

Be it enacted by the People of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 29-2-116 as follows: **29-2-116. Energy Choice.**

- (1) LEGISLATIVE DECLARATION. THE VOTERS OF THE STATE OF COLORADO FIND AND DECLARE THAT ENERGY CONSUMPTION IS A MATTER OF STATEWIDE CONCERN. THE INTENT OF THE VOTERS IN ENACTING THIS SECTION IS TO PROTECT CONSUMER CHOICE IN ENERGY.
- (2) DEFINITIONS. AS USED IN THIS SECTION:
 - (A) “CONSUMER CHOICE” MEANS ALLOWING A CONSUMER TO CHOOSE THEIR PREFERRED ENERGY SOURCE BY PROHIBITING AN ORDINANCE, REGULATION OR CODE THAT RESTRICTS AN ENERGY SOURCE USED FOR COOKING, HOT WATER SYSTEMS, GENERATORS AND HEATING SYSTEMS BASED UPON THE TYPE ENERGY TO BE DELIVERED TO AN INDIVIDUAL CUSTOMER.
 - (B) “ENERGY” MEANS CONSUMER USE OF ELECTRICITY, NATURAL GAS AS DEFINED IN SECTION 34-64-102, C.R.S. , SOLAR AS DEFINED IN SECTION 38-32.5-100.3, C.R.S., OR WIND ELECTRIC GENERATION THAT MEETS THE INTERCONNECTION STANDARDS ESTABLISHED IN RULES PROMULGATED BY THE PUBLIC UTILITY COMMISSION PURSUANT TO SECTION 40-2-124, C.R.S.
 - (C) “LOCAL GOVERNMENT” MEANS A COUNTY OR MUNICIPALITY.
 - (D) “RESTRICTS” MEANS FAVORING OR DISCRIMINATING AGAINST AN ENERGY SOURCE.
- (3) THE STATE AND LOCAL GOVERNMENTS SHALL ALLOW CONSUMER CHOICE IN ENERGY.