAL SUBDIVISION OF THE STATE OF THE NECESSARY  
9           REMOVAL, DISCONTINUANCE, OR REPLACEMENT OF THE  
10          TELECOMMUNICATIONS EQUIPMENT; AND

11          (B) THE REPLACEMENT TELECOMMUNICATIONS EQUIPMENT IS  
12          SUBSTANTIALLY SIMILAR TO THE EXISTING TELECOMMUNICATIONS  
13          EQUIPMENT THAT IS BEING REPLACED.

14          (III) IF THE REMOVAL, DISCONTINUANCE, OR REPLACEMENT OF  
15          TELECOMMUNICATIONS EQUIPMENT REQUIRES ANY WORK TO BE  
16          COMPLETED IN A PUBLIC RIGHT-OF-WAY OR ON ANY PROPERTY OWNED OR  
17          CONTROLLED BY A PUBLIC ENTITY, A TELECOMMUNICATIONS PROVIDER  
18          SHALL:

19          (A) COMPLY WITH THE REQUIREMENTS OF SUBSECTION (2)(b)(II)  
20          OF THIS SECTION;

21          (B) PROVIDE NOTICE TO THE RELEVANT PUBLIC ENTITY AT LEAST  
22          SEVEN DAYS BEFORE BEGINNING ANY WORK; AND

23          (C) COORDINATE WITH THE RELEVANT PUBLIC ENTITY FOR  
24          COMPLETION OF THE WORK.

25          (3) **Registration - rules.** (a) ON OR BEFORE JANUARY 15, 2025,  
26          A TELECOMMUNICATIONS PROVIDER WITH CRITICAL  
27          TELECOMMUNICATIONS INFRASTRUCTURE LOCATED IN COLORADO SHALL

1 REGISTER WITH THE DIVISION AND PAY AN INITIAL FIFTY-DOLLAR  
2 REGISTRATION FEE. THE DIVISION SHALL TRANSMIT THE INITIAL  
3 FIFTY-DOLLAR REGISTRATION FEE TO THE STATE TREASURER, WHO SHALL  
4 CREDIT THE MONEY TO THE SECURE TELECOMMUNICATIONS CASH FUND  
5 CREATED IN SUBSECTION (5) OF THIS SECTION.

6 (b) A TELECOMMUNICATIONS PROVIDER THAT REGISTERS WITH THE  
7 DIVISION PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION SHALL:

8 (I) PROVIDE THE DIVISION WITH THE NAME, ADDRESS, TELEPHONE  
9 NUMBER, AND E-MAIL ADDRESS OF THE PRIMARY POINT OF CONTACT WHO  
10 OVERSEES THE OPERATION OF TELECOMMUNICATIONS SERVICE IN  
11 COLORADO BY THE TELECOMMUNICATIONS PROVIDER;

12 (II) PAY THE INITIAL REGISTRATION FEE PURSUANT TO SUBSECTION  
13 (3)(a) OF THIS SECTION; AND

14 (III) CERTIFY TO THE DIVISION BY JANUARY 15 OF EACH YEAR  
15 THAT ALL CRITICAL TELECOMMUNICATIONS INFRASTRUCTURE OPERATED  
16 BY THE TELECOMMUNICATIONS PROVIDER IN COLORADO:

17 (A) DOES NOT USE ANY TELECOMMUNICATIONS EQUIPMENT  
18 MANUFACTURED BY A FEDERALLY BANNED ENTITY; OR

19 (B) USES TELECOMMUNICATIONS EQUIPMENT MANUFACTURED BY  
20 A FEDERALLY BANNED ENTITY, BUT THE TELECOMMUNICATIONS PROVIDER  
21 IS A PARTICIPANT IN THE FEDERAL SECURE AND TRUSTED  
22 COMMUNICATIONS NETWORKS REIMBURSEMENT PROGRAM, ESTABLISHED  
23 BY THE FEDERAL "SECURE AND TRUSTED COMMUNICATIONS NETWORKS  
24 ACT OF 2019", 47 U.S.C. SEC. 1601 ET SEQ., AS AMENDED, AND IS IN  
25 COMPLIANCE WITH THE REIMBURSEMENT PROGRAM.

26 (c) (I) A TELECOMMUNICATIONS PROVIDER MUST REGISTER WITH  
27 THE DIVISION IN ACCORDANCE WITH SUBSECTIONS (3)(a) AND (3)(b) OF

1 THIS SECTION BY JANUARY 15 OF EACH YEAR UNTIL THE  
2 TELECOMMUNICATIONS PROVIDER CERTIFIES TO THE DIVISION THAT ALL  
3 TELECOMMUNICATIONS EQUIPMENT PROHIBITED PURSUANT TO  
4 SUBSECTION (2)(a) OF THIS SECTION HAS BEEN REMOVED FROM ALL  
5 CRITICAL TELECOMMUNICATIONS INFRASTRUCTURE LOCATED WITHIN  
6 COLORADO.

7 (II) A TELECOMMUNICATIONS PROVIDER THAT INITIALLY  
8 CERTIFIES, PURSUANT TO SUBSECTION (3)(b)(III)(A) OF THIS SECTION,  
9 THAT IT DOES NOT USE TELECOMMUNICATIONS EQUIPMENT  
10 MANUFACTURED BY A FEDERALLY BANNED ENTITY IS NOT REQUIRED TO  
11 FURTHER REGISTER OR SUBMIT STATUS REPORTS TO THE DIVISION IN  
12 ACCORDANCE WITH SUBSECTION (3)(d) OF THIS SECTION.

13 (d) (I) IF A TELECOMMUNICATIONS PROVIDER CERTIFIES TO THE  
14 DIVISION THAT IT IS A PARTICIPANT IN THE FEDERAL SECURE AND TRUSTED  
15 COMMUNICATIONS NETWORKS REIMBURSEMENT PROGRAM, PURSUANT TO  
16 SUBSECTION (3)(b)(III)(B) OF THIS SECTION, AND THAT THE  
17 TELECOMMUNICATIONS PROVIDER IS IN THE PROCESS OF REMOVING THE  
18 TELECOMMUNICATIONS EQUIPMENT PROHIBITED PURSUANT TO  
19 SUBSECTION (2)(a) OF THIS SECTION, THE TELECOMMUNICATIONS  
20 PROVIDER SHALL PROVIDE TO THE DIVISION COPIES OF ANY STATUS  
21 UPDATE REQUIRED BY THE FEDERAL GOVERNMENT AS PART OF THE  
22 FEDERAL "SECURE AND TRUSTED COMMUNICATIONS NETWORKS ACT OF  
23 2019", 47 U.S.C. SEC. 1601 ET SEQ., AS AMENDED.

24 (II) THE DIVISION SHALL NOT REQUIRE A TELECOMMUNICATIONS  
25 PROVIDER TO PROVIDE MORE THAN TWO STATUS REPORTS IN A CALENDAR  
26 YEAR AND SHALL NOT COLLECT ANY MORE INFORMATION FROM THE  
27 TELECOMMUNICATIONS PROVIDER THAN WHAT THE

1 TELECOMMUNICATIONS PROVIDER IS REQUIRED TO PROVIDE TO THE  
2 FEDERAL GOVERNMENT.

3 (III) THE DIVISION SHALL NOT REQUIRE A TELECOMMUNICATIONS  
4 PROVIDER TO PAY MORE THAN THE INITIAL FIFTY-DOLLAR REGISTRATION  
5 FEE, EVEN IF THE TELECOMMUNICATIONS PROVIDER MUST CONTINUE TO  
6 CERTIFY TO THE DIVISION THAT THE TELECOMMUNICATIONS PROVIDER  
7 USES TELECOMMUNICATIONS EQUIPMENT MANUFACTURED BY A  
8 FEDERALLY BANNED ENTITY IN ACCORDANCE WITH SUBSECTION (3)(c)(I)  
9 OF THIS SECTION AND PROVIDE STATUS UPDATES TO THE DIVISION IN  
10 ACCORDANCE WITH THIS SUBSECTION (3)(d).

11 (4) Rules. THE DIRECTOR OF THE DIVISION SHALL PROMULGATE  
12 AND ENFORCE ANY RULES NECESSARY TO IMPLEMENT THIS SECTION,  
13 INCLUDING:

14 (a) DEVELOPING PROCEDURES FOR A TELECOMMUNICATIONS  
15 PROVIDER TO NOTIFY ANY RELEVANT STATE AGENCIES OR POLITICAL  
16 SUBDIVISIONS OF THE STATE WHEN THE TELECOMMUNICATIONS PROVIDER  
17 IS PLANNING TO REMOVE, DISCONTINUE, OR REPLACE ANY  
18 TELECOMMUNICATIONS EQUIPMENT FROM A FEDERALLY BANNED ENTITY;  
19 AND

20 (b) ESTABLISHING REGISTRATION PROCEDURES AND FEES IN  
21 ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION.

22 (5) Secure telecommunications cash fund - created. (a) THE  
23 SECURE TELECOMMUNICATIONS CASH FUND IS CREATED IN THE STATE  
24 TREASURY. THE FUND CONSISTS OF THE REGISTRATION FEES COLLECTED  
25 BY THE DIVISION AND CREDITED TO THE FUND PURSUANT TO SUBSECTION  
26 (3)(a) OF THIS SECTION AND ANY OTHER MONEY THAT THE GENERAL  
27 ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.



1           (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
2 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
3 SECURE TELECOMMUNICATIONS CASH FUND TO THE FUND.

4           (c) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
5 ASSEMBLY, THE DIVISION MAY EXPEND MONEY FROM THE SECURE  
6 TELECOMMUNICATIONS CASH FUND FOR THE PURPOSES SPECIFIED IN THIS  
7 SECTION.

8           **SECTION 3.** In Colorado Revised Statutes, 24-33.5-1604, add  
9 (6) as follows:

10           **24-33.5-1604. Duties and powers of the division - rules.**

11           (6) (a) THE DIVISION SHALL IMPLEMENT SECTION 24-33.5-1624 IN ORDER  
12 TO ENSURE A SECURE TELECOMMUNICATIONS NETWORK IN COLORADO.

13           (b) THE DIRECTOR OF THE DIVISION MAY PROMULGATE RULES  
14 RELATED TO TELECOMMUNICATIONS SECURITY IN ACCORDANCE WITH  
15 SECTION 24-33.5-1624.

16           **SECTION 4. Safety clause.** The general assembly finds,  
17 determines, and declares that this act is necessary for the immediate  
18 preservation of the public peace, health, or safety or for appropriations for  
19 the support and maintenance of the departments of the state and state  
20 institutions.