

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture & Natural Resources.

SB23-092 be amended as follows:

1 Amend printed bill, page 11, after line 12 insert:

2 "SECTION 5. In Colorado Revised Statutes, 39-3-122, **add** (3)
3 and (4) as follows:

4 **39-3-122. Agricultural equipment used in production of**
5 **agricultural products - CEA facilities - exemption - definition.** (3) ON
6 AND AFTER JANUARY 1, 2024, BUT BEFORE JANUARY 2, 2029, PERSONAL
7 PROPERTY IS EXEMPTED FROM THE LEVY AND COLLECTION OF PROPERTY
8 TAX IF THE PROPERTY IS MACHINERY OR EQUIPMENT THAT IS PART OF A
9 SOLAR ENERGY GENERATING SYSTEM THAT IS USED FOR AGRIVOLTAICS,
10 AND IF THE PROPERTY:

11 (a) INCORPORATES NOVEL DESIGNS, TECHNOLOGIES, OR
12 CONFIGURATIONS THAT SIGNIFICANTLY EXPAND THE POTENTIAL FOR
13 AGRICULTURAL ACTIVITIES, INCLUDING BY:

14 (I) ELEVATING THE BOTTOM EDGE HEIGHT OF THE PANELS AT
15 LEAST SIX FEET ABOVE THE GROUND;

16 (II) UTILIZING TRANSLUCENT PANELS;

17 (III) INCORPORATING ALTERNATIVE SOLAR TRACKING ALGORITHMS
18 THAT ARE TAILORED TO OPTIMIZE VEGETATIVE GROWTH; OR

19 (IV) INCORPORATING EXTENDED ROW OR PANEL SPACING IN A
20 MANNER THAT ENABLES AGRICULTURAL ACTIVITIES;

21 (b) IS CONSTRUCTED IN A MANNER THAT MINIMIZES SOIL
22 COMPACTION UNDERNEATH AND IN BETWEEN PANELS; AND

23 (c) IS CONSTRUCTED TO INCORPORATE DESIGN STRATEGIES THAT
24 MINIMIZE THE NEGATIVE ENVIRONMENTAL IMPACT OF PHOTOVOLTAIC
25 ENERGY PRODUCTION FACILITIES ON ECOSYSTEMS, NATIVE VEGETATION,
26 STATE AND FEDERALLY LISTED SPECIES, WILDLIFE MIGRATION CORRIDORS,
27 AND THE SPECIES, HABITATS, AND ECOSYSTEMS OF GREATEST
28 CONSERVATION NEED.

29 (4) AS USED IN THIS SECTION, "AGRIVOLTAICS" HAS THE MEANING
30 SET FORTH IN SECTION 35-1-114 (5)(a).".

31 Renumber succeeding sections accordingly.

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