

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 23-0904.02 Jessica Herrera x4218

SENATE BILL 23-236

SENATE SPONSORSHIP

Bridges and Kirkmeyer, Zenzinger

HOUSE SPONSORSHIP

Sirota and Bockenfeld, Bird

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE ELECTRIC VEHICLE SERVICE**
102 **EQUIPMENT FUND, AND, IN CONNECTION THEREWITH, MAKING**
103 **AN APPROPRIATION.**

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/>.)

Joint Budget Committee. In order to allow the department of military and veterans affairs (department) to impose charges for the charging of electric vehicles using electric vehicle services equipment (equipment) provided by the department at Colorado National Guard facilities and to use the revenue to fund the ongoing operation 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 law.
Dashes through the words or numbers indicate deletions from existing law.*

SENATE
Amended 2nd Reading
March 29, 2023

equipment, the bill:

- Creates the electric vehicle service equipment fund (fund);
- Requires all money received by the department from such charges to be credited to the fund;
- Authorizes the department to accept gifts, grants, and donations to be credited to the fund;
- Subject to annual appropriation, authorizes the department to expend money from the fund to defray the costs associated with operation of the equipment; and
- Appropriates \$50,000 from the fund to the department for state fiscal year 2023-24.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 28-3-110 as
3 follows:

4 **28-3-110. Electric vehicle service equipment fund - created -**
5 **use of fund - gifts, grants, and donations - definitions.** (1) THE
6 ELECTRIC VEHICLE SERVICE EQUIPMENT FUND IS HEREBY CREATED IN THE
7 STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE FUND
8 PURSUANT TO SUBSECTION (2) OF THIS SECTION AND ANY OTHER MONEY
9 THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE
10 FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME
11 DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO
12 THE FUND. SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
13 ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND TO
14 DEFRAY THE COSTS ASSOCIATED WITH OPERATING ELECTRIC VEHICLE
15 SERVICES EQUIPMENT INCLUDING COSTS OF FACILITIES' ELECTRICITY,
16 INSTALLATION, REPAIR, WARRANTIES, REPLACEMENT, OPERATION OF
17 NETWORK SERVICE, MAINTENANCE, AND SALARIES INVOLVED IN THE USE
18 OF FACILITIES WITH ELECTRIC VEHICLE SERVICE EQUIPMENT.

19 (2) THE STATE TREASURER SHALL CREDIT ALL MONEY RECEIVED

1 BY THE DEPARTMENT FROM CHARGES IMPOSED BY THE DEPARTMENT ON
2 PERSONS CHARGING ELECTRIC VEHICLES USING ELECTRIC VEHICLE SERVICE
3 EQUIPMENT PROVIDED BY THE DEPARTMENT AT ANY NATIONAL GUARD
4 FACILITY.

5 (3) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
6 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
7 PURPOSES OF THIS SUBSECTION (3). THE DEPARTMENT SHALL TRANSMIT
8 ALL MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE
9 STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE FUND.

10 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
11 REQUIRES:

12 (a) "ELECTRIC VEHICLE SERVICE EQUIPMENT" MEANS ELECTRIC
13 VEHICLE CHARGING SYSTEMS, AS DEFINED IN SECTION 38-33.3-106.8 (7),
14 AND OTHER ELECTRICAL EQUIPMENT INSTALLED ON SITE TO SUPPORT
15 ELECTRIC VEHICLE CHARGING.

16 (b) "FUND" MEANS THE ELECTRIC VEHICLE SERVICE EQUIPMENT
17 FUND CREATED IN SUBSECTION (1) OF THIS SECTION.

18 **SECTION 2. Appropriation.** For the 2023-24 state fiscal year,
19 \$50,000 is appropriated to the department of military and veterans affairs
20 for use by the executive director and army national guard. This
21 appropriation is from the electric vehicle service equipment fund created
22 in section 28-3-110 (1), C.R.S. To implement this act, the division may
23 use this appropriation for operating expenses.

24 **SECTION 3. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, or safety.