

**First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 21-0322.01 Pierce Lively x2059

**HOUSE BILL 21-1303**

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**House Committees**

Energy & Environment  
Appropriations

**Senate Committees**

Transportation & Energy  
Appropriations

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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, AND, IN**  
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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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

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.*

SENATE  
3rd Reading Unamended  
June 1, 2021

SENATE  
Amended 2nd Reading  
May 28, 2021

HOUSE  
3rd Reading Unamended  
May 24, 2021

HOUSE  
Amended 2nd Reading  
May 22, 2021

acceptable global warming potential for each category of eligible material 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,

1 where scientists have determined that annual temperature increases and  
2 a long-term drought are consequences of human-induced climate change.

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

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

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

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

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

26 (h) For measuring greenhouse gas emissions, the properties of  
27 cement, concrete mixtures, asphalt, and asphalt mixtures must not be


1 double counted.

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

6 **SECTION 2.** In Colorado Revised Statutes, **add** 24-92-116 and  
7 24-92-117 as follows:

8 **24-92-116. Maximum global warming potential for materials**  
9 **used in eligible projects - buildings - projects that are not roads,**  
10 **highways, or bridges - environmental product declaration - short title**  
11 **- report - definitions.** (1) THE SHORT TITLE OF THIS SECTION AND  
12 SECTION 24-92-117 IS THE "BUY CLEAN COLORADO ACT".

13 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
14 REQUIRES:

15   
16 (a) "ELIGIBLE MATERIAL" MEANS MATERIALS USED IN THE  
17 CONSTRUCTION OF A PUBLIC PROJECT, INCLUDING:

18 (I) ASPHALT AND ASPHALT MIXTURES;;

19 (II) CEMENT AND CONCRETE MIXTURES;

20 

21 (III) GLASS;

22 (IV) POST-TENSION STEEL;

23 (V) REINFORCING STEEL;

24 (VI) STRUCTURAL STEEL; AND

25 (VII) WOOD STRUCTURAL ELEMENTS.

26 (b) "ELIGIBLE PROJECT" MEANS A PUBLIC PROJECT AS DEFINED IN  
27 SECTION 24-92-102, FOR WHICH AN AGENCY OF GOVERNMENT ISSUES A

1 SOLICITATION ON OR AFTER JANUARY 1, 2024; EXCEPT THAT "ELIGIBLE  
2 PROJECT" DOES NOT INCLUDE ANY MAINTENANCE PROGRAM FOR THE  
3 UPKEEP OF A PUBLIC PROJECT OR ANY ROAD, HIGHWAY, OR BRIDGE  
4 PROJECT.

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

7 (d) "OFFICE OF THE STATE ARCHITECT" MEANS THE OFFICE OF THE  
8 STATE ARCHITECT IN THE DEPARTMENT OF PERSONNEL.

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

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

21 (II) THE OFFICE OF THE STATE ARCHITECT SHALL EXPRESS THE  
22 MAXIMUM ACCEPTABLE GLOBAL WARMING POTENTIAL AS A NUMBER THAT  
23 STATES THE MAXIMUM ACCEPTABLE GLOBAL WARMING POTENTIAL FOR  
24 EACH CATEGORY OF ELIGIBLE MATERIALS. THE GLOBAL WARMING  
25 POTENTIAL SHALL BE PROVIDED IN A MANNER THAT IS CONSISTENT WITH  
26 CRITERIA IN AN ENVIRONMENTAL PRODUCT DECLARATION. THE OFFICE OF  
27 THE STATE ARCHITECT MAY ESTABLISH ADDITIONAL SUBCATEGORIES

1        WITHIN EACH ELIGIBLE MATERIAL WITH DISTINCT MAXIMUM ACCEPTABLE  
2        GLOBAL WARMING POTENTIAL LIMITS. THE POLICY MAY PERMIT MAXIMUM  
3        ACCEPTABLE GLOBAL WARMING POTENTIAL FOR EACH MATERIAL  
4        CATEGORY IN THE AGGREGATE.

5            (b) IN ESTABLISHING A MAXIMUM ACCEPTABLE GLOBAL WARMING  
6        POTENTIAL FOR EACH CATEGORY OF ELIGIBLE MATERIALS USED IN AN  
7        ELIGIBLE PROJECT, THE OFFICE OF THE STATE ARCHITECT MAY CONSULT  
8        WITH ANY OTHER RELEVANT DEPARTMENT OR DIVISION OF STATE  
9        GOVERNMENT.

10           (c) BY JANUARY 1, 2026, AND EVERY FOUR YEARS THEREAFTER,  
11        THE OFFICE OF THE STATE ARCHITECT SHALL REVIEW THE MAXIMUM  
12        ACCEPTABLE GLOBAL WARMING POTENTIAL FOR EACH CATEGORY OF  
13        ELIGIBLE MATERIALS AND MAY ADJUST THE NUMBER FOR ANY ELIGIBLE  
14        MATERIAL TO REFLECT INDUSTRY CONDITIONS. THE OFFICE OF THE STATE  
15        ARCHITECT SHALL NOT ADJUST THE NUMBER UPWARD FOR ANY ELIGIBLE  
16        MATERIAL.

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

1 POTENTIAL FOR EACH CATEGORY OF ELIGIBLE MATERIALS.

2 (II) IF A PRODUCT THAT MEETS THE MAXIMUM ACCEPTABLE  
3 GLOBAL WARMING POTENTIAL FOR A CATEGORY OF ELIGIBLE MATERIALS  
4 IS NOT REASONABLY PRICED OR IS NOT AVAILABLE ON A REASONABLE  
5 BASIS AT THE TIME OF DESIGN OR CONSTRUCTION, THE OFFICE OF THE  
6 STATE ARCHITECT MAY WAIVE THE REQUIREMENTS OF THIS SECTION FOR  
7 THAT PRODUCT.

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

18 (c) A CONTRACTOR THAT IS AWARDED A CONTRACT FOR AN  
19 ELIGIBLE PROJECT SHALL NOT INSTALL ANY ELIGIBLE MATERIALS ON THE  
20 PROJECT UNTIL THE CONTRACTOR SUBMITS AN ENVIRONMENTAL PRODUCT  
21 DECLARATION FOR THAT MATERIAL PURSUANT TO SUBSECTION (4)(a) OF  
22 THIS SECTION. THE ENVIRONMENTAL PRODUCT DECLARATION SHALL BE  
23 DEEMED APPROVED IF IT COMPLIES WITH THE ORIGINAL SPECIFICATION  
24 REQUIRED BY SUBSECTION (4)(a) OF THIS SECTION. IF AN ENVIRONMENTAL  
25 PRODUCT DECLARATION IS NOT AVAILABLE FOR AN ELIGIBLE MATERIAL,  
26 THE CONTRACTOR SHALL NOTIFY THE AGENCY OF GOVERNMENT AND  
27 INSTALL AN ALTERNATIVE ELIGIBLE MATERIAL WITH AN ENVIRONMENTAL

1 PRODUCT DECLARATION. IF A PRODUCT MEETING THE MAXIMUM  
2 ACCEPTABLE GLOBAL WARMING POTENTIAL FOR A CATEGORY OF ELIGIBLE  
3 MATERIALS IS NOT REASONABLY PRICED OR IS NOT AVAILABLE TO THE  
4 CONTRACTOR ON A REASONABLE BASIS, THE AGENCY OF GOVERNMENT  
5 MAY WAIVE THE REQUIREMENTS OF THIS SECTION FOR THAT PRODUCT. THE  
6 AGENCY OF GOVERNMENT SHALL REPORT THE WAIVERS IT AWARDS TO THE  
7 OFFICE OF THE STATE ARCHITECT.

8 (5) IN ADMINISTERING THIS SECTION, THE OFFICE OF THE STATE  
9 ARCHITECT SHALL STRIVE TO ACHIEVE A CONTINUOUS REDUCTION OF  
10 GREENHOUSE GAS EMISSIONS OVER TIME. REDUCTION OF GREENHOUSE  
11 GAS EMISSIONS ACHIEVED UNDER THIS SECTION SHALL BE CREDITED  
12 UNDER THE PROCESS CREATED IN SECTION 25-7-105 (1)(e).

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

16 (a) FOR THE REPORT PREPARED IN 2026 ONLY, A DESCRIPTION OF  
17 THE METHOD THAT THE OFFICE OF THE STATE ARCHITECT USED TO  
18 DEVELOP THE MAXIMUM ACCEPTABLE GLOBAL WARMING POTENTIAL FOR  
19 EACH CATEGORY OF ELIGIBLE MATERIALS;

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

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

26 **24-92-117. Maximum global warming potential for materials**  
27 **used in public projects - road - highway - bridge projects -**




1 **environmental product declaration - short title - report - definitions.**

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

4 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
5 REQUIRES:

6 (a) "DEPARTMENT" MEANS THE DEPARTMENT OF  
7 TRANSPORTATION.

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

- 10 (I) ASPHALT AND ASPHALT MIXTURES;
- 11 (II) CEMENT AND CONCRETE MIXTURES; AND
- 12 
- 13 (III) STEEL.

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

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

19 (3) (a) BY JANUARY 1, 2025, THE DEPARTMENT SHALL ESTABLISH  
20 A POLICY TO DETERMINE AND RECORD GREENHOUSE GAS EMISSIONS FROM  
21 ELIGIBLE MATERIALS USED IN A PUBLIC PROJECT WITH THE GOAL OF  
22 REDUCING GREENHOUSE GAS EMISSIONS IN ACCORDANCE WITH THE  
23 FOLLOWING REQUIREMENTS:

- 24 (I) THE DEPARTMENT SHALL USE THE NATIONALLY OR  
25 INTERNATIONALLY RECOGNIZED DATABASES OF ENVIRONMENTAL  
26 PRODUCT DECLARATIONS AND MAY INCLUDE TRANSPORTATION-RELATED  
27 EMISSIONS AS PART OF THE GLOBAL WARMING POTENTIAL EMISSIONS; AND

1           (II) THE DEPARTMENT SHALL DEVELOP A TRACKING AND  
2 REPORTING PROCESS IN A MANNER THAT IS CONSISTENT WITH CRITERIA IN  
3 AN ENVIRONMENTAL PRODUCT DECLARATION. THE DEPARTMENT MAY  
4 ESTABLISH ADDITIONAL SUBCATEGORIES WITHIN EACH ELIGIBLE MATERIAL  
5 WITH DISTINCT MAXIMUM GLOBAL WARMING POTENTIAL LIMITS.

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

9           (c) BY JANUARY 1, 2027, AND EVERY FOUR YEARS THEREAFTER,  
10 THE DEPARTMENT OF TRANSPORTATION SHALL REVIEW THE POLICY  
11 CREATED PURSUANT TO THIS SECTION AND MAY ADJUST THE POLICY TO  
12 REFLECT INDUSTRY CONDITIONS. THE DEPARTMENT SHALL NOT ADJUST  
13 THE POLICY FOR ANY ELIGIBLE MATERIAL TO BE LESS STRINGENT.

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

22           (b) FOR INVITATION FOR BIDS FOR CONTRACTS FOR PUBLIC  
23 PROJECTS ISSUED ON OR AFTER JULY 1, 2025, THE DEPARTMENT SHALL  
24 REQUIRE THE CONTRACTOR WHO IS AWARDED THE CONTRACT TO SUBMIT  
25 A CURRENT ENVIRONMENTAL PRODUCT DECLARATION, TYPE III, AS  
26 DEFINED BY THE INTERNATIONAL ORGANIZATION FOR STANDARDIZATION  
27 STANDARD 14025:2006, OR SIMILARLY ROBUST LIFE CYCLE ASSESSMENT

1 METHODS THAT HAVE UNIFORM STANDARDS IN DATA COLLECTION, AS SET  
2 BY POLICY BY THE DEPARTMENT FOR EACH ELIGIBLE MATERIAL PROPOSED  
3 TO BE USED IN THE PUBLIC PROJECT.

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

10 (d) A CONTRACTOR THAT IS AWARDED A CONTRACT FOR A PUBLIC  
11 PROJECT SHALL NOT INSTALL ANY ELIGIBLE MATERIALS ON THE PROJECT  
12 UNTIL THE CONTRACTOR SUBMITS AN ENVIRONMENTAL PRODUCT  
13 DECLARATION FOR THAT MATERIAL PURSUANT TO SUBSECTION (3)(a) OF  
14 THIS SECTION. THE ENVIRONMENTAL PRODUCT DECLARATION SHALL BE  
15 DEEMED APPROVED IF IT COMPLIES WITH THE POLICY ESTABLISHED BY THE  
16 DEPARTMENT PURSUANT TO THIS SECTION. IF AN ENVIRONMENTAL  
17 PRODUCT DECLARATION IS NOT AVAILABLE FOR AN ELIGIBLE MATERIAL,  
18 THE CONTRACTOR SHALL NOTIFY THE DEPARTMENT AND INSTALL AN  
19 ALTERNATIVE ELIGIBLE MATERIAL WITH AN ENVIRONMENTAL PRODUCT  
20 DECLARATION. IF A PRODUCT MEETING THE POLICY REQUIREMENTS FOR A  
21 CATEGORY OF ELIGIBLE MATERIALS IS NOT REASONABLY PRICED OR IS NOT  
22 AVAILABLE TO THE CONTRACTOR ON A REASONABLE BASIS, THE  
23 DEPARTMENT MAY WAIVE THE REQUIREMENTS OF THIS SECTION FOR THAT  
24 PRODUCT.

25 (5) IN ADMINISTERING THIS SECTION, THE DEPARTMENT SHALL  
26 STRIVE TO ACHIEVE A CONTINUOUS REDUCTION OF GREENHOUSE GAS  
27 EMISSIONS OVER TIME. REDUCTION OF GREENHOUSE GAS EMISSIONS

1 ACHIEVED UNDER THIS SECTION SHALL BE CREDITED UNDER THE PROCESS  
2 CREATED IN SECTION 25-7-105 (1)(e).

3 (6) BEGINNING IN 2026, THE DEPARTMENT SHALL ANNUALLY  
4 PRESENT THE FOLLOWING INFORMATION TO THE TRANSPORTATION  
5 LEGISLATION REVIEW COMMITTEE, OR ANY SUCCESSOR COMMITTEE:

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

9 (b) WHAT THE DEPARTMENT HAS LEARNED ABOUT HOW TO  
10 IDENTIFY AND QUANTIFY EMBODIED CARBON IN BUILDING MATERIALS,  
11 INCLUDING LIFE CYCLE COSTS; AND

12 (c) ANY OBSTACLES THE DEPARTMENT AS WELL AS BIDDING  
13 CONTRACTORS HAVE ENCOUNTERED IN IDENTIFYING AND QUANTIFYING  
14 EMBODIED CARBON IN BUILDING MATERIALS.

15 **SECTION 3. Appropriation.** For the 2021-22 state fiscal year,  
16 \$75,342 is appropriated to the department of personnel for use by the  
17 executive director's office. This appropriation is from the general fund  
18 and is based on an assumption that the office will require an additional  
19 0.9 FTE. To implement this act, the office may use this appropriation for  
20 the office of the state architect.

21 **SECTION 4. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly; except  
24 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
25 of the state constitution against this act or an item, section, or part of this  
26 act within such period, then the act, item, section, or part will not take  
27 effect unless approved by the people at the general election to be held in

- 1 November 2022 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.