

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0058.02 Pierce Lively x2059

HOUSE BILL 22-1362

HOUSE SPONSORSHIP

Bernett and Valdez A.,

SENATE SPONSORSHIP

Hansen and Winter,

House Committees

Energy & Environment
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REDUCTION OF BUILDING GREENHOUSE GAS**
102 **EMISSIONS, AND, IN CONNECTION THEREWITH, REQUIRING THE**
103 **COLORADO ENERGY OFFICE TO IDENTIFY FOR ADOPTION THREE**
104 **MODEL CODES, REQUIRING LOCAL GOVERNMENTS AND CERTAIN**
105 **STATE AGENCIES TO ADOPT AND ENFORCE CODES THAT ARE**
106 **CONSISTENT WITH TWO OF THE MODEL CODES, ENCOURAGING**
107 **LOCAL GOVERNMENTS AND CERTAIN STATE AGENCIES TO ADOPT**
108 **AND ENFORCE CODES THAT ARE CONSISTENT WITH THE THIRD**
109 **MODEL CODE, CREATING THE BUILDING ELECTRIFICATION FOR**
110 **PUBLIC BUILDINGS GRANT PROGRAM, CREATING THE**
111 **HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT**
112 **PROGRAM, AND ESTABLISHING THE CLEAN AIR BUILDING**
113 **INVESTMENTS FUND.**

*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.*

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 bill requires the Colorado energy office (office) to identify for adoption 3 sets of model code language:

- Model electric and solar ready code language;
- Model low energy and carbon code language; and
- Model green code language.

On or before January 1, 2025, municipalities, counties, the office of the state architect, the division of housing, and the division of fire prevention and control shall adopt and enforce an energy code that achieves equivalent or better energy performance than the 2021 international energy conservation code and the model electric and solar ready code language identified for adoption by the office.

On or before January 1, 2030, municipalities, counties, the office of the state architect, the division of housing, and the division of fire prevention and control shall adopt and enforce an energy code that achieves equivalent or better energy and carbon emissions performance than the model low energy and carbon code language identified for adoption by the office.

In the event of a conflict between the 2021 international energy conservation code, the 2024 international energy conservation code, or any of these 3 sets of model code language and either the Colorado plumbing code or the national electric code, the Colorado plumbing code or the national electric code prevails.

The bill creates 2 primary grant programs:

- The building electrification for public buildings grant program to provide grants to local governments, school districts, state agencies, and special districts for the installation of high-efficiency electric heating equipment; and
- The high-efficiency electric heating and appliances grant program to provide grants to local governments, utilities, nonprofit organizations, and housing developers for the installation of high-efficiency electric heating equipment in multiple structures within a neighborhood.

The bill establishes the clean air building investments fund, a continuously appropriated cash fund, to fund the creation, implementation, and administration of both of these grant programs.

The bill also requires the following transfers from the general fund:

- \$3 million to the energy fund created for the Colorado energy office to issue grants and provide training related to the 2021 international energy conservation code, electric and solar ready codes, and low energy and carbon codes;
- \$10 million to the clean air building investments fund for the creation, implementation, and administration of the building electrification for public buildings grant program; and
- \$12 million to the clean air building investments fund for the creation, implementation, and administration of the high-efficiency electric heating and appliances grant program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-38.5-113 as
3 follows:

4 **24-38.5-113. Model energy codes - transfer - report -**
5 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
6 OTHERWISE REQUIRES:

7 (a) "ACCEPTABLE REFRIGERANT" MEANS A REFRIGERANT THAT IS:

8 (I) LISTED AS ACCEPTABLE IN 42 U.S.C. SEC. 7671k OF THE
9 FEDERAL "CLEAN AIR ACT" AND USED IN EQUIPMENT THAT IS LISTED AND
10 INSTALLED PURSUANT TO THE USE CONDITIONS IMPOSED WITHIN THAT
11 SECTION; AND

12 (II) LISTED AS ACCEPTABLE IN APPENDIX U AND APPENDIX V OF
13 SUBPART G OF 40 CFR 82 AND USED IN EQUIPMENT THAT IS LISTED AND
14 INSTALLED PURSUANT TO THE USE CONDITIONS IMPOSED WITHIN THOSE
15 APPENDICES.

16 (b) (I) "EV CAPABLE" MEANS A PARKING SPACE THAT:

17 (A) HAS THE ELECTRICAL PANEL CAPACITY AND CONDUIT

1 INSTALLED TO SUPPORT FUTURE IMPLEMENTATION OF ELECTRICAL
2 VEHICLE CHARGING WITH A MINIMUM OF TWO HUNDRED EIGHT VOLTS AND
3 A MINIMUM OF FORTY-AMPERE RATED CIRCUITS; AND

4 (B) IS ADJACENT TO THE TERMINAL POINT OF THE CONDUIT FROM
5 THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION (1)(b)(I)(A) OF
6 THIS SECTION.

7 (II) "EV CAPABLE" INCLUDES TWO ADJACENT PARKING SPACES IF
8 THE CONDUIT FOR THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION
9 (1)(b)(I)(A) OF THIS SECTION TERMINATES ADJACENT TO AND BETWEEN
10 BOTH PARKING SPACES.

11 (c) (I) "EV READY" MEANS A PARKING SPACE THAT:

12 (A) HAS THE ELECTRICAL PANEL CAPACITY, RACEWAY WIRING,
13 RECEPTACLE, AND CIRCUIT OVERPROTECTION DEVICES INSTALLED TO
14 SUPPORT FUTURE IMPLEMENTATION OF ELECTRICAL VEHICLE CHARGING
15 WITH A MINIMUM OF TWO HUNDRED EIGHT VOLTS AND A MINIMUM OF
16 FORTY-AMPERE RATED CIRCUITS; AND

17 (B) IS ADJACENT TO THE RECEPTACLE FOR THE ELECTRICAL
18 FACILITIES DESCRIBED IN SUBSECTION (1)(c)(I)(A) OF THIS SECTION.

19 (II) "EV READY" INCLUDES TWO ADJACENT PARKING SPACES IF THE
20 RECEPTACLE FOR THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION
21 (1)(c)(I)(A) OF THIS SECTION IS INSTALLED ADJACENT TO AND BETWEEN
22 BOTH PARKING SPACES.

23 (d) "EV SUPPLY EQUIPMENT" MEANS:

24 (I) AN ELECTRIC VEHICLE CHARGING SYSTEM AS DEFINED IN
25 SECTION 38-12-601 (6)(a) THAT HAS POWER CAPACITY OF AT LEAST 6.2
26 KILOWATTS; OR

27 (II) AN INDUCTIVE RESIDENTIAL CHARGING SYSTEM FOR

1 BATTERY-POWERED ELECTRIC VEHICLES THAT:

2 (A) IS CERTIFIED BY UNDERWRITERS LABORATORIES OR AN
3 EQUIVALENT CERTIFICATION;

4 (B) COMPLIES WITH THE CURRENT VERSION OF ARTICLE 625 OF THE
5 NATIONAL ELECTRICAL CODE, PUBLISHED BY THE NATIONAL FIRE
6 PROTECTION ASSOCIATION, AND OTHER APPLICABLE INDUSTRY
7 STANDARDS; AND

8 (C) IS ENERGY STAR CERTIFIED.

9 (e) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE
10 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, OR
11 SUBSEQUENT CODE OR ENTITY.

12 (f) "MIXED FUEL USE BUILDING" MEANS A RESIDENTIAL OR
13 COMMERCIAL BUILDING THAT IS DESIGNED AND BUILT WITH EQUIPMENT
14 THAT USES GASEOUS FUELS ON SITE IN ADDITION TO ELECTRICITY.

15 (g) "PROVISIONS FOR ELECTRICAL SERVICE CAPACITY" MEANS:

16 (I) BUILDING ELECTRICAL SERVICE, SIZED FOR THE ANTICIPATED
17 LOAD OF ELECTRIC VEHICLE CHARGING STATIONS, THAT HAS OVER
18 CURRENT PROTECTION DEVICES NECESSARY FOR ELECTRIC VEHICLE
19 CHARGING STATIONS OR HAS ADEQUATE SPACE TO ADD OVER CURRENT
20 PROTECTION DEVICES;

21 (II) A CONDUIT SYSTEM INSTALLED FROM BUILDING ELECTRICAL
22 SERVICE TO PARKING SPACES THAT CAN SUPPORT, AT A MINIMUM,
23 ELECTRICAL WIRING FOR INSTALLATION OF ELECTRIC VEHICLE CHARGING
24 STATIONS, AND, IF THE CONDUIT SYSTEM IS FOR FUTURE INSTALLATION OF
25 ELECTRIC VEHICLE CHARGING STATIONS, THAT LABELS BOTH ENDS OF THE
26 CONDUIT SYSTEM TO MARK THE CONDUIT SYSTEM AS PROVIDED FOR
27 FUTURE ELECTRIC VEHICLE CHARGING STATIONS; AND

1 (III) SPACE WITHIN A BUILDING TO ADD ADDITIONAL BUILDING
2 ELECTRICAL SERVICE FOR INSTALLATION OF ELECTRICAL SERVICE
3 CAPACITY FOR ELECTRIC VEHICLE CHARGING STATIONS.

4 (h) "STATE AGENCIES" MEANS THE OFFICE OF THE STATE
5 ARCHITECT, THE DIVISION OF FIRE PREVENTION AND CONTROL, AND THE
6 DIVISION OF HOUSING.

7 (2) (a) BEFORE JULY 1, 2023, THE COLORADO ENERGY OFFICE
8 SHALL IDENTIFY FOR ADOPTION MODEL ELECTRIC READY AND SOLAR
9 READY CODE LANGUAGE.

10 (b) THE COLORADO ENERGY OFFICE SHALL CONSULT WITH LOCAL
11 GOVERNMENTS, BUILDERS, AND OTHER STAKEHOLDERS BEFORE
12 IDENTIFYING MODEL ELECTRIC READY AND SOLAR READY CODE LANGUAGE
13 FOR ADOPTION.

14 (c) THE MODEL ELECTRIC READY AND SOLAR READY CODE
15 LANGUAGE IDENTIFIED FOR ADOPTION BY THE COLORADO ENERGY OFFICE
16 MUST INCLUDE THE FOLLOWING PROVISIONS FOR NEW RESIDENTIAL OR
17 COMMERCIAL BUILDINGS SUBJECT TO THE CODE:

18 (I) SOLAR READY REQUIREMENTS REGARDING THE STRUCTURAL
19 DESIGN FOR ROOF LOAD AND CONDUIT ROUTING TO AN ELECTRICAL
20 SERVICE PANEL;

21 (II) ELECTRIC VEHICLE READY AND EV READY INSTALLED
22 REQUIREMENTS FOR RESIDENTIAL BUILDINGS WITH FOUR OR FEWER
23 DWELLING UNITS;

24 (III) ELECTRIC VEHICLE READY, EV READY, AND EV SUPPLY
25 EQUIPMENT INSTALLED REQUIREMENTS FOR MULTIFAMILY AND
26 COMMERCIAL BUILDINGS WITH PROVISIONS FOR ELECTRICAL SERVICE
27 CAPACITY IN TWENTY PERCENT OR MORE OF THE VEHICLE PARKING SPACES

1 IN THE GARAGE OR PARKING AREA; AND

2 (IV) ELECTRIC READY REQUIREMENTS THAT MIXED FUEL USE
3 BUILDINGS PROVIDE DEDICATED ELECTRIC PANEL SPACE, ELECTRICAL
4 WIRE, ELECTRICAL RECEPTACLES, AND ADEQUATE PANEL CAPACITY TO
5 ACCOMMODATE THE FUTURE INSTALLATION OF ELECTRIC HEAT PUMP
6 SPACE HEATING AND COOLING, ELECTRIC HEAT PUMP WATER HEATING,
7 ELECTRIC COOKING, ELECTRIC CLOTHES DRYING, AND AN ELECTRIC
8 VEHICLE.

9 (3) (a) AFTER THE PUBLICATION OF THE 2024 INTERNATIONAL
10 ENERGY CONSERVATION CODE, BUT NOT LATER THAN JANUARY 1, 2025,
11 THE COLORADO ENERGY OFFICE SHALL IDENTIFY FOR ADOPTION MODEL
12 LOW ENERGY AND CARBON CODE LANGUAGE THAT CONSISTS OF:

13 (I) THE MORE ENERGY EFFICIENT OF EITHER THE 2021 OR 2024
14 INTERNATIONAL ENERGY CONSERVATION CODE, EXCEPT AS THE
15 COLORADO ENERGY OFFICE MAY MODIFY IT PURSUANT TO SUBSECTIONS
16 (3)(c) AND (3)(d) OF THIS SECTION, INCLUDING ANY APPENDICES THAT THE
17 COLORADO ENERGY OFFICE DEEMS APPROPRIATE; AND

18 (II) THE MODEL ELECTRIC READY AND SOLAR READY CODE
19 LANGUAGE IDENTIFIED FOR ADOPTION BY THE COLORADO ENERGY OFFICE
20 PURSUANT TO SUBSECTION (2) OF THIS SECTION.

21 (b) THE COLORADO ENERGY OFFICE SHALL CONSULT WITH LOCAL
22 GOVERNMENTS, BUILDERS, AND OTHER STAKEHOLDERS BEFORE
23 IDENTIFYING MODEL LOW ENERGY AND CARBON CODE LANGUAGE FOR
24 ADOPTION.

25 (c) THE COLORADO ENERGY OFFICE MAY RELAX THE STRINGENCY
26 OF ANY REQUIREMENTS IN THE INTERNATIONAL ENERGY CONSERVATION
27 CODE THAT IT ADOPTS AS PART OF THE MODEL LOW ENERGY AND CARBON

1 CODE PURSUANT TO SUBSECTION (3)(a)(I) OF THIS SECTION, INCLUDING
2 APPENDICES, IF IT DEEMS THAT DOING SO IS APPROPRIATE, BUT THE
3 COLORADO ENERGY OFFICE SHALL NOT INCREASE THE STRINGENCY OF ANY
4 REQUIREMENTS IN THE INTERNATIONAL ENERGY CONSERVATION CODE
5 INCLUDING APPENDICES THAT IT ADOPTS AS PART OF THE MODEL LOW
6 ENERGY AND CARBON CODE PURSUANT TO SUBSECTION (3)(a)(I) OF THIS
7 SECTION.

8 (d) THE MODEL LOW ENERGY AND CARBON CODE LANGUAGE
9 IDENTIFIED FOR ADOPTION BY THE COLORADO ENERGY OFFICE MUST:

10 (I) PROVIDE COMPLIANCE PATHWAYS FOR ALL-ELECTRIC AND
11 MIXED FUEL USE RESIDENTIAL AND COMMERCIAL BUILDINGS;

12 (II) EXEMPT ELECTRICITY CONSUMPTION IN RESIDENTIAL AND
13 COMMERCIAL BUILDINGS FROM ANY ONSITE OR OFFSITE RENEWABLE
14 ENERGY REQUIREMENTS;

15 (III) ALLOW THE REPLACEMENT OF NATURAL GAS OR PROPANE
16 FUELED SPACE OR WATER HEATING SYSTEMS IN EXISTING BUILDINGS, AT
17 THE END OF THOSE SYSTEMS' LIFETIMES, WITH EITHER HIGH-EFFICIENCY
18 NATURAL GAS OR PROPANE HEATING SYSTEMS OR HIGH-EFFICIENCY
19 ELECTRIC SYSTEMS. THE MINIMUM ENERGY EFFICIENCY REQUIREMENTS
20 FOR SYSTEMS IN THIS SUBSECTION (3)(d)(III) MUST NOT EXCEED
21 APPLICABLE FEDERAL ENERGY EFFICIENCY STANDARDS. REPLACEMENT OF
22 THESE SYSTEMS MAY NOT REQUIRE PRE-WIRING FOR EFFICIENT ELECTRIC
23 HEAT PUMPS.

24 (IV) ENSURE THAT FOR ANY RENEWABLE ENERGY MEASURES USED
25 TO ENSURE THAT A HOME OR COMMERCIAL BUILDING IS COMPLIANT WITH
26 THE MODEL LOW ENERGY AND CARBON CODE LANGUAGE IDENTIFIED BY
27 THE COLORADO ENERGY OFFICE, ANY SEVERABLE ATTRIBUTES THAT

1 REPRESENT RENEWABLE ENERGY PRODUCTION OR CARBON DIOXIDE
2 EMISSION REDUCTIONS CLAIMED FOR THE HOME OR BUILDING SHALL BE
3 RETAINED BY THE BUILDING OWNER AND SHALL NOT BE RETAINED BY A
4 UTILITY; AND

5 (V) TAKE INTO ACCOUNT HOME AFFORDABILITY.

6 (4) BEFORE JULY 1, 2024, THE COLORADO ENERGY OFFICE SHALL
7 IDENTIFY MODEL GREEN CODE LANGUAGE FOR ADOPTION. THE COLORADO
8 ENERGY OFFICE SHALL PROMOTE THE VOLUNTARY ADOPTION OF THIS
9 MODEL GREEN CODE LANGUAGE.

10 (5) THE USE OF AN ACCEPTABLE REFRIGERANT MAY NOT BE
11 PROHIBITED OR OTHERWISE RESTRICTED BY A LOCALITY, COUNTY, OR
12 OTHER STATE RULE OR REGULATION; EXCEPT THAT NOTHING IN THIS
13 ARTICLE 38.5 MAY BE CONSTRUED TO PROHIBIT, LIMIT, OR OTHERWISE
14 MODIFY THE REQUIREMENTS OF REGULATION NUMBER 22, 5 CCR 1001-26,
15 AS AMENDED, OR ANY ENTITY'S PROCUREMENT REQUIREMENTS FOR THEIR
16 OWN USE.

17 (6) ON OR BEFORE DECEMBER 31, 2025, THE COLORADO ENERGY
18 OFFICE SHALL SUBMIT A REPORT TO THE ENERGY AND ENVIRONMENT
19 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
20 TRANSPORTATION AND ENERGY COMMITTEE OF THE SENATE, OR ANY
21 SUCCESSOR COMMITTEES. AT A MINIMUM, THE REPORT MUST INCLUDE:

22 (a) AN ANALYSIS OF THE PROJECTED CARBON EMISSIONS OF
23 BUILDINGS THAT WILL BE SUBJECT TO LOW ENERGY AND CARBON CODES
24 ADOPTED PURSUANT TO SECTIONS 24-30-1303 (1), 24-32-3305 (3.5),
25 24-33-1203 (1)(x), 30-28-211 (3), AND 31-15-602 (3) DURING 2040 AND
26 2050; AND

27 (b) (I) A DETERMINATION AS TO WHETHER THE LOW ENERGY AND

1 CARBON CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE COLORADO
2 ENERGY OFFICE WILL NEED TO BE UPDATED TO ENSURE THE BUILDING
3 SECTOR EMISSIONS REDUCTIONS NECESSARY TO ACHIEVE THE
4 ECONOMY-WIDE GREENHOUSE GAS POLLUTION REDUCTION TARGETS
5 ESTABLISHED IN SECTION 25-7-102 (2)(g).

6 (II) IF THE COLORADO ENERGY OFFICE CONCLUDES THAT THE LOW
7 ENERGY AND CARBON CODE LANGUAGE WILL NEED TO BE UPDATED, IT
8 SHALL PROPOSE LEGISLATIVE OPTIONS FOR IMPLEMENTING SUCH UPDATES
9 AND INCLUDE THOSE OPTIONS IN THE REPORT SUBMITTED PURSUANT TO
10 THIS SUBSECTION (6).

11 (7) (a) THE COLORADO ENERGY OFFICE SHALL PROVIDE ENERGY
12 CODE TRAINING TO ASSIST LOCAL GOVERNMENTS, DIVISIONS IN THE
13 EXECUTIVE BRANCH OF STATE GOVERNMENT, BUILDERS, AND
14 CONTRACTORS IN ADOPTING AND IMPLEMENTING THE 2021
15 INTERNATIONAL ENERGY CONSERVATION CODE, ELECTRIC READY AND
16 SOLAR READY CODES, AND LOW ENERGY AND CARBON CODES. THE
17 TRAINING AND MATERIALS PROVIDED ALONG WITH THIS TRAINING MUST BE
18 IN BOTH ENGLISH AND SPANISH.

19 (b) IF IT IS ABLE TO OBTAIN FUNDING, THE COLORADO ENERGY
20 OFFICE SHALL PROVIDE FINANCIAL ASSISTANCE THROUGH AN APPLICATION
21 PROCESS TO SUPPORT THE ADOPTION AND ENFORCEMENT BY LOCAL
22 GOVERNMENTS OF THE 2021 INTERNATIONAL ENERGY CONSERVATION
23 CODE, AN ELECTRIC READY AND SOLAR READY CODE, AND A LOW ENERGY
24 AND CARBON CODE.

25 (8) THE COLORADO ENERGY OFFICE SHALL ADOPT POLICIES AND
26 PROCEDURES AS NECESSARY FOR THE CREATION AND ADMINISTRATION OF
27 A GRANT PROGRAM TO AWARD THE GRANTS DESCRIBED IN SUBSECTION

1 (9)(a)(I) OF THIS SECTION, INCLUDING POLICIES AND PROCEDURES THAT AT
2 A MINIMUM ESTABLISH THE APPLICATION PROCESS AND THE GRANT AWARD
3 CRITERIA.

4 (9) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
5 SUBSECTION (9)(a), THE STATE TREASURER SHALL TRANSFER TWO MILLION
6 DOLLARS FROM THE GENERAL FUND TO THE ENERGY FUND CREATED IN
7 SECTION 24-38.5-102.4. THE COLORADO ENERGY OFFICE SHALL EXPEND
8 THE MONEY TRANSFERRED BY THE GENERAL ASSEMBLY PURSUANT TO THIS
9 SUBSECTION (9)(a) FOR THE PURPOSES OF:

10 (I) ISSUING GRANTS, NOT TO EXCEED A TOTAL OF ONE MILLION
11 DOLLARS, TO LOCAL GOVERNMENTS TO SUPPORT THEIR ADOPTION AND
12 ENFORCEMENT OF THE 2021 INTERNATIONAL ENERGY CONSERVATION
13 CODE, AN ELECTRIC READY AND SOLAR READY CODE, AND A LOW ENERGY
14 AND CARBON CODE AND COVERING THE DIRECT AND INDIRECT COSTS
15 ASSOCIATED WITH ISSUING THESE GRANTS; AND

16 (II) PROVIDING ENERGY CODE TRAINING AND TECHNICAL
17 ASSISTANCE, NOT TO EXCEED A TOTAL COST OF ONE MILLION DOLLARS, TO
18 ASSIST LOCAL GOVERNMENTS AND DIVISIONS IN THE EXECUTIVE BRANCH
19 OF STATE GOVERNMENT IN ADOPTING AND ENFORCING THE 2021
20 INTERNATIONAL ENERGY CONSERVATION CODE, AN ELECTRIC READY AND
21 SOLAR READY CODE, A LOW ENERGY AND CARBON CODE, OR A GREEN
22 CODE AND COVERING THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH
23 PROVIDING THIS TRAINING AND TECHNICAL ASSISTANCE.

24 (b) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
25 SUBSECTION (9)(b), THE STATE TREASURER SHALL TRANSFER ONE MILLION
26 DOLLARS FROM THE GENERAL FUND TO THE ENERGY FUND CREATED IN
27 SECTION 24-38.5-102.4. THE COLORADO ENERGY OFFICE SHALL EXPEND

1 THE MONEY TRANSFERRED BY THE GENERAL ASSEMBLY PURSUANT TO THIS
2 SUBSECTION (9)(b) FOR THE PURPOSE OF PROVIDING ENERGY CODE
3 TRAINING TO ASSIST ARCHITECTS, BUILDERS, CONTRACTORS, AND
4 DESIGNERS IN IMPLEMENTING THE 2021 INTERNATIONAL ENERGY
5 CONSERVATION CODE, ELECTRIC READY AND SOLAR READY CODES, AND
6 LOW ENERGY AND CARBON CODES. THE TRAINING AND MATERIALS
7 PROVIDED ALONG WITH THIS TRAINING MUST BE IN BOTH ENGLISH AND
8 SPANISH.

9 **SECTION 2.** In Colorado Revised Statutes, **add** 24-38.5-114 as
10 follows:

11 **24-38.5-114. Building electrification for public buildings grant**
12 **program - creation - report - legislative declaration.** (1) THE GENERAL
13 ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

14 (a) EMISSIONS FROM HEATING BUILDINGS ARE ONE OF THE FIVE
15 LARGEST SOURCES OF GREENHOUSE GAS POLLUTION IN COLORADO;

16 (b) MANY PUBLIC BUILDINGS OWNED BY LOCAL GOVERNMENTS,
17 SCHOOL DISTRICTS, INSTITUTES OF HIGHER EDUCATION, AND OTHER
18 GOVERNMENTAL ENTITIES ARE OLDER BUILDINGS WITH BOTH HIGH ENERGY
19 COSTS AND EMISSIONS;

20 (c) ENERGY PERFORMANCE CONTRACTING IS AN IMPORTANT TOOL
21 THAT GOVERNMENTAL ENTITIES CAN USE TO UPGRADE THE ENERGY
22 PERFORMANCE OF BUILDINGS BY FINANCING ENERGY UPGRADES BASED ON
23 PROJECTED SAVINGS IN ENERGY COSTS;

24 (d) NEWER TECHNOLOGIES SUCH AS COLD CLIMATE HEAT PUMPS
25 AND HEAT PUMP WATER HEATERS OFFER MANY OPPORTUNITIES TO REDUCE
26 GREENHOUSE GAS AND NITROGEN OXIDE EMISSIONS AND IMPROVE INDOOR
27 AIR QUALITY; AND

1 (e) THEREFORE, IT IS IMPORTANT FOR STATE INVESTMENTS TO SUPPORT
2 PUBLIC AGENCIES IN INCLUDING HIGH-EFFICIENCY ELECTRIC HEATING
3 UPGRADES IN ENERGY PERFORMANCE CONTRACTS FOR PUBLIC BUILDINGS.

4 (2) THERE IS CREATED IN THE COLORADO ENERGY OFFICE THE
5 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM TO
6 PROVIDE GRANTS TO INSTITUTES OF HIGHER EDUCATION, LOCAL
7 GOVERNMENTS, SCHOOL DISTRICTS, STATE AGENCIES, AND SPECIAL
8 DISTRICTS FOR THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC HEATING
9 EQUIPMENT.

10 (3) GRANTEEES MAY USE MONEY RECEIVED THROUGH THE BUILDING
11 ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM FOR THE
12 FOLLOWING PURPOSES:

13 (a) THE PURCHASE AND INSTALLATION OF HIGH-EFFICIENCY
14 ELECTRIC EQUIPMENT FOR SPACE HEATING, WATER HEATING, OR COOKING;

15 ■

16 (b) THE PURCHASE OF ELECTRICAL INSTALLATIONS AND UPGRADES
17 NECESSARY TO SUPPORT THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC
18 EQUIPMENT; AND

19 (c) IN THE CASE OF ELIGIBLE ENTITIES FROM LOW-INCOME,
20 DISPROPORTIONATELY IMPACTED COMMUNITIES, OR JUST TRANSITION
21 COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY THE COLORADO
22 ENERGY OFFICE, TO COVER THE ADMINISTRATIVE COSTS ASSOCIATED WITH
23 THE PURCHASE AND INSTALLATION DESCRIBED IN SUBSECTIONS (3)(a) AND
24 (3)(b) OF THIS SECTION.

25 (4) THE COLORADO ENERGY OFFICE SHALL ADMINISTER THE
26 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM,
27 AWARD GRANTS AS PROVIDED IN THIS SECTION, AND DEVELOP POLICIES

1 AND PROCEDURES AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM.

2 (5) GRANTS SHALL BE PAID OUT OF THE CLEAN AIR BUILDINGS
3 INVESTMENTS FUND CREATED IN SECTION 24-38.5-116.

4 (6) THE COLORADO ENERGY OFFICE MAY DEVELOP POLICIES AND
5 PROCEDURES PRIORITIZING THE GRANT APPLICATIONS OF ELIGIBLE
6 ENTITIES FROM LOW-INCOME, DISPROPORTIONATELY IMPACTED
7 COMMUNITIES, OR JUST TRANSITION COMMUNITIES AS THOSE
8 COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE AND
9 THE COLORADO ENERGY OFFICE SHALL AWARD AT LEAST THIRTY PERCENT
10 OF THE TOTAL AMOUNT OF MONEY IT AWARDS THROUGH GRANTS
11 PURSUANT TO THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS
12 GRANT PROGRAM TO SUCH ELIGIBLE ENTITIES.

13 (7)(a) TO RECEIVE A GRANT, AN ELIGIBLE ENTITY MUST SUBMIT AN
14 APPLICATION TO THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH
15 THE POLICIES AND PROCEDURES SPECIFIED BY THE COLORADO ENERGY
16 OFFICE.

17 (b) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
18 ASSISTANCE IN APPLYING FOR GRANTS THROUGH THE BUILDING
19 ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM AS NEEDED TO
20 ELIGIBLE ENTITIES FROM LOW-INCOME, DISPROPORTIONATELY IMPACTED
21 COMMUNITIES, OR JUST TRANSITION COMMUNITIES AS THOSE
22 COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE.

23 (8) (a) EACH GRANTEE THAT RECEIVES A GRANT THROUGH THE
24 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM
25 SHALL SUBMIT AN ANNUAL REPORT TO THE COLORADO ENERGY OFFICE
26 FOR THE FIRST FIVE YEARS AFTER RECEIVING THE GRANT.

27 (b) (I) ON OR BEFORE FEBRUARY 1, 2024, AND ON EACH YEAR

1 THEREAFTER, THE COLORADO ENERGY OFFICE SHALL SUBMIT A
2 SUMMARIZED REPORT TO THE TRANSPORTATION AND ENERGY COMMITTEE
3 OF THE SENATE AND THE ENERGY AND ENVIRONMENT COMMITTEE OF THE
4 HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, ON THE
5 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM. AT
6 A MINIMUM, THIS SUMMARIZED REPORT MUST INCLUDE:

7 (A) A DESCRIPTION OF THE GRANTS AWARDED, INCLUDING A
8 DESCRIPTION OF THE PROJECTS FUNDED BY THE GRANTS AS DESCRIBED TO
9 THE COLORADO ENERGY OFFICE IN THE GRANT APPLICATIONS;

10 (B) THE PERCENTAGE OF GRANTS AWARDED TO LOW-INCOME,
11 DISPROPORTIONATELY IMPACTED, OR JUST TRANSITION COMMUNITIES; AND

12 (C) TO THE EXTENT AVAILABLE, THE IMPACTS OF THE GRANTS ON
13 GAS USE, ELECTRICITY USE, EMISSIONS, AND ENERGY COSTS.

14 (II) THIS SUBSECTION (8)(b) IS REPEALED, EFFECTIVE JULY 1, 2026.

15 **SECTION 3.** In Colorado Revised Statutes, **add 24-38.5-115** as
16 follows:

17 **24-38.5-115. High-efficiency electric heating and appliances**
18 **grant program - creation - report - legislative declaration.** (1) THE

19 GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

20 (a) EMISSIONS FROM HEATING BUILDINGS ARE ONE OF THE FIVE
21 LARGEST SOURCES OF GREENHOUSE GAS POLLUTION IN COLORADO;

22 (b) OVER A MILLION COLORADANS LIVE IN ENERGY BURDENED
23 HOUSEHOLDS THAT SPEND FIVE PERCENT OR MORE OF THEIR HOUSEHOLD
24 INCOME ON ENERGY EXPENDITURES;

25 (c) NEWER TECHNOLOGIES SUCH AS COLD CLIMATE HEAT PUMPS
26 AND HEAT PUMP WATER HEATERS OFFER MANY OPPORTUNITIES TO REDUCE
27 GREENHOUSE GAS AND NITROGEN OXIDE EMISSIONS AND IMPROVE INDOOR

1 AIR QUALITY;

2 (d) ENERGY UPGRADES TO RESIDENTIAL AND COMMERCIAL
3 BUILDINGS MAY BE MORE COST EFFECTIVE AND EASIER TO IMPLEMENT
4 WHEN DEPLOYED AT THE NEIGHBORHOOD SCALE, AND
5 NEIGHBORHOOD-SCALE UPGRADES MAY ALLOW UTILITIES TO AVOID OR
6 DEFER INVESTMENTS IN GAS AND ELECTRIC DISTRIBUTION, THEREBY
7 REDUCING COSTS FOR ALL UTILITY RATEPAYERS; AND

8 (e) THEREFORE, IT IS IMPORTANT FOR THE STATE TO SUPPORT
9 INVESTMENTS IN NEIGHBORHOOD-SCALE ENERGY EFFICIENCY UPGRADES.

10 (2) THERE IS CREATED IN THE COLORADO ENERGY OFFICE THE
11 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM
12 TO PROVIDE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION, LOCAL
13 GOVERNMENTS, UTILITIES, NONPROFIT ORGANIZATIONS, BUSINESSES AND
14 OTHER ENTITIES AS DETERMINED BY THE COLORADO ENERGY OFFICE, AND
15 HOUSING DEVELOPERS FOR THE INSTALLATION OF HIGH-EFFICIENCY
16 ELECTRIC HEATING EQUIPMENT IN MULTIPLE STRUCTURES WITHIN A
17 NEIGHBORHOOD.

18 (3) GRANTEES MAY USE THE MONEY RECEIVED THROUGH THE
19 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM
20 FOR THE FOLLOWING PURPOSES:

21 (a) THE PURCHASE AND INSTALLATION OF HIGH-EFFICIENCY
22 ELECTRIC EQUIPMENT FOR SPACE HEATING, WATER HEATING, OR COOKING
23 IN MULTIPLE RESIDENTIAL OR COMMERCIAL BUILDINGS LOCATED IN CLOSE
24 PROXIMITY; ■

25 (b) THE PURCHASE OF ELECTRICAL INSTALLATIONS AND UPGRADES
26 NECESSARY TO SUPPORT THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC
27 EQUIPMENT; AND

1 (c) IN THE CASE OF LOCAL GOVERNMENTS, ELECTRIC AND GAS
2 UTILITIES, NONPROFIT ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES
3 AS DETERMINED BY THE COLORADO ENERGY OFFICE, OR HOUSING
4 DEVELOPERS THAT OPERATE IN LOW-INCOME, DISPROPORTIONATELY
5 IMPACTED COMMUNITIES, OR JUST TRANSITION COMMUNITIES AS THOSE
6 COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE, TO
7 COVER THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE PURCHASE AND
8 INSTALLATION DESCRIBED IN SUBSECTIONS (3)(a) AND (3)(b) OF THIS
9 SECTION.

10 (4) THE COLORADO ENERGY OFFICE SHALL ADMINISTER THE
11 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM,
12 AWARD GRANTS AS PROVIDED IN THIS SECTION, AND DEVELOP POLICIES
13 AND PROCEDURES AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM.

14 (5) GRANTS SHALL BE PAID OUT OF THE CLEAN AIR BUILDINGS
15 INVESTMENTS FUND CREATED IN SECTION 24-38.5-116.

16 (6) THE COLORADO ENERGY OFFICE MAY DEVELOP POLICIES AND
17 PROCEDURES PRIORITIZING THE GRANT APPLICATIONS OF LOCAL
18 GOVERNMENTS, ELECTRIC AND GAS UTILITIES, NONPROFIT
19 ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES AS DETERMINED BY
20 THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPERS THAT OPERATE
21 IN LOW-INCOME, DISPROPORTIONATELY IMPACTED COMMUNITIES, OR JUST
22 TRANSITION COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY
23 THE COLORADO ENERGY OFFICE AND THE COLORADO ENERGY OFFICE
24 SHALL AWARD AT LEAST THIRTY PERCENT OF THE TOTAL AMOUNT OF
25 MONEY IT AWARDS THROUGH GRANTS PURSUANT TO THE HIGH-EFFICIENCY
26 ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM TO SUCH LOCAL
27 GOVERNMENTS, ELECTRIC AND GAS UTILITIES, NONPROFIT

1 ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES AS DETERMINED BY
2 THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPERS.

3 (7) (a) TO RECEIVE A GRANT, A LOCAL GOVERNMENT, ELECTRIC OR
4 GAS UTILITY, NONPROFIT ORGANIZATION, BUSINESS AND OTHER ENTITY AS
5 DETERMINED BY THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPER
6 MUST SUBMIT AN APPLICATION TO THE COLORADO ENERGY OFFICE IN
7 ACCORDANCE WITH THE POLICIES AND PROCEDURES SPECIFIED BY THE
8 COLORADO ENERGY OFFICE.

9 (b) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
10 ASSISTANCE IN APPLYING FOR GRANTS THROUGH THE BUILDING
11 ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM AS NEEDED TO
12 LOCAL GOVERNMENTS, ELECTRIC AND GAS UTILITIES, NONPROFIT
13 ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES AS DETERMINED BY
14 THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPERS THAT OPERATE
15 IN LOW-INCOME, DISPROPORTIONATELY IMPACTED COMMUNITIES, OR JUST
16 TRANSITION COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY
17 THE COLORADO ENERGY OFFICE.

18 (8) (a) EACH GRANTEE THAT RECEIVES A GRANT THROUGH THE
19 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM
20 SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE THE FIRST
21 FIVE YEARS AFTER RECEIVING THE GRANT.

22 (b) (I) ON OR BEFORE FEBRUARY 1, 2024, AND ON EACH YEAR
23 THEREAFTER, THE COLORADO ENERGY OFFICE SHALL SUBMIT A
24 SUMMARIZED REPORT TO THE TRANSPORTATION AND ENERGY COMMITTEE
25 OF THE SENATE AND THE ENERGY AND ENVIRONMENT COMMITTEE OF THE
26 HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, ON THE
27 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM.

1 AT A MINIMUM, THIS SUMMARIZED REPORT MUST INCLUDE:

2 (A) A DESCRIPTION OF THE GRANTS AWARDED, INCLUDING A
3 DESCRIPTION OF THE PROJECTS FUNDED BY THE GRANTS AS DESCRIBED TO
4 THE COLORADO ENERGY OFFICE IN THE GRANT APPLICATIONS;

5 (B) THE PERCENTAGE OF GRANTS AWARDED TO LOW-INCOME,
6 DISPROPORTIONATELY IMPACTED, OR JUST TRANSITION COMMUNITIES; AND

7 (C) TO THE EXTENT AVAILABLE, THE IMPACTS OF THE GRANTS ON
8 GAS USE, ELECTRICITY USE, EMISSIONS, AND ENERGY COSTS.

9 (II) THIS SUBSECTION (8)(b) IS REPEALED, EFFECTIVE JULY 1, 2026.

10 **SECTION 4.** In Colorado Revised Statutes, **add** 24-38.5-116 as
11 follows:

12 **24-38.5-116. Clean air building investments fund - creation -**
13 **use of fund.** (1) THE CLEAN AIR BUILDING INVESTMENTS FUND, REFERRED
14 TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY.
15 THE PRINCIPAL OF THE FUND CONSISTS OF MONEY TRANSFERRED TO THE
16 FUND FROM THE GENERAL FUND AND GIFTS, GRANTS, AND DONATIONS.
17 INTEREST AND INCOME EARNED ON THE DEPOSIT AND INVESTMENT OF
18 MONEY IN THE FUND ARE CREDITED TO THE FUND.

19 (2) ALL MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO
20 THE COLORADO ENERGY OFFICE. THE COLORADO ENERGY OFFICE MAY
21 EXPEND MONEY FROM THE FUND FOR THE CREATION, IMPLEMENTATION,
22 AND ADMINISTRATION OF:

23 (a) THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT
24 PROGRAM CREATED IN SECTION 24-38.5-114; AND

25 (b) THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES
26 GRANT PROGRAM CREATED IN SECTION 24-38.5-115.

27 (3) (a) ON THE EFFECTIVE DATE OF THIS SECTION, OR AS SOON AS

1 POSSIBLE THEREAFTER, THE STATE TREASURER SHALL TRANSFER
2 TWENTY-TWO MILLION DOLLARS FROM THE GENERAL FUND TO THE FUND.

3 (b) THE COLORADO ENERGY OFFICE SHALL USE TEN MILLION
4 DOLLARS OF THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (3)
5 FOR THE CREATION, IMPLEMENTATION, AND ADMINISTRATION OF THE
6 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM
7 CREATED IN SECTION 24-38.5-114.

8 (c) THE COLORADO ENERGY OFFICE SHALL USE TWELVE MILLION
9 DOLLARS OF THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (3)
10 FOR THE CREATION, IMPLEMENTATION, AND ADMINISTRATION OF THE
11 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM
12 CREATED IN SECTION 24-38.5-115.

13 **SECTION 5.** In Colorado Revised Statutes, 12-115-107, **amend**
14 (2)(a) as follows:

15 **12-115-107. Board powers and duties - rules - definition.**

16 (2) In addition to all other powers and duties conferred or imposed upon
17 the board by this article 115, the board is authorized to:

18 (a) (I) Adopt, and from time to time revise, rules pursuant to
19 section 12-20-204. In adopting the rules, the board shall be governed
20 when appropriate by the standards in the most current edition of the
21 national electrical code or by any modifications to the standards made by
22 the board after a hearing is held pursuant to the provisions of article 4 of
23 title 24. These standards are adopted as the minimum standards governing
24 the planning, laying out, and installing or the making of additions,
25 alterations, and repairs in the installation of wiring apparatus and
26 equipment for electric light, heat, and power in this state. A copy of the
27 code shall be kept in the office of the board and open to public inspection.

1 Nothing contained in this section prohibits any city, town, county, city
2 and county, or qualified state institution of higher education from making
3 and enforcing any such standards that are more stringent than the
4 minimum standards adopted by the board, and any city, town, county, city
5 and county, or qualified state institution of higher education that adopts
6 more stringent standards shall furnish a copy thereof to the board. The
7 standards adopted by the board shall be prima facie evidence of minimum
8 approved methods of construction for safety to life and property. The
9 affirmative vote of two-thirds of all appointed members of the board is
10 required to set any standards that are different from those set forth in the
11 national electrical code. If requested in writing, the board shall send a
12 copy of newly adopted standards and rules to any interested party at least
13 thirty days before the implementation and enforcement of the standards
14 or rules. The copies may be furnished for a fee established pursuant to
15 section 12-20-105.

16 (II) IN THE EVENT OF A CONFLICT BETWEEN THE 2021
17 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2024 INTERNATIONAL
18 ENERGY CONSERVATION CODE, OR ANY ENERGY CODES ADOPTED BY
19 EITHER A LOCAL GOVERNMENT OR DIVISIONS IN THE EXECUTIVE BRANCH
20 OF STATE GOVERNMENT AND THE NATIONAL ELECTRIC CODE OR THE
21 STANDARDS ADOPTED BY THE BOARD PURSUANT TO THIS SUBSECTION
22 (2)(a), THE NATIONAL ELECTRIC CODE OR THE STANDARDS ADOPTED BY
23 THE BOARD PURSUANT TO THIS SUBSECTION (2)(a) PREVAILS.

24 **SECTION 6.** In Colorado Revised Statutes, 12-155-106, **add**
25 (4.5) as follows:

26 **12-155-106. Colorado plumbing code - amendments -**
27 **variances - Colorado fuel gas code.** (4.5) IN THE EVENT OF A CONFLICT

1 BETWEEN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, THE
2 2024 INTERNATIONAL ENERGY CONSERVATION CODE, OR ANY ENERGY
3 CODES ADOPTED BY EITHER A LOCAL GOVERNMENT OR DIVISIONS IN THE
4 EXECUTIVE BRANCH OF STATE GOVERNMENT AND THE COLORADO
5 PLUMBING CODE, THE COLORADO PLUMBING CODE PREVAILS.

6 **SECTION 7.** In Colorado Revised Statutes, 24-30-1303, **add**
7 (1)(ff) as follows:

8 **24-30-1303. Office of the state architect - responsibilities.**

9 (1) The office of the state architect shall:

10 (ff) (I) (A) ON OR BEFORE JANUARY 1, 2025, ADOPT AND ENFORCE
11 AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY
12 PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY CONSERVATION
13 CODE AND THE MODEL ELECTRIC READY AND SOLAR READY CODE
14 LANGUAGE IDENTIFIED FOR ADOPTION BY THE COLORADO ENERGY OFFICE
15 PURSUANT TO SECTION 24-38.5-113 (2). THIS ENERGY CODE MUST APPLY
16 TO ALL CONSTRUCTION BY STATE AGENCIES ON STATE-OWNED PROPERTIES
17 OR FACILITIES OR PROPERTIES OR FACILITIES THAT ARE LEASED BY THE
18 STATE UNDER A FINANCED PURCHASE OF AN ASSET OR CERTIFICATE OF
19 PARTICIPATION AGREEMENT.

20 (B) ON OR BEFORE JANUARY 1, 2030, ADOPT AND ENFORCE AN
21 ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY AND
22 CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW ENERGY AND
23 CARBON CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE COLORADO
24 ENERGY OFFICE PURSUANT TO SECTION 24-38.5-113 (3). THIS ENERGY
25 CODE MUST APPLY TO ALL CONSTRUCTION BY STATE AGENCIES ON
26 STATE-OWNED PROPERTIES OR FACILITIES OR PROPERTIES OR FACILITIES
27 THAT ARE LEASED BY THE STATE UNDER A FINANCED PURCHASE OF AN

1 ASSET OR CERTIFICATE OF PARTICIPATION AGREEMENT.

2 (II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
3 SUBSECTION (1)(ff), THE OFFICE OF THE STATE ARCHITECT MAY MAKE ANY
4 AMENDMENTS TO AN ENERGY CODE THAT THE OFFICE OF THE STATE
5 ARCHITECT DEEMS APPROPRIATE, SO LONG AS THE AMENDMENTS DO NOT
6 DECREASE THE EFFECTIVENESS OR ENERGY EFFICIENCY OF THE ENERGY
7 CODE.

8 (III) NOTHING IN THIS SUBSECTION (1)(ff) RESTRICTS THE ABILITY
9 OF AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC
10 UTILITIES COMMISSION TO:

11 (A) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM
12 SERVICES TO HELP THE OFFICE OF THE STATE ARCHITECT OR BUILDERS
13 COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(ff); OR

14 (B) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD
15 ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS
16 EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY
17 THE UTILITY TO HELP THE OFFICE OF THE STATE ARCHITECT OR BUILDERS
18 COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(ff).

19 (IV) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC
20 UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY
21 EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE OFFICE
22 OF THE STATE ARCHITECT OR ANY BUILDERS IN COMPLYING WITH THE
23 REQUIREMENTS OF THIS SUBSECTION (1)(ff).

24 (V) (A) A UTILITY SHALL BE ALLOWED TO COUNT MASS-BASED
25 EMISSIONS REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS
26 SUBSECTION (1)(ff) TOWARDS COMPLIANCE WITH ITS REQUIREMENTS
27 UNDER SECTION 25-7-105 (1)(e)(X.7), SECTION 40-3.2-108 (3)(b), OR ANY

1 SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF
2 REQUIREMENTS.

3 (B) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
4 COMMISSION SHALL NOT BE ALLOWED TO COUNT GREENHOUSE GAS
5 EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS
6 SUBSECTION (1)(ff) FOR THE PURPOSE OF CALCULATING A SHAREHOLDER
7 INCENTIVE ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND
8 40-3.2-104 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL INCENTIVE
9 FOR CODE ADOPTION AS DOCUMENTED IN A PLAN APPROVED BY THE
10 COMMISSION.

11 **SECTION 8.** In Colorado Revised Statutes, 24-32-3305, **amend**
12 (3); and **add** (3.5) as follows:

13 **24-32-3305. Rules - advisory committee - energy code -**
14 **enforcement.** (3) EXCEPT WHEN ADOPTING AN ENERGY CODE PURSUANT
15 TO SUBSECTION (3.5) OF THIS SECTION, the board must consult with and
16 obtain the advice of an advisory committee on residential and
17 nonresidential structures in the drafting and promulgation of rules. The
18 committee consists of twelve members appointed by the division from the
19 following professional and technical disciplines: One from architecture,
20 one from structural engineering, three from building code enforcement,
21 one from mechanical engineering or contracting, one from electrical
22 engineering or contracting, one from the plumbing industry, one from the
23 construction design or producer industry, two from manufactured
24 housing, and one from organized labor. Committee members shall be
25 reimbursed for actual and necessary expenses incurred while engaged in
26 official duties.

27 (3.5) (a) (I) ON OR BEFORE JANUARY 1, 2025, THE DIVISION SHALL

1 ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR
2 BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY
3 CONSERVATION CODE AND THE MODEL ELECTRIC READY AND SOLAR
4 READY CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE COLORADO
5 ENERGY OFFICE PURSUANT TO SECTION 24-38.5-113 (2). THIS ENERGY
6 CODE MUST APPLY TO FACTORY-BUILT STRUCTURES AND HOTELS, MOTELS,
7 AND MULTI-FAMILY STRUCTURES IN AREAS OF THE STATE WHERE NO
8 CONSTRUCTION STANDARDS FOR HOTELS, MOTELS, AND MULTI-FAMILY
9 STRUCTURES EXIST.

10 (II) ON OR BEFORE JANUARY 1, 2030, THE DIVISION SHALL ADOPT
11 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER
12 ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW
13 ENERGY AND CARBON CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE
14 COLORADO ENERGY OFFICE. THIS ENERGY CODE MUST APPLY TO
15 FACTORY-BUILT STRUCTURES AND HOTELS, MOTELS, AND MULTI-FAMILY
16 STRUCTURES IN AREAS OF THE STATE WHERE NO CONSTRUCTION
17 STANDARDS FOR HOTELS, MOTELS, AND MULTI-FAMILY STRUCTURES EXIST.

18 (b) NOTHING IN THIS SUBSECTION (3.5) ESTABLISHES STANDARDS
19 APPLICABLE TO MANUFACTURED HOMES CONSTRUCTED PURSUANT TO THE
20 "NATIONAL MANUFACTURED HOUSING CONSTRUCTION AND SAFETY
21 STANDARDS ACT OF 1974", ESTABLISHED IN 42 U.S.C. SEC. 5401, ET SEQ.,
22 AND ANY CORRESPONDING REGULATIONS PROMULGATED BY THE UNITED
23 STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN 24 CFR
24 3280, ET SEQ.

25 (c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
26 SUBSECTION (3.5), THE DIVISION MAY MAKE ANY AMENDMENTS TO AN
27 ENERGY CODE THAT THE DIVISION DEEMS APPROPRIATE, SO LONG AS THE

1 AMENDMENTS DO NOT DECREASE THE EFFECTIVENESS OR ENERGY
2 EFFICIENCY OF THE ENERGY CODE.

3 (d) NOTHING IN THIS SUBSECTION (3.5) RESTRICTS THE ABILITY OF
4 AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC UTILITIES
5 COMMISSION TO:

6 (I) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM
7 SERVICES TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE
8 REQUIREMENTS OF THIS SUBSECTION (3.5); OR

9 (II) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD
10 ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS
11 EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY
12 THE UTILITY TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE
13 REQUIREMENTS OF THIS SUBSECTION (3.5).

14 (e) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC
15 UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY
16 EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE BOARD
17 OR ANY BUILDERS IN COMPLYING WITH THE REQUIREMENTS OF THIS
18 SUBSECTION (3.5).

19 (f) (I) A UTILITY MAY COUNT MASS-BASED EMISSIONS REDUCTIONS
20 ASSOCIATED WITH THE REQUIREMENTS OF THIS SUBSECTION (3.5)
21 TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105
22 (1)(e)(X.7), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR GREENHOUSE
23 GAS EMISSIONS REDUCTION PROGRAM OR SET OF REQUIREMENTS.

24 (II) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
25 COMMISSION SHALL NOT COUNT GREENHOUSE GAS EMISSIONS REDUCTIONS
26 ACHIEVED THROUGH THE REQUIREMENTS OF THIS SUBSECTION (3.5) FOR
27 THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED

1 PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE
2 UTILITY HAS NOT PROVIDED A FINANCIAL INCENTIVE FOR CODE ADOPTION
3 AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

4 **SECTION 9.** In Colorado Revised Statutes, 24-33.5-1203, **add**
5 (1)(x) as follows:

6 **24-33.5-1203. Duties of division.** (1) The division shall perform
7 the following duties:

8 (x) (I) (A) ON OR BEFORE JANUARY 1, 2025, THE DIVISION SHALL
9 ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR
10 BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY
11 CONSERVATION CODE AND THE MODEL **ELECTRIC READY AND SOLAR**
12 **READY** CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE COLORADO
13 ENERGY OFFICE PURSUANT TO SECTION 24-38.5-113 (2). THIS ENERGY
14 CODE MUST APPLY TO THE BUILDINGS DESCRIBED IN SECTIONS 22-32-124
15 (2), 23-71-122 (1)(v), AND 24-33.5-1212.5.

16 (B) ON OR BEFORE JANUARY 1, 2030, THE DIVISION SHALL ADOPT
17 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER
18 ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW
19 ENERGY AND CARBON CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE
20 COLORADO ENERGY OFFICE PURSUANT TO SECTION **24-38.5-113 (3)**. THIS
21 ENERGY CODE MUST APPLY TO THE BUILDINGS DESCRIBED IN SECTIONS
22 **22-32-124 (2), 23-71-122 (1)(v), AND 24-33.5-1212.5.**

23 (II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
24 SUBSECTION (1)(x), THE DIVISION MAY MAKE ANY AMENDMENTS TO AN
25 ENERGY CODE THAT THE DIVISION DEEMS APPROPRIATE, SO LONG AS THE
26 AMENDMENTS DO NOT DECREASE THE EFFECTIVENESS OR ENERGY
27 EFFICIENCY OF THE ENERGY CODE.

1 (III) NOTHING IN THIS SUBSECTION (1)(x) RESTRICTS THE ABILITY
2 OF AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC
3 UTILITIES COMMISSION TO:

4 (A) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM
5 SERVICES TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE
6 REQUIREMENTS OF THIS SUBSECTION (1)(x); OR

7 (B) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD
8 ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS
9 EMISSIONS SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY
10 THE UTILITY TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE
11 REQUIREMENTS OF THIS SUBSECTION (1)(x).

12 (IV) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC
13 UTILITIES COMMISSION MAY PROVIDE INCENTIVES AS THEY SO CHOOSE TO
14 ASSIST THE DIVISION OR ANY BUILDERS IN COMPLYING WITH THE
15 REQUIREMENTS OF THIS SUBSECTION (1)(x).

16 (V) (A) A UTILITY MAY COUNT MASS-BASED EMISSIONS
17 REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SUBSECTION
18 (1)(x) TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION
19 25-7-105 (1)(e)(X.7), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR
20 GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF
21 REQUIREMENTS.

22 (B) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
23 COMMISSION SHALL NOT COUNT GREENHOUSE GAS EMISSIONS REDUCTIONS
24 ACHIEVED THROUGH THE REQUIREMENTS OF THIS SUBSECTION (1)(x) FOR
25 THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED
26 PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE
27 UTILITY HAS NOT PROVIDED A FINANCIAL INCENTIVE FOR CODE ADOPTION

1 AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

2 **SECTION 10.** In Colorado Revised Statutes, 30-28-211, **amend**
3 (2)(b), (3), and (5) introductory portion; **repeal** (4); and **add** (1)(i), (1)(j),
4 (2)(b.5), (3.5), (8), (9), and (10) as follows:

5 **30-28-211. Energy efficient building codes - legislative**
6 **declaration - definitions.** (1) The general assembly hereby finds and
7 declares that there is statewide interest in requiring an effective energy
8 efficient building code for the following reasons:

9 (i) HIGHLY ENERGY EFFICIENT HOMES AND BUILDINGS CAN REDUCE
10 ENERGY USE AND HELP CONSUMERS SAVE MONEY ON ENERGY BILLS.

11 (j) HIGHLY ENERGY EFFICIENT AND LOW-CARBON NEW HOMES AND
12 BUILDINGS ARE CRITICAL FOR MEETING THE GREENHOUSE GAS POLLUTION
13 REDUCTION TARGETS ESTABLISHED IN SECTION 25-7-102 (2)(g).

14 (2) As used in this section, unless the context otherwise requires:

15 (b) "Energy code" means ~~at a minimum, one of the three most~~
16 ~~recent versions of the international energy conservation code published~~
17 ~~by the international code council~~ A SUBSET OF BUILDING CODES RELATED
18 TO THE TOTAL ENERGY PERFORMANCE AND CARBON EMISSIONS OF
19 RESIDENTIAL AND COMMERCIAL BUILDINGS.

20 (b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE
21 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL OR A
22 SUCCESSOR ORGANIZATION.

23 (3) Every board of county commissioners ~~when adopting or~~
24 ~~updating a building code pursuant to section 30-28-201~~ THAT HAS
25 ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, OR THAT ADOPTS
26 AND ENFORCES ONE OR MORE BUILDING CODES AFTER JULY 1, 2022, shall
27 adopt and enforce an energy code that applies to the construction of, and

1 MAJOR renovations and additions to, all commercial and residential
2 buildings AS REQUIRED BY THE ENERGY CODE in the county to which the
3 building code applies.

4 (3.5) (a) A BOARD OF COUNTY COMMISSIONERS THAT HAS
5 ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, OR THAT ADOPTS
6 AND ENFORCES ONE OR MORE BUILDING CODES AFTER JULY 1, 2022, SHALL
7 ADOPT AND ENFORCE THE FOLLOWING ENERGY CODES:

8 (I) ON OR BEFORE JANUARY 1, 2025, AN ENERGY CODE THAT
9 ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021
10 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC
11 READY AND SOLAR READY CODE LANGUAGE IDENTIFIED FOR ADOPTION BY
12 THE OFFICE PURSUANT TO SECTION 24-38.5-113 (2); AND

13 (II) ON OR BEFORE JANUARY 1, 2030, AN ENERGY CODE THAT
14 ACHIEVES EQUIVALENT OR BETTER ENERGY AND CARBON EMISSIONS
15 PERFORMANCE THAN THE MODEL LOW ENERGY AND CARBON CODE
16 LANGUAGE IDENTIFIED FOR ADOPTION BY THE OFFICE PURSUANT TO
17 SECTION 24-38.5-113 (3).

18 (b) UNTIL A BOARD OF COUNTY COMMISSIONERS ADOPTS AND
19 ENFORCES AN ENERGY CODE PURSUANT TO SUBSECTION (3.5)(a) OF THIS
20 SECTION, WHEN ADOPTING OR UPDATING A BUILDING CODE PURSUANT TO
21 SECTION 30-28-201, A BOARD OF COUNTY COMMISSIONERS SHALL ADOPT
22 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER
23 ENERGY PERFORMANCE THAN ONE OF THE THREE MOST RECENT EDITIONS
24 OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

25 ~~(4) The energy code shall apply to any commercial or residential~~
26 ~~building in the county for which a building permit application is received~~
27 ~~subsequent to the adoption of the energy code.~~

1 (5) The following buildings are exempt from subsections (3) and
2 ~~(4)~~ AND (3.5) of this section:

3 (8) NOTHING IN THIS SECTION RESTRICTS THE ABILITY OF AN
4 INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC UTILITIES
5 COMMISSION TO:

6 (a) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM
7 SERVICES TO HELP THE BOARD OF COUNTY COMMISSIONERS OF ANY
8 COUNTY OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION;
9 OR

10 (b) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS
11 TOWARDS ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE
12 GAS EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED
13 BY THE UTILITY TO HELP THE BOARD OF COUNTY COMMISSIONERS OF ANY
14 COUNTY OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

15 (9) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC
16 UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY
17 EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE BOARD
18 OF COUNTY COMMISSIONERS OF ANY COUNTY OR ANY BUILDERS IN
19 COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.

20 (10) (a) A UTILITY MAY COUNT MASS-BASED EMISSIONS
21 REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SECTION
22 TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105
23 (1)(e)(X.7), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR GREENHOUSE
24 GAS EMISSIONS REDUCTION PROGRAM OR SET OF REQUIREMENTS.

25 (b) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
26 COMMISSION SHALL NOT COUNT GREENHOUSE GAS EMISSIONS REDUCTIONS
27 ACHIEVED THROUGH THE REQUIREMENTS OF THIS SECTION FOR THE

1 PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED
2 PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE
3 UTILITY HAS NOT PROVIDED A FINANCIAL INCENTIVE FOR CODE ADOPTION
4 AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

5 **SECTION 11.** In Colorado Revised Statutes, 31-15-602, **amend**
6 (2)(b), (3), and (5) introductory portion; **repeal** (4)(a); and **add** (1)(i),
7 (1)(j), (2)(b.5), (3.5), (8), (9), and (10) as follows:

8 **31-15-602. Energy efficient building codes - legislative**
9 **declaration - definitions - repeal.** (1) The general assembly hereby finds
10 and declares that there is statewide interest in requiring an effective
11 energy efficient building code for the following reasons:

12 (i) HIGHLY ENERGY EFFICIENT HOMES AND BUILDINGS CAN REDUCE
13 ENERGY USE AND HELP CONSUMERS SAVE MONEY ON ENERGY BILLS.

14 (j) HIGHLY ENERGY EFFICIENT AND LOW CARBON NEW HOMES AND
15 BUILDINGS ARE CRITICAL FOR MEETING THE GREENHOUSE GAS POLLUTION
16 REDUCTION TARGETS ESTABLISHED IN SECTION 25-7-102 (2)(g).

17 (2) As used in this section, unless the context otherwise requires:

18 (b) "Energy code" means ~~at a minimum, one of the three most~~
19 ~~recent versions of the international energy conservation code published~~
20 ~~by the international code council~~ A SUBSET OF BUILDING CODES RELATED
21 TO THE TOTAL ENERGY PERFORMANCE AND CARBON EMISSIONS OF
22 RESIDENTIAL AND COMMERCIAL BUILDINGS.

23 (b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE
24 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL OR A
25 SUCCESSOR ORGANIZATION.

26 (3) The governing body of any municipality ~~when adopting or~~
27 ~~updating any other building codes~~ THAT HAS ADOPTED AND ENFORCED

1 ONE OR MORE BUILDING CODES, OR THAT ADOPTS AND ENFORCES ONE OR
2 MORE BUILDING CODES AFTER JULY 1, 2022, shall adopt and enforce an
3 energy code that applies to the construction of, and MAJOR renovations
4 and additions to, all commercial and residential buildings AS REQUIRED
5 BY THE ENERGY CODE in the municipality to which the building code
6 applies.

7 (3.5) (a) A GOVERNING BODY OF A MUNICIPALITY THAT HAS
8 ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, OR THAT ADOPTS
9 AND ENFORCES ONE OR MORE BUILDING CODES AFTER JULY 1, 2022, SHALL
10 ADOPT AND ENFORCE THE FOLLOWING ENERGY CODES:

11 (I) ON OR BEFORE JANUARY 1, 2025, AN ENERGY CODE THAT
12 ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021
13 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC
14 READY AND SOLAR READY CODE LANGUAGE IDENTIFIED FOR ADOPTION BY
15 THE OFFICE PURSUANT TO SECTION 24-38.5-113 (2); AND

16 (II) ON OR BEFORE JANUARY 1, 2030, AN ENERGY CODE THAT
17 ACHIEVES EQUIVALENT OR BETTER ENERGY AND CARBON EMISSIONS
18 PERFORMANCE THAN THE MODEL LOW ENERGY AND CARBON CODE
19 LANGUAGE IDENTIFIED FOR ADOPTION BY THE OFFICE PURSUANT TO
20 SECTION 24-38.5-113 (3).

21 (b) UNTIL A GOVERNING BODY OF A MUNICIPALITY ADOPTS AND
22 ENFORCES AN ENERGY CODE PURSUANT TO SUBSECTION (3.5)(a) OF THIS
23 SECTION, WHEN ADOPTING OR UPDATING A BUILDING CODE PURSUANT TO
24 SECTION 30-28-201, A GOVERNING BODY OF A MUNICIPALITY SHALL ADOPT
25 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER
26 ENERGY PERFORMANCE THAN ONE OF THE THREE MOST RECENT EDITIONS
27 OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

1 (4) (a) ~~The energy code shall apply to any commercial or~~
2 ~~residential building in the municipality for which a building permit~~
3 ~~application is received subsequent to the adoption of the energy code.~~

4 (5) The following buildings are exempt from subsections (3),
5 **(3.5)**, and (4) of this section:

6 (8) NOTHING IN THIS SECTION RESTRICTS THE ABILITY OF AN
7 INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC UTILITIES
8 COMMISSION TO:

9 (a) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM
10 SERVICES TO HELP THE GOVERNING BODY OF ANY MUNICIPALITY OR
11 BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION; OR

12 (b) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS
13 TOWARDS ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE
14 GAS EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED
15 BY THE UTILITY TO HELP THE GOVERNING BODY OF ANY MUNICIPALITY OR
16 BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

17 (9) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC
18 UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY
19 EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE
20 GOVERNING BODY OF ANY MUNICIPALITY OR ANY BUILDERS IN COMPLYING
21 WITH THE REQUIREMENTS OF THIS SECTION.

22 (10) (a) A UTILITY MAY COUNT MASS-BASED EMISSIONS
23 REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SECTION
24 TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105
25 (1)(e)(X.7), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR GREENHOUSE
26 GAS EMISSIONS REDUCTION PROGRAM OR SET OF REQUIREMENTS.

27 (b) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES

1 COMMISSION SHALL NOT COUNT GREENHOUSE GAS EMISSIONS REDUCTIONS
2 ACHIEVED THROUGH THE REQUIREMENTS OF THIS SECTION FOR THE
3 PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED
4 PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE
5 UTILITY HAS NOT PROVIDED A FINANCIAL INCENTIVE FOR CODE ADOPTION
6 AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

7 **SECTION 12.** In Colorado Revised Statutes, **repeal** article 7 of
8 title 6.

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