

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0322.01 Pierce Lively x2059

HOUSE BILL 21-1303

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HOUSE SPONSORSHIP

Bernett and McLachlan,

SENATE SPONSORSHIP

Hansen,

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House Committees  
Energy & Environment

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING MEASURES TO LIMIT THE GLOBAL WARMING POTENTIAL  
102 FOR CERTAIN MATERIALS USED IN PUBLIC PROJECTS.

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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://leg.colorado.gov>.)*

The department of personnel and the department of transportation are each required to establish policies regarding the global warming potential for specific categories of eligible materials used to construct certain public projects.

The department of personnel is required to establish a maximum acceptable global warming potential for each category of eligible material

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

used in certain public projects under its purview. The bill specifies which building materials are eligible materials. The department of personnel is required to set the maximum acceptable global warming potential at the industry average of global warming potential emissions for that material and to express it as a number that states the maximum acceptable global warming potential for each category of eligible material.

Specifications for solicitations for a public project requested by the department of personnel are required to include that the global warming potential for any eligible material that will be used in the project shall not exceed the maximum acceptable global warming potential for that material determined by the department.

The department of transportation is required to develop policies to determine, track, and record greenhouse gas emissions for each category of eligible materials used in certain public projects under its purview in a manner consistent with criteria in an environmental product declaration.

The department of personnel and the department of transportation are both are required to strive to achieve continuous reduction in greenhouse gas emissions in construction materials over time for the projects under their purview.

For solicitations for certain public projects under the purview of the department of personnel or the department of transportation issued after certain dates, the contractor that is awarded the contract is required to submit a current environmental product declaration for each eligible material proposed to be used in the public project.

A contractor that is awarded a contract for a public project is prohibited from installing any eligible material on the project until the contractor submits an environmental product declaration for that material.

The department of personnel and the department of transportation are required to annually report to the general assembly regarding the implementation of the bill.

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

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and declares that:

4           (a) Climate change will have devastating global impacts;

5           (b) All scientific evidence points to the need for Colorado and the  
6 world to reduce greenhouse gas emissions to avert the worst effects of  
7 climate change. Climate change impacts are already apparent in Colorado,  
8 where scientists have determined that annual temperature increases and

1 a long-term drought are consequences of human-induced climate change.

2 (c) The general assembly has committed to reduce greenhouse  
3 gases through numerous statutes requiring regulatory and other action by  
4 public agencies. Those regulations and actions do not currently encourage  
5 public dollars for infrastructure projects to be spent in a way that is  
6 consistent with the state's goals to reduce greenhouse gas emissions.

7 (d) Several executive orders in Colorado have highlighted the  
8 importance of reducing greenhouse gas emissions in the state, supporting  
9 the state's clean energy transition, maintaining progress on clean vehicles,  
10 and supporting a transition to zero emission vehicles;

11 (e) Great quantities of emissions are released during the  
12 manufacture and transport of products used in public construction  
13 projects;

14 (f) Colorado, through its extensive purchasing power, can improve  
15 environmental outcomes and accelerate necessary greenhouse gas  
16 reductions to protect public health, the environment, and conserve a  
17 livable climate by incorporating emissions information from throughout  
18 the supply chain and product life cycle into procurement decisions, and  
19 using that information to help direct expenditure; and

20 (g) Incorporating emissions information will acknowledge those  
21 companies that have invested in emissions reduction technologies and  
22 practices and will encourage other companies to take action to reduce  
23 emissions to become more competitive in the Colorado bidding process.

24 (2) The general assembly further finds and declares that there is  
25 great potential for Colorado to reduce greenhouse gas emissions in public  
26 construction projects without imposing an additional cost on those  
27 projects.

1           **SECTION 2.** In Colorado Revised Statutes, **add** 24-92-116 and  
2 24-92-117 as follows:

3           **24-92-116. Maximum global warming potential for materials**  
4 **used in eligible projects - buildings - projects that are not roads,**  
5 **highways, or bridges - environmental product declaration - short title**  
6 **- report - definitions.** (1) THE SHORT TITLE OF THIS SECTION AND  
7 SECTION 24-92-117 IS THE "BUY CLEAN COLORADO ACT".

8           (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
9 REQUIRES:

10           (a) "DEPARTMENT" MEANS THE DEPARTMENT OF PERSONNEL.

11           (b) "ELIGIBLE MATERIAL" MEANS MATERIALS USED IN THE  
12 CONSTRUCTION OF A PUBLIC PROJECT, INCLUDING:

13           (I) ASPHALT;

14           (II) CEMENT;

15           (III) CONCRETE;

16           (IV) GLASS;

17           (V) POST-TENSION STEEL;

18           (VI) REINFORCING STEEL;

19           (VII) STRUCTURAL STEEL; AND

20           (VIII) WOOD STRUCTURAL ELEMENTS.

21           (c) "ELIGIBLE PROJECT" MEANS A PUBLIC PROJECT AS DEFINED IN  
22 SECTION 24-92-102, FOR WHICH AN AGENCY OF GOVERNMENT ISSUES A  
23 SOLICITATION ON OR AFTER JANUARY 1, 2024; EXCEPT THAT "ELIGIBLE  
24 PROJECT" DOES NOT INCLUDE ANY MAINTENANCE PROGRAM FOR THE  
25 UPKEEP OF A PUBLIC PROJECT OR ANY ROAD, HIGHWAY, OR BRIDGE  
26 PROJECT.

27           (d) "GREENHOUSE GAS" HAS THE SAME MEANING AS SET FORTH IN

1 SECTION 25-7-140 (6).

2 (e) "OFFICE OF THE STATE ARCHITECT" MEANS THE OFFICE OF THE  
3 STATE ARCHITECT IN THE DEPARTMENT OF PERSONNEL.

4 (3) (a) BY JANUARY 1, 2024, THE OFFICE OF THE STATE ARCHITECT  
5 SHALL ESTABLISH BY POLICY A MAXIMUM ACCEPTABLE GLOBAL WARMING  
6 POTENTIAL FOR EACH CATEGORY OF ELIGIBLE MATERIALS USED IN AN  
7 ELIGIBLE PROJECT IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

8 (I) THE DEPARTMENT SHALL BASE THE MAXIMUM ACCEPTABLE  
9 GLOBAL WARMING POTENTIAL ON THE INDUSTRY AVERAGE OF GLOBAL  
10 WARMING POTENTIAL EMISSIONS FOR THAT MATERIAL. THE OFFICE OF THE  
11 STATE ARCHITECT SHALL DETERMINE THE INDUSTRY AVERAGE BY  
12 CONSULTING NATIONALLY OR INTERNATIONALLY RECOGNIZED DATABASES  
13 OF ENVIRONMENTAL PRODUCT DECLARATIONS AND MAY INCLUDE  
14 TRANSPORTATION-RELATED EMISSIONS AS PART OF THE GLOBAL WARMING  
15 POTENTIAL EMISSIONS.

16 (II) THE DEPARTMENT SHALL EXPRESS THE MAXIMUM ACCEPTABLE  
17 GLOBAL WARMING POTENTIAL AS A NUMBER THAT STATES THE MAXIMUM  
18 ACCEPTABLE GLOBAL WARMING POTENTIAL FOR EACH CATEGORY OF  
19 ELIGIBLE MATERIALS. THE GLOBAL WARMING POTENTIAL SHALL BE  
20 PROVIDED IN A MANNER THAT IS CONSISTENT WITH CRITERIA IN AN  
21 ENVIRONMENTAL PRODUCT DECLARATION. THE OFFICE OF THE STATE  
22 ARCHITECT MAY ESTABLISH ADDITIONAL SUBCATEGORIES WITHIN EACH  
23 ELIGIBLE MATERIAL WITH DISTINCT MAXIMUM GLOBAL WARMING  
24 POTENTIAL LIMITS. THE POLICY MAY PERMIT MAXIMUM ACCEPTABLE  
25 GLOBAL WARMING POTENTIAL FOR EACH MATERIAL CATEGORY IN THE  
26 AGGREGATE.

27 (b) IN ESTABLISHING A MAXIMUM ACCEPTABLE GLOBAL WARMING

1 POTENTIAL FOR EACH CATEGORY OF ELIGIBLE MATERIALS USED IN AN  
2 ELIGIBLE PROJECT, THE OFFICE OF THE STATE ARCHITECT MAY CONSULT  
3 WITH ANY OTHER RELEVANT DEPARTMENT OR DIVISION OF STATE  
4 GOVERNMENT.

5 (c) BY JANUARY 1, 2026, AND EVERY FOUR YEARS THEREAFTER,  
6 THE DEPARTMENT SHALL REVIEW THE MAXIMUM ACCEPTABLE GLOBAL  
7 WARMING POTENTIAL FOR EACH CATEGORY OF ELIGIBLE MATERIALS AND  
8 MAY ADJUST THE NUMBER FOR ANY ELIGIBLE MATERIAL TO REFLECT  
9 INDUSTRY CONDITIONS. THE DEPARTMENT SHALL NOT ADJUST THE  
10 NUMBER UPWARD FOR ANY ELIGIBLE MATERIAL.

11 (4) (a) (I) FOR ANY SOLICITATION FOR A CONTRACT FOR THE  
12 DESIGN OF AN ELIGIBLE PROJECT, AN AGENCY OF GOVERNMENT SHALL  
13 REQUIRE THE DESIGNER WHO IS AWARDED THE CONTRACT TO INCLUDE, IN  
14 PROJECT SPECIFICATIONS WHEN FINAL CONSTRUCTION DOCUMENTS ARE  
15 RELEASED, A CURRENT ENVIRONMENTAL PRODUCT DECLARATION, TYPE  
16 III, AS DEFINED BY THE INTERNATIONAL ORGANIZATION FOR  
17 STANDARDIZATION STANDARD 14025:2006, OR SIMILARLY ROBUST LIFE  
18 CYCLE ASSESSMENT METHODS THAT HAVE UNIFORM STANDARDS IN DATA  
19 COLLECTION, AS SET BY POLICY BY THE OFFICE OF THE STATE ARCHITECT  
20 FOR EACH ELIGIBLE MATERIAL PROPOSED TO BE USED IN THE ELIGIBLE  
21 PROJECT THAT MEET THE MAXIMUM ACCEPTABLE GLOBAL WARMING  
22 POTENTIAL FOR EACH CATEGORY OF ELIGIBLE MATERIALS.

23 (II) IF A PRODUCT THAT MEETS THE MAXIMUM GLOBAL WARMING  
24 POTENTIAL FOR A CATEGORY OF ELIGIBLE MATERIALS IS NOT PRICED OR IS  
25 NOT AVAILABLE ON A REASONABLE BASIS AT THE TIME OF DESIGN OR  
26 CONSTRUCTION, THE OFFICE OF THE STATE ARCHITECT MAY WAIVE THE  
27 REQUIREMENTS OF THIS SECTION FOR THAT PRODUCT.

1           (b) FOR ANY SOLICITATION FOR A CONTRACT FOR AN ELIGIBLE  
2 PROJECT, AN AGENCY OF GOVERNMENT SHALL SPECIFY THE ELIGIBLE  
3 MATERIALS THAT WILL BE USED IN THE PROJECT AND REASONABLE  
4 MINIMUM USAGE THRESHOLDS BELOW WHICH THE REQUIREMENTS OF THIS  
5 SECTION SHALL NOT APPLY. AN AGENCY OF GOVERNMENT MAY INCLUDE  
6 IN A SPECIFICATION FOR SOLICITATIONS FOR AN ELIGIBLE PROJECT A  
7 GLOBAL WARMING POTENTIAL FOR ANY ELIGIBLE MATERIAL THAT IS  
8 LOWER THAN THE MAXIMUM ACCEPTABLE GLOBAL WARMING POTENTIAL  
9 FOR THAT MATERIAL AS DETERMINED PURSUANT TO SUBSECTION (3) OF  
10 THIS SECTION.

11           (c) A CONTRACTOR THAT IS AWARDED A CONTRACT FOR AN  
12 ELIGIBLE PROJECT SHALL NOT INSTALL ANY ELIGIBLE MATERIALS ON THE  
13 PROJECT UNTIL THE CONTRACTOR SUBMITS AN ENVIRONMENTAL PRODUCT  
14 DECLARATION FOR THAT MATERIAL PURSUANT TO SUBSECTION (4)(a) OF  
15 THIS SECTION. THE ENVIRONMENTAL PRODUCT DECLARATION SHALL BE  
16 DEEMED APPROVED IF IT COMPLIES WITH THE ORIGINAL SPECIFICATION. IF  
17 AN ENVIRONMENTAL PRODUCT DECLARATION IS NOT AVAILABLE FOR AN  
18 ELIGIBLE MATERIAL, THE CONTRACTOR SHALL NOTIFY THE AGENCY OF  
19 GOVERNMENT AND INSTALL THE ELIGIBLE MATERIAL AS ORIGINALLY  
20 SPECIFIED. IF A PRODUCT MEETING THE MAXIMUM GLOBAL WARMING  
21 POTENTIAL FOR A CATEGORY OF ELIGIBLE MATERIALS IS NOT PRICED OR IS  
22 NOT AVAILABLE TO THE CONTRACTOR ON A REASONABLE BASIS, THE  
23 AGENCY OF GOVERNMENT MAY WAIVE THE REQUIREMENTS OF THIS  
24 SECTION FOR THAT PRODUCT. THE AGENCY OF GOVERNMENT SHALL  
25 REPORT WAIVERS TO THE OFFICE OF THE STATE ARCHITECT.

26           (5) IN ADMINISTERING THIS SECTION, AN AGENCY OF GOVERNMENT  
27 SHALL STRIVE TO ACHIEVE A CONTINUOUS REDUCTION OF GREENHOUSE

1 GAS EMISSIONS OVER TIME. REDUCTION OF GREENHOUSE GAS EMISSIONS  
2 ACHIEVED UNDER THIS SECTION SHALL BE CREDITED UNDER THE PROCESS  
3 CREATED IN SECTION 25-7-105 (1)(e).

4 (6) BEGINNING IN 2026, AND IN EACH YEAR THEREAFTER, THE  
5 OFFICE OF THE STATE ARCHITECT SHALL PREPARE A REPORT FOR THE  
6 GENERAL ASSEMBLY THAT INCLUDES THE FOLLOWING INFORMATION:

7 (a) FOR THE REPORT PREPARED IN 2026 ONLY, A DESCRIPTION OF  
8 THE METHOD THAT THE OFFICE OF THE STATE ARCHITECT USED TO  
9 DEVELOP THE MAXIMUM GLOBAL WARMING POTENTIAL FOR EACH  
10 CATEGORY OF ELIGIBLE MATERIALS;

11 (b) WHAT THE OFFICE OF THE STATE ARCHITECT HAS LEARNED  
12 ABOUT HOW TO IDENTIFY AND QUANTIFY EMBODIED CARBON IN BUILDING  
13 MATERIALS, INCLUDING LIFE CYCLE COSTS; AND

14 (c) ANY OBSTACLES THE OFFICE OF THE STATE ARCHITECT AS WELL  
15 AS BIDDING CONTRACTORS HAVE ENCOUNTERED IN IDENTIFYING AND  
16 QUANTIFYING EMBODIED CARBON IN BUILDING MATERIALS.

17 **24-92-117. Maximum global warming potential for materials**  
18 **used in public projects - road - highway - bridge projects -**  
19 **environmental product declaration - short title - report - definitions.**

20 (1) THE SHORT TITLE OF THIS SECTION AND SECTION 24-92-116 IS THE  
21 "BUY CLEAN COLORADO ACT".

22 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
23 REQUIRES:

24 (a) "DEPARTMENT" MEANS THE DEPARTMENT OF  
25 TRANSPORTATION.

26 (b) "ELIGIBLE MATERIAL" MEANS MATERIALS USED IN THE  
27 CONSTRUCTION OF A PUBLIC PROJECT, INCLUDING, BUT NOT LIMITED TO:



1 (I) ASPHALT AND ASPHALT MIXTURES;

2 (II) CEMENT;

3 (III) CONCRETE; AND

4 (IV) STEEL.

5 (c) "GREENHOUSE GAS" HAS THE SAME MEANING AS SET FORTH IN  
6 SECTION 25-7-140 (6).

7 (d) "PUBLIC PROJECT" MEANS ALL PUBLICLY BID CONSTRUCTION  
8 PROJECTS, PROJECTS FROM WITHIN THE ASSET MANAGEMENT, OR OTHER  
9 PROJECTS AS DETERMINED BY THE DEPARTMENT.

10 (3) (a) BY JANUARY 1, 2025, THE DEPARTMENT SHALL ESTABLISH  
11 A POLICY TO DETERMINE AND RECORD GREENHOUSE GAS EMISSIONS FROM  
12 ELIGIBLE MATERIALS USED IN A PUBLIC PROJECT WITH THE GOAL OF  
13 REDUCING GREENHOUSE GAS EMISSIONS IN ACCORDANCE WITH THE  
14 FOLLOWING REQUIREMENTS:

15 (I) THE DEPARTMENT SHALL USE THE NATIONALLY OR  
16 INTERNATIONALLY RECOGNIZED DATABASES OF ENVIRONMENTAL  
17 PRODUCT DECLARATIONS AND MAY INCLUDE TRANSPORTATION-RELATED  
18 EMISSIONS AS PART OF THE GLOBAL WARMING POTENTIAL EMISSIONS; AND

19 (II) THE DEPARTMENT SHALL DEVELOP A TRACKING AND  
20 REPORTING PROCESS IN A MANNER THAT IS CONSISTENT WITH CRITERIA IN  
21 AN ENVIRONMENTAL PRODUCT DECLARATION. THE DEPARTMENT MAY  
22 ESTABLISH ADDITIONAL SUBCATEGORIES WITHIN EACH ELIGIBLE MATERIAL  
23 WITH DISTINCT MAXIMUM GLOBAL WARMING POTENTIAL LIMITS.

24 (b) IN ESTABLISHING THE POLICY PURSUANT TO THIS SECTION, THE  
25 DEPARTMENT MAY CONSULT WITH ANY OTHER RELEVANT DEPARTMENT OR  
26 DIVISION OF STATE GOVERNMENT.

27 (c) BY JANUARY 1, 2027, AND EVERY FOUR YEARS THEREAFTER,

1 THE DEPARTMENT OF TRANSPORTATION SHALL REVIEW THE POLICY  
2 CREATED PURSUANT TO THIS SECTION AND MAY ADJUST THE POLICY TO  
3 REFLECT INDUSTRY CONDITIONS. THE DEPARTMENT SHALL NOT ADJUST  
4 THE POLICY FOR ANY ELIGIBLE MATERIAL TO BE LESS STRINGENT.

5 (4) (a) FOR INVITATION FOR BIDS FOR CONTRACTS FOR PUBLIC  
6 PROJECTS ISSUED ON OR AFTER JULY 1, 2022, THE DEPARTMENT SHALL  
7 REQUIRE THE CONTRACTOR WHO IS AWARDED THE CONTRACT TO SUBMIT  
8 A CURRENT ENVIRONMENTAL PRODUCT DECLARATION, TYPE III, AS  
9 DEFINED BY THE INTERNATIONAL ORGANIZATION FOR STANDARDIZATION  
10 STANDARD 14025:2006, OR SIMILARLY ROBUST LIFE CYCLE ASSESSMENT  
11 METHODS THAT HAVE UNIFORM STANDARDS IN DATA COLLECTION, FOR  
12 EACH ELIGIBLE MATERIAL PROPOSED TO BE USED IN THE PUBLIC PROJECT.

13 (b) FOR INVITATION FOR BIDS FOR CONTRACTS FOR PUBLIC  
14 PROJECTS ISSUED ON OR AFTER JULY 1, 2025, THE DEPARTMENT SHALL  
15 REQUIRE THE CONTRACTOR WHO IS AWARDED THE CONTRACT TO SUBMIT  
16 A CURRENT ENVIRONMENTAL PRODUCT DECLARATION, TYPE III, AS  
17 DEFINED BY THE INTERNATIONAL ORGANIZATION FOR STANDARDIZATION  
18 STANDARD 14025:2006, OR SIMILARLY ROBUST LIFE CYCLE ASSESSMENT  
19 METHODS THAT HAVE UNIFORM STANDARDS IN DATA COLLECTION, AS SET  
20 BY POLICY BY THE DEPARTMENT FOR EACH ELIGIBLE MATERIAL PROPOSED  
21 TO BE USED IN THE PUBLIC PROJECT.

22 (c) FOR INVITATION FOR BIDS FOR CONTRACTS FOR PUBLICLY BID  
23 PUBLIC PROJECTS ISSUED ON OR AFTER JULY 1, 2025, THE DEPARTMENT OF  
24 TRANSPORTATION SHALL SPECIFY THE ELIGIBLE MATERIALS THAT WILL BE  
25 USED IN THE PROJECT BASED ON THE POLICY AND REASONABLE MINIMUM  
26 USAGE THRESHOLDS BELOW WHICH THE REQUIREMENTS OF THIS SECTION  
27 SHALL NOT APPLY.

1 (d) A CONTRACTOR THAT IS AWARDED A CONTRACT FOR A PUBLIC  
2 PROJECT SHALL NOT INSTALL ANY ELIGIBLE MATERIALS ON THE PROJECT  
3 UNTIL THE CONTRACTOR SUBMITS AN ENVIRONMENTAL PRODUCT  
4 DECLARATION FOR THAT MATERIAL PURSUANT TO SUBSECTION (4)(a) OF  
5 THIS SECTION. THE ENVIRONMENTAL PRODUCT DECLARATION SHALL BE  
6 DEEMED APPROVED IF IT COMPLIES WITH THE POLICY ESTABLISHED BY THE  
7 DEPARTMENT PURSUANT TO THIS SECTION. IF AN ENVIRONMENTAL  
8 PRODUCT DECLARATION IS NOT AVAILABLE FOR AN ELIGIBLE MATERIAL,  
9 THE CONTRACTOR SHALL NOTIFY THE DEPARTMENT AND INSTALL THE  
10 ELIGIBLE MATERIAL AS ORIGINALLY SPECIFIED. IF A PRODUCT MEETING THE  
11 POLICY REQUIREMENTS FOR A CATEGORY OF ELIGIBLE MATERIALS IS NOT  
12 PRICED OR IS NOT AVAILABLE TO THE CONTRACTOR ON A REASONABLE  
13 BASIS, THE DEPARTMENT MAY WAIVE THE REQUIREMENTS OF THIS SECTION  
14 FOR THAT PRODUCT.

15 (5) IN ADMINISTERING THIS SECTION, THE DEPARTMENT SHALL  
16 STRIVE TO ACHIEVE A CONTINUOUS REDUCTION OF GREENHOUSE GAS  
17 EMISSIONS OVER TIME. REDUCTION OF GREENHOUSE GAS EMISSIONS  
18 ACHIEVED UNDER THIS SECTION SHALL BE CREDITED UNDER THE PROCESS  
19 CREATED IN SECTION 25-7-105 (1)(e).

20 (6) BEGINNING IN 2026, THE DEPARTMENT SHALL ANNUALLY  
21 PRESENT THE FOLLOWING INFORMATION TO THE TRANSPORTATION  
22 LEGISLATION REVIEW COMMITTEE, OR ANY SUCCESSOR COMMITTEE:

23 (a) FOR THE PRESENTATION IN 2026 ONLY, A DESCRIPTION OF THE  
24 METHOD THAT THE DEPARTMENT USED TO DEVELOP THE POLICY  
25 REQUIREMENTS FOR EACH CATEGORY OF ELIGIBLE MATERIALS;

26 (b) WHAT THE DEPARTMENT HAS LEARNED ABOUT HOW TO  
27 IDENTIFY AND QUANTIFY EMBODIED CARBON IN BUILDING MATERIALS,

1 INCLUDING LIFE CYCLE COSTS; AND

2 (c) ANY OBSTACLES THE DEPARTMENT AS WELL AS BIDDING  
3 CONTRACTORS HAVE ENCOUNTERED IN IDENTIFYING AND QUANTIFYING  
4 EMBODIED CARBON IN BUILDING MATERIALS.

5 **SECTION 3. Act subject to petition - effective date.** This act  
6 takes effect at 12:01 a.m. on the day following the expiration of the  
7 ninety-day period after final adjournment of the general assembly; except  
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
9 of the state constitution against this act or an item, section, or part of this  
10 act within such period, then the act, item, section, or part will not take  
11 effect unless approved by the people at the general election to be held in  
12 November 2022 and, in such case, will take effect on the date of the  
13 official declaration of the vote thereon by the governor.