

Initiative 2025-2026 #78

Consumer Choice of Products and Services Regardless of Energy Supply

Version 1A. Constitutional with Definitions

Received by Legislative Council Staff

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

**SECTION 1.** In Colorado Constitution, Article XVIII, **add** Section 17 as follows:

**Section 17. Energy choice.**

(1) **DEFINITIONS.** AS USED IN THIS SECTION:

- (a) “ENERGY” MEANS THE METHOD OF GENERATION OR THE FUEL SOURCE.
- (b) “CONSUMER” MEANS AS ANY PERSON WHO IS THE BUYER OR USER OF A PRODUCT.

(2) **ENERGY CHOICE.** CONSUMERS SHALL HAVE A RIGHT TO ENERGY CHOICE THAT INCLUDES A RIGHT TO CHOOSE PRODUCTS AND SERVICES THAT ARE POWERED BY AN ENERGY SUPPLY CURRENTLY IN COMMON USE, SUCH AS SOLAR, WIND, ELECTRICITY, NATURAL GAS AND PROPANE, AND THIS ENERGY CHOICE INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING APPLICATIONS:

- (a) CURRENT AND FUTURE ENERGY SERVICE CONNECTIONS IN A HOME OR BUSINESS;
- (b) PURCHASE AND USE OF VEHICLES, AGRICULTURAL EQUIPMENT, OR SMALL POWER AND LAWN EQUIPMENT;
- (c) PURCHASE AND USE OF INDOOR AND OUTDOOR COOKING APPLIANCES AND GRILLS, HEATING AND COOLING SYSTEMS, AND HOME APPLIANCES.

(3) **PUBLIC SAFETY EXCEPTION.** THE PROVISIONS OF THIS SECTION DO NOT APPLY TO HEALTH OR SAFETY RESTRICTIONS OF THE INTERNATIONAL BUILDING CODE OR ITS SUCCESSOR, OR IN CASE OF A PUBLIC SAFETY EMERGENCY SUCH AS FIRE OR NATURAL DISASTER.

**SECTION 2. Effective date.**

This act shall take effect upon proclamation by the Governor announcing the approval, by the registered electors of the state, of the proposed initiative.