

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

**REENGROSSED**

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

LLS NO. 13-0984.01 Chuck Brackney x2295

**SENATE BILL 13-282**

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**SENATE SPONSORSHIP**

**Guzman,**

**HOUSE SPONSORSHIP**

**Pabon and Levy, Tyler**

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**Senate Committees**  
State, Veterans, & Military Affairs

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING A MEDICAL EXEMPTION FROM TIERED ELECTRICITY**  
102 **RATES.**

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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://www.leg.state.co.us/billsummaries>.)*

The bill requires the public utilities commission to adopt rules by November 1, 2013, to exempt customers with certain medical conditions from tiered electricity rates. Only customers who have an annual income of less than 60% of the median area income may qualify for this exemption. The bill establishes that fraudulent receipt of or application

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

SENATE  
3rd Reading Unamended  
April 26, 2013

SENATE  
Amended 2nd Reading  
April 25, 2013

for this exemption constitutes theft.

If the commission fails to adopt rules by November 1, 2013, the medical exemption from tiered electricity rates takes effect on that date.

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

2 **SECTION 1. In Colorado Revised Statutes, amend 40-3-103.5**  
3 **as follows:**

4 **40-3-103.5. Medical exemption - tiered electricity rates - rules.**

5 The commission may adopt rules creating an exemption from any tiered  
6 electricity rate plan based on a customer's medical condition or use of an  
7 essential life support device. (1) NOTWITHSTANDING ANY PROVISION OF  
8 ARTICLES 1 TO 7 OF THIS TITLE TO THE CONTRARY, THE COMMISSION SHALL  
9 ADOPT RULES BY JANUARY 31, 2014, TO CREATE AN EXEMPTION FROM ANY  
10 TIERED ELECTRICITY RATE PLAN BASED ON A CUSTOMER'S MEDICAL  
11 CONDITION. THE RULES MUST IMPLEMENT THE MEDICAL EXEMPTION BY  
12 JUNE 1, 2014. THE COMMISSION MAY CONSIDER IN ITS RULES HOW THE  
13 COST OF PROVIDING THIS EXEMPTION MAY BE ASSESSED BY THE PUBLIC  
14 UTILITY ON OTHER CUSTOMERS.

15 (2) THE COMMISSION MAY DETERMINE THE DEFINITION OF  
16 "MEDICAL CONDITION"; EXCEPT THAT THE DEFINITION MUST INCLUDE  
17 MULTIPLE SCLEROSIS, EPILEPSY, QUADRIPLÉGIA, AND PARAPLEGIA.

18 (3) IF THE COMMISSION DETERMINES THAT A MEANS TEST IS  
19 NECESSARY FOR THE MEDICAL EXEMPTION, THE COMMISSION SHALL USE NO  
20 LESS THAN TWO HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LEVEL  
21 AS THE MAXIMUM INCOME A CUSTOMER MAY HAVE TO BE ELIGIBLE FOR THE  
22 MEDICAL EXEMPTION.

23 (4) IF THE LOW-INCOME ENERGY ASSISTANCE PROGRAM IS USED TO  
24 CERTIFY ELIGIBILITY, THE MEDICAL EXEMPTION UNDER THIS SECTION MUST

1 BE DISTINGUISHABLE FROM THE HEAT ASSISTANCE BENEFITS OFFERED  
2 UNDER THE LOW-INCOME ENERGY ASSISTANCE PROGRAM BECAUSE THESE  
3 PROGRAMS MAY HAVE DIFFERENT ELIGIBILITY REQUIREMENTS.

4 **SECTION 2. Safety clause.** The general assembly hereby finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, and safety.