

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.**, Amabile, Bacon, Benavidez, Boesenecker, Cutter, Froelich, Hooton, Jodeh, Kennedy, Kipp, Lindsay, Lontine, McCormick, Michaelson Jenet, Sirota, Titone, Woodrow

**SENATE SPONSORSHIP**

**Hansen and Winter,**

**House Committees**

Energy & Environment  
Appropriations

**Senate Committees**

State, Veterans, & Military Affairs  
Appropriations

**A BILL FOR AN ACT**

101      **CONCERNING THE REDUCTION OF BUILDING GREENHOUSE GAS**  
102            **EMISSIONS, AND, IN CONNECTION THEREWITH, REQUIRING THE**  
103            **DIRECTOR OF THE COLORADO ENERGY OFFICE AND THE**  
104            **EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS**  
105            **TO APPOINT AN ENERGY CODE BOARD THAT DEVELOPS TWO**  
106            **MODEL CODES, REQUIRING LOCAL GOVERNMENTS AND CERTAIN**  
107            **STATE AGENCIES TO ADOPT AND ENFORCE CODES THAT ARE**  
108            **CONSISTENT WITH THE MODEL CODES DEVELOPED BY THE**  
109            **ENERGY CODE BOARD, CREATING THE BUILDING**  
110            **ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM,**  
111            **CREATING THE HIGH-EFFICIENCY ELECTRIC HEATING AND**  
112            **APPLIANCES GRANT PROGRAM, AND ESTABLISHING THE CLEAN**  
113            **AIR BUILDING 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.

HOUSE  
3rd Reading Unamended  
May 2, 2022

HOUSE  
Amended 2nd Reading  
April 29, 2022

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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 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.

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

2 **SECTION 1. In Colorado Revised Statutes, add part 4 to article**  
3 **38.5 of title 24 as follows:**

4 **PART 4**

5 **ENERGY CODE ADOPTION**

6 **24-38.5-401. Energy code board - appointment - creation -**  
7 **duties - definitions - repeal. (1) Definitions. AS USED IN THIS SECTION,**  
8 **UNLESS THE CONTEXT OTHERWISE REQUIRES:**

9 **(a) "ACCEPTABLE REFRIGERANT" MEANS A REFRIGERANT THAT IS:**

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

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

1           (b) "ELECTRIC READY" MEANS ADEQUATE PANEL CAPACITY,  
2           DEDICATED ELECTRIC PANEL SPACE, ELECTRICAL WIRE, ELECTRICAL  
3           RECEPTACLES, AND ADEQUATE PHYSICAL SPACE TO ACCOMMODATE  
4           FUTURE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC APPLIANCES  
5           INCLUDING HEATING, WATER HEATING, COOKING, DRYING, AND AN  
6           ELECTRIC VEHICLE.

7           (c) "ENERGY CODE BOARD" MEANS THE ENERGY CODE BOARD  
8           APPOINTED BY THE DIRECTORS OF THE COLORADO ENERGY OFFICE AND  
9           THE DEPARTMENT OF LOCAL AFFAIRS PURSUANT TO SUBSECTION (2) OF  
10           THIS SECTION.

11           (d) (I) "EV CAPABLE" MEANS A PARKING SPACE THAT:

12           (A) HAS THE ELECTRICAL PANEL CAPACITY AND CONDUIT  
13           INSTALLED TO SUPPORT FUTURE IMPLEMENTATION OF ELECTRICAL  
14           VEHICLE CHARGING WITH A MINIMUM OF TWO HUNDREDEIGHT VOLTS AND  
15           A MINIMUM OF FORTY-AMPERE RATED CIRCUITS; AND

16           (B) IS ADJACENT TO THE TERMINAL POINT OF THE CONDUIT FROM  
17           THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION (1)(d)(I)(A) OF  
18           THIS SECTION.

19           (II) "EV CAPABLE" INCLUDES TWO ADJACENT PARKING SPACES IF  
20           THE CONDUIT FOR THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION  
21           (1)(d)(I)(A) OF THIS SECTION TERMINATES ADJACENT TO AND BETWEEN  
22           BOTH PARKING SPACES.

23           (e) (I) "EV READY" MEANS A PARKING SPACE THAT:

24           (A) HAS THE ELECTRICAL PANEL CAPACITY, RACEWAY WIRING,  
25           RECEPTACLE, AND CIRCUIT OVERPROTECTION DEVICES INSTALLED TO  
26           SUPPORT FUTURE IMPLEMENTATION OF ELECTRICAL VEHICLE CHARGING  
27           WITH A MINIMUM OF TWO HUNDRED EIGHT VOLTS AND A MINIMUM OF

1 FORTY-AMPERE RATED CIRCUITS; AND  
2 (B) IS ADJACENT TO THE RECEPTACLE FOR THE ELECTRICAL  
3 FACILITIES DESCRIBED IN SUBSECTION (1)(e)(I)(A) OF THIS SECTION.  
4 (II) "EV READY" INCLUDES TWO ADJACENT PARKING SPACES IF THE  
5 RECEPTACLE FOR THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION  
6 (1)(e)(I)(A) OF THIS SECTION IS INSTALLED ADJACENT TO AND BETWEEN  
7 BOTH PARKING SPACES.  
8 (f) "EV SUPPLY EQUIPMENT" MEANS:  
9 (I) AN ELECTRIC VEHICLE CHARGING SYSTEM AS DEFINED IN  
10 SECTION 38-12-601 (6)(a) THAT HAS POWER CAPACITY OF AT LEAST 6.2  
11 KILOWATTS AND HAS THE ABILITY TO CONNECT TO THE INTERNET; OR  
12 (II) AN INDUCTIVE RESIDENTIAL CHARGING SYSTEM FOR  
13 BATTERY-POWERED ELECTRIC VEHICLES THAT:  
14 (A) IS CERTIFIED BY UNDERWRITERS LABORATORIES OR AN  
15 EQUIVALENT CERTIFICATION;  
16 (B) COMPLIES WITH THE CURRENT VERSION OF ARTICLE 625 OF THE  
17 NATIONAL ELECTRICAL CODE, PUBLISHED BY THE NATIONAL FIRE  
18 PROTECTION ASSOCIATION, AND OTHER APPLICABLE INDUSTRY  
19 STANDARDS;  
20 (C) IS ENERGY STAR CERTIFIED; AND  
21 (D) HAS THE ABILITY TO CONNECT TO THE INTERNET.  
22 (g) "INDIVIDUAL WITH A DISABILITY" HAS THE SAME MEANING AS  
23 SET FORTH IN THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF  
24 1990", 42 U.S.C. SEC. 12101 ET SEQ., AND ITS RELATED AMENDMENTS AND  
25 IMPLEMENTING REGULATIONS.  
26 (h) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE  
27 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, OR

1 SUBSEQUENT CODE OR ENTITY.

2 (i) "MIXED FUEL USE BUILDING" MEANS A RESIDENTIAL OR  
3 COMMERCIAL BUILDING THAT IS DESIGNED AND BUILT WITH EQUIPMENT  
4 THAT USES GASEOUS FUELS ON SITE IN ADDITION TO ELECTRICITY.

5 (j) "PROVISIONS FOR ELECTRICAL SERVICE CAPACITY" MEANS:

6 (I) BUILDING ELECTRICAL SERVICE, SIZED FOR THE ANTICIPATED  
7 LOAD OF ELECTRIC VEHICLE CHARGING STATIONS, THAT HAS OVER  
8 CURRENT PROTECTION DEVICES NECESSARY FOR ELECTRIC VEHICLE  
9 CHARGING STATIONS OR HAS ADEQUATE SPACE TO ADD OVER CURRENT  
10 PROTECTION DEVICES;

11 (II) A CONDUIT SYSTEM INSTALLED FROM BUILDING ELECTRICAL  
12 SERVICE TO PARKING SPACES THAT CAN SUPPORT, AT A MINIMUM,  
13 ELECTRICAL WIRING FOR INSTALLATION OF ELECTRIC VEHICLE CHARGING  
14 STATIONS, AND, IF THE CONDUIT SYSTEM IS FOR FUTURE INSTALLATION OF  
15 ELECTRIC VEHICLE CHARGING STATIONS, THAT LABELS BOTH ENDS OF THE  
16 CONDUIT SYSTEM TO MARK THE CONDUIT SYSTEM AS PROVIDED FOR  
17 FUTURE ELECTRIC VEHICLE CHARGING STATIONS; AND

18 (III) SPACE WITHIN A BUILDING TO ADD ADDITIONAL BUILDING  
19 ELECTRICAL SERVICE FOR INSTALLATION OF ELECTRICAL SERVICE  
20 CAPACITY FOR ELECTRIC VEHICLE CHARGING STATIONS.

21 (k) "SOLAR READY" MEANS ADEQUATE PANEL CAPACITY,  
22 DEDICATED ELECTRICAL PANEL SPACE, ELECTRICAL CONDUIT, PHYSICAL  
23 ROOF SPACE, AND STRUCTURAL LOAD TO ACCOMMODATE FUTURE  
24 INSTALLATION OF SOLAR PANELS, WITH EXEMPTIONS FOR SMALL ROOFS  
25 AND CONSISTENTLY SHADED ROOFS.

26 (l) "STATE AGENCIES" MEANS THE OFFICE OF THE STATE  
27 ARCHITECT, THE DIVISION OF FIRE PREVENTION AND CONTROL, AND THE

1 DIVISION OF HOUSING.

2 (2) Appointment of the energy code board. ON OR BEFORE  
3 OCTOBER 1, 2022, THE DIRECTORS OF THE COLORADO ENERGY OFFICE AND  
4 THE DEPARTMENT OF LOCAL AFFAIRS SHALL APPOINT AND CONVENE AN  
5 ENERGY CODE BOARD TO DEVELOP BOTH A MODEL ELECTRIC READY AND  
6 SOLAR READY CODE AND A MODEL LOW ENERGY AND CARBON CODE FOR  
7 ADOPTION BY COUNTIES, MUNICIPALITIES, AND STATE AGENCIES.

8 (3) (a) Membership of the energy code board. THE ENERGY  
9 CODE BOARD CONSISTS OF THE FOLLOWING MEMBERS APPOINTED BY THE  
10 DIRECTOR OF THE COLORADO ENERGY OFFICE:

11 (I) THE DIRECTOR OF THE COLORADO ENERGY OFFICE OR THE  
12 DIRECTOR'S DESIGNEE;

13 (II) ONE MEMBER REPRESENTING THE URBAN COUNTIES OF THE  
14 STATE;

15 (III) ONE MEMBER REPRESENTING THE MUNICIPALITIES IN RURAL  
16 AREAS OF THE STATE;

17 (IV) TWO MEMBERS REPRESENTING ENVIRONMENTAL OR  
18 SUSTAINABILITY GROUPS;

19 (V) ONE MEMBER WHO IS A SOLAR POWER EXPERT;

20 (VI) ONE MEMBER WHO IS AN ENERGY EFFICIENCY EXPERT;

21 (VII) ONE MEMBER REPRESENTING PROFESSIONAL ENGINEERS  
22 WITH EXPERIENCE WORKING ON SYSTEMS FOR BUILDINGS;

23 (VIII) ONE MEMBER REPRESENTING AN ELECTRICAL UTILITY, A  
24 GAS UTILITY, OR A COMBINED ELECTRIC AND GAS UTILITY;

25 (IX) ONE MEMBER REPRESENTING ARCHITECTS; AND

26 (X) ONE MEMBER WHO IS A BUILDING ENERGY CODE EXPERT.

27 (b) THE ENERGY CODE BOARD CONSISTS OF THE FOLLOWING

1 MEMBERS APPOINTED BY THE DIRECTOR OF THE DEPARTMENT OF LOCAL  
2 AFFAIRS:

3 (I) THE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS OR THE  
4 DIRECTOR'S DESIGNEE;

5 (II) ONE MEMBER REPRESENTING THE RURAL COUNTIES OF THE  
6 STATE;

7 (III) ONE MEMBER REPRESENTING THE MUNICIPALITIES IN URBAN  
8 AREAS OF THE STATE;

9 (IV) TWO MEMBERS REPRESENTING AFFORDABLE HOUSING  
10 OPERATIONS:

11 (A) ONE OF THESE MEMBERS MUST REPRESENT A FOR-RENT  
12 NONPROFIT BUILDER WHO SERVES POPULATIONS WITH INCOMES UNDER  
13 EIGHTY PERCENT OF AN AREA'S MEDIAN INCOME; AND

14 (B) ONE OF THESE MEMBERS MUST REPRESENT A NONPROFIT  
15 AFFORDABLE FOR-SALE HOUSING BUILDER;

16 (V) TWO MEMBERS WHO HOLD AN ELECTRICAL LICENSE, PLUMBING  
17 LICENSE, OR A PROFESSIONAL CREDENTIAL IN THE MECHANICAL TRADES,  
18 AT LEAST ONE OF WHOM IS A MEMBER OF A LABOR ORGANIZATION;

19 (VI) ONE MEMBER REPRESENTING A STATEWIDE ORGANIZATION  
20 FOR HOME BUILDING PROFESSIONALS;

21 (VII) ONE MEMBER WITH BUILDING OPERATION EXPERTISE; AND

22 (VIII) ONE MEMBER WHO IS A CONTRACTOR WHO PROVIDES  
23 MECHANICAL, ELECTRICAL, OR PLUMBING SERVICES OR REPRESENTS A  
24 STATEWIDE ASSOCIATION THAT REPRESENTS MECHANICAL, ELECTRICAL,  
25 OR PLUMBING CONTRACTORS; AND

26 (c) ONE OF THE MEMBERS IDENTIFIED IN SUBSECTIONS (3)(a)(II),  
27 (3)(a)(III), (3)(b)(II), OR (3)(b)(III) OF THIS SECTION MUST BE A BUILDING



1 OFFICIAL.

2 (d) IN ORDER TO BE SELECTED BY THE DIRECTOR OF THE  
3 COLORADO ENERGY OFFICE OR THE DIRECTOR OF THE DEPARTMENT OF  
4 LOCAL AFFAIRS AS A MEMBER OF THE ENERGY CODE BOARD, AN APPLICANT  
5 MUST SUBMIT WITH THEIR APPLICATION A RECOMMENDATION FROM A  
6 RELEVANT MEMBER OR TRADE ORGANIZATION, IF SUCH MEMBER OR TRADE  
7 ORGANIZATION EXISTS. IN MAKING APPOINTMENTS TO THE ENERGY CODE  
8 BOARD, THE DIRECTORS OF THE COLORADO ENERGY OFFICE AND THE  
9 DEPARTMENT OF LOCAL AFFAIRS SHALL STRIVE TO ENSURE GEOGRAPHIC  
10 DIVERSITY AND THAT EACH OF THE THREE MAJOR CLIMATE ZONES IN THE  
11 STATE IS REPRESENTED.

12 (e) IF ANY MEMBER OF THE ENERGY CODE BOARD STEPS DOWN,  
13 OTHERWISE ELECTS TO NO LONGER SERVE, OR OTHERWISE CAN NO LONGER  
14 SERVE ON THE ENERGY CODE BOARD, THE DIRECTORS OF THE COLORADO  
15 ENERGY OFFICE AND THE DEPARTMENT OF LOCAL AFFAIRS SHALL SELECT  
16 THAT MEMBER'S REPLACEMENT ACCORDING TO THE SAME CRITERIA THAT  
17 THE DIRECTORS OF THE COLORADO ENERGY OFFICE AND THE DEPARTMENT  
18 OF LOCAL AFFAIRS USED IN ORIGINALLY SELECTING THE MEMBER.

19 (f) THE ENERGY CODE BOARD SHALL ADOPT POLICIES AND  
20 PROCEDURES AS NECESSARY TO MEET THE REQUIREMENTS OF THIS  
21 SECTION.

22 (4)(a) **Energy code board executive committee.** THE DIRECTORS  
23 OF THE COLORADO ENERGY OFFICE AND THE DEPARTMENT OF LOCAL  
24 AFFAIRS SHALL APPOINT AN EXECUTIVE COMMITTEE FOR THE ENERGY  
25 CODE BOARD THAT CONSISTS OF THE FOLLOWING MEMBERS:

26 (I) THE DIRECTOR OF THE COLORADO ENERGY OFFICE OR THE  
27 DIRECTOR'S DESIGNEE SELECTED TO SERVE ON THE ENERGY CODE BOARD

1 PURSUANT TO SUBSECTION (3)(a)(I) OF THIS SECTION;  
2 (II) THE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS OR THE  
3 DIRECTOR'S DESIGNEE SELECTED TO SERVE ON THE ENERGY CODE BOARD  
4 PURSUANT TO SUBSECTION (3)(b)(I) OF THIS SECTION;  
5 (III) ONE MEMBER OF THE ENERGY CODE BOARD SELECTED TO  
6 REPRESENT EITHER URBAN OR RURAL COUNTIES WHO WAS SELECTED TO  
7 SERVE ON THE ENERGY CODE BOARD PURSUANT TO SUBSECTION (3)(a)(II)  
8 OR (3)(b)(II) OF THIS SECTION;  
9 (IV) ONE MEMBER OF THE ENERGY CODE BOARD SELECTED TO  
10 REPRESENT MUNICIPALITIES FROM EITHER URBAN OR RURAL AREAS OF THE  
11 STATE WHO WAS SELECTED TO SERVE ON THE ENERGY CODE BOARD  
12 PURSUANT TO SUBSECTION (3)(a)(III) OR (3)(b)(III) OF THIS SECTION; AND  
13 (V) THE MEMBER OF THE ENERGY CODE BOARD WHO IS A BUILDING  
14 ENERGY CODE EXPERT AND WHO WAS SELECTED TO SERVE ON THE ENERGY  
15 CODE BOARD PURSUANT TO SUBSECTION (3)(a)(IX) OF THIS SECTION.  
16 (b) EITHER THE MEMBER OF THE EXECUTIVE COMMITTEE SELECTED  
17 PURSUANT TO SUBSECTION (4)(a)(III) OF THIS SECTION OR THE MEMBER OF  
18 THE EXECUTIVE COMMITTEE SELECTED PURSUANT TO SUBSECTION  
19 (4)(a)(IV) OF THIS SECTION MUST BE A BUILDING OFFICIAL.  
20 (5) (a) **Duty of the energy code board to adopt a model electric**  
21 **ready and solar ready code.** IT IS THE DUTY OF THE ENERGY CODE  
22 BOARD TO DEVELOP A MODEL ELECTRIC READY AND SOLAR READY CODE  
23 ON OR BEFORE JUNE 1, 2023, FOR ADOPTION BY COUNTIES,  
24 MUNICIPALITIES, AND STATE AGENCIES.  
25 (b) THE MODEL ELECTRIC READY AND SOLAR READY CODE  
26 DEVELOPED BY THE ENERGY CODE BOARD MUST APPLY TO COMMERCIAL  
27 AND RESIDENTIAL BUILDINGS AND MUST INCLUDE:

- 1           (I) SOLAR READY REQUIREMENTS;
- 2           (II) EV READY AND EV CAPABLE REQUIREMENTS FOR RESIDENTIAL  
3 BUILDINGS;
- 4           (III) EV READY, EV CAPABLE, AND EV SUPPLY EQUIPMENT  
5 INSTALLED REQUIREMENTS FOR MULTI-FAMILY AND COMMERCIAL  
6 BUILDINGS WITH PROVISIONS FOR ELECTRICAL SERVICE CAPACITY IN  
7 TWENTY PERCENT OR MORE OF THE VEHICLE PARKING SPACES IN THE  
8 GARAGE OR PARKING AREA;
- 9           (IV) ELECTRIC READY REQUIREMENTS FOR ALL SINGLE-FAMILY  
10 RESIDENTIAL MIXED FUEL USE BUILDINGS;
- 11           (V) ELECTRIC READY REQUIREMENTS FOR MULTI-FAMILY AND  
12 SMALL COMMERCIAL MIXED FUEL USE BUILDINGS UNDER TEN THOUSAND  
13 SQUARE FEET;
- 14           (VI) REQUIREMENTS THAT MULTI-FAMILY AND LARGE  
15 COMMERCIAL MIXED FUEL USE BUILDINGS THAT ARE TEN THOUSAND  
16 SQUARE FEET OR GREATER PROVIDE DEDICATED ELECTRIC PANEL SPACE,  
17 ELECTRICAL WIRE, ELECTRICAL RECEPTACLES, AND ADEQUATE PANEL  
18 CAPACITY TO ACCOMMODATE THE FUTURE INSTALLATION OF EFFICIENT,  
19 ELECTRIC TECHNOLOGIES AND CHARGING FOR ELECTRIC VEHICLES. THESE  
20 REQUIREMENTS MUST TAKE INTO ACCOUNT THE COST-EFFECTIVENESS OF  
21 PRE-WIRING FOR EFFICIENT ELECTRIC EQUIPMENT AND THE ABILITY TO  
22 DETERMINE WHAT WIRING AND RECEPTACLE LOCATIONS WOULD BE  
23 NEEDED; AND
- 24           (VII) A PROCESS TO WAIVE ENERGY CODE REQUIREMENTS WHEN  
25 THERE HAS BEEN A DECLARED NATURAL DISASTER THAT HAS DESTROYED  
26 BUILDINGS OR OTHER CIRCUMSTANCES AS DETERMINED BY THE ENERGY  
27 CODE BOARD.

1           (c) IN DEVELOPING A MODEL ELECTRIC READY AND SOLAR READY  
2 CODE, THE ENERGY CODE BOARD SHALL:

3           (I) ENSURE THAT BUILDINGS CAN BE CONVERTED TO HIGH  
4 EFFICIENCY ELECTRIC SPACE AND WATER HEATING EQUIPMENT AND  
5 APPLIANCES AT THE LOWEST POSSIBLE COST TO BUILDING OWNERS;

6           (II) IN DEVELOPING THE MODEL ELECTRIC READY AND SOLAR  
7 READY CODE LANGUAGE FOR MULTI-FAMILY AND LARGE COMMERCIAL  
8 MIXED FUEL USE FOR BUILDINGS TEN THOUSAND SQUARE FEET OR  
9 GREATER, THE ENERGY CODE BOARD SHALL DEVELOP CLEAR GUIDELINES  
10 TO BE INCLUDED IN THE MODEL ENERGY READY AND SOLAR READY CODE  
11 THAT SEEK TO MINIMIZE THE COSTS THAT BUILDERS, BUILDING OWNERS,  
12 AND DEVELOPERS INCUR IN MEETING ELECTRIC READY AND SOLAR READY  
13 CODE REQUIREMENTS WHILE ALSO ENSURING THAT BUILDINGS CAN BE  
14 CONVERTED TO HIGH EFFICIENCY ELECTRIC SPACE AND WATER HEATING  
15 EQUIPMENT AND APPLIANCES AT THE LOWEST POSSIBLE COST TO BUILDING  
16 OWNERS. THESE GUIDELINES MUST INCLUDE PROVISIONS FOR:

17           (A) A STANDARD METHODOLOGY FOR DETERMINING HOW TO  
18 CALCULATE OR MEASURE WHEN COMPLIANCE WITH A MODEL ELECTRIC  
19 AND SOLAR READY CODE REACHES A SUBSTANTIAL COST DIFFERENTIAL  
20 THAT WOULD REQUIRE A WAIVER OR VARIANCE FOR SOME OR ALL OF THE  
21 PROVISIONS OF THE MODEL ELECTRIC AND SOLAR READY CODE; AND

22           (B) AN EVIDENCE-BASED, UNIFORM WAIVER OR VARIANCE  
23 PROCESS TO ALLOW A BUILDER, DEVELOPER, OR BUILDING OWNER TO  
24 REQUEST A WAIVER WHEN IT CAN BE DEMONSTRATED WITH REASONABLE  
25 EVIDENCE THAT COMPLIANCE WILL CREATE A SUBSTANTIAL COST  
26 DIFFERENTIAL; AND

27           (C) AS USED IN THIS SUBSECTION (5)(c)(II), "SUBSTANTIAL COST

1 DIFFERENTIAL" MEANS ONE PERCENT OR GREATER OF THE TOTAL  
2 MECHANICAL, ELECTRICAL, AND PLUMBING CONSTRUCTION COSTS ON THE  
3 PROJECT;

4 (III) TAKE INTO ACCOUNT HOME AFFORDABILITY;

5 (IV) (A) ENSURE THAT THE MODEL ELECTRIC READY AND SOLAR  
6 READY CODE DEVELOPED BY THE ENERGY CODE BOARD DOES NOT APPLY  
7 TO CONSTRUCTION OR RENOVATION THAT SERVES THE PRIMARY PURPOSE  
8 OF MAKING A BUILDING ACCESSIBLE OR MORE ACCESSIBLE FOR AN  
9 INDIVIDUAL WITH A DISABILITY.

10 (B) AS USED IN THIS SUBSECTION (5)(c)(IV), "ACCESSIBLE" MEANS  
11 ABLE TO BE APPROACHED, ENTERED, AND USED;

12 (V) ENSURE THAT THE USE OF AN ACCEPTABLE REFRIGERANT IS  
13 NOT PROHIBITED; AND

14 (VI) ENSURE THAT ALL ELECTRICAL AND PLUMBING  
15 INSTALLATIONS REQUIRED UNDER THE MODEL ELECTRIC READY AND  
16 SOLAR READY CODE ARE SUBJECT TO STATUTORY AND REGULATORY  
17 INSPECTION AND PERMIT REQUIREMENTS.

18 (6) (a) **Duty of the energy code board to adopt a model low**  
19 **energy and carbon code.** IT IS THE DUTY OF THE ENERGY CODE BOARD TO  
20 DEVELOP A MODEL LOW ENERGY AND CARBON CODE ON OR BEFORE JUNE  
21 1, 2025, FOR ADOPTION BY COUNTIES, MUNICIPALITIES, AND STATE  
22 AGENCIES.

23 (b) THE MODEL LOW ENERGY AND CARBON CODE DEVELOPED BY  
24 THE ENERGY CODE BOARD MUST APPLY TO COMMERCIAL AND RESIDENTIAL  
25 BUILDINGS AND MUST:

26 (I) INCLUDE THE MORE ENERGY EFFICIENT OF EITHER THE 2021 OR  
27 2024 INTERNATIONAL ENERGY CONSERVATION CODE, EXCEPT AS THE

1 ENERGY CODE BOARD MAY MODIFY THOSE INTERNATIONAL ENERGY  
2 CONSERVATION CODES PURSUANT TO SUBSECTION (7) OF THIS SECTION,  
3 INCLUDING ANY APPENDICES TO THE INTERNATIONAL ENERGY  
4 CONSERVATION CODE THAT THE ENERGY CODE BOARD DEEMS  
5 APPROPRIATE;

6 (II) INCLUDE THE MODEL ELECTRIC READY AND SOLAR READY  
7 CODE LANGUAGE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD  
8 PURSUANT TO SUBSECTION (5) OF THIS SECTION, AND MODIFIED AS THE  
9 ENERGY CODE BOARD DEEMS APPROPRIATE;

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

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

15 (V) ALLOW PROJECTS CONSISTING OF ONLY REPLACING A SPACE OR  
16 WATER HEATING SYSTEM, AT THE END OF THAT SYSTEM'S USEFUL LIFE,  
17 WITH THE INSTALLATION OF A NEW SYSTEM USING THE SAME FUEL OR  
18 POWER SOURCE, WITHOUT TRIGGERING PRE-WIRE REQUIREMENTS;

19 (VI) ENSURE THAT FOR ANY RENEWABLE ENERGY MEASURES USED  
20 TO ENSURE THAT A HOME OR COMMERCIAL BUILDING IS COMPLIANT WITH  
21 THE MODEL LOW ENERGY AND CARBON CODE DEVELOPED BY THE ENERGY  
22 CODE BOARD, ANY ELECTRIC RENEWABLE ENERGY CREDITS GENERATED  
23 MAY NOT BE DOUBLE COUNTED BETWEEN COMPLIANCE WITH THIS SECTION  
24 AND THE REQUIREMENTS UNDER SECTION 25-7-105 (1)(e), SECTION  
25 40-3.2-108 (3)(b), SECTION 40-2-125.5, OR ANY SIMILAR GREENHOUSE GAS  
26 EMISSION REDUCTION PROGRAM OR SET OF REQUIREMENTS. NOTHING IN  
27 THIS SECTION SHALL PRECLUDE A UTILITY FROM ACQUIRING RENEWABLE

1 ENERGY CREDITS FROM A BUILDING OWNER THROUGH A NET-METERING  
2 AGREEMENT.

3 (VII) TAKE INTO ACCOUNT HOME AFFORDABILITY;

4 (VIII) MINIMIZE OVERALL CARBON DIOXIDE EMISSIONS  
5 ASSOCIATED WITH NEW AND RENOVATED HOMES AND COMMERCIAL  
6 BUILDINGS; AND

7 (IX) CREATE A PROCESS TO WAIVE ENERGY CODE REQUIREMENTS  
8 WHEN THERE HAS BEEN A DECLARED NATURAL DISASTER THAT HAS  
9 DESTROYED BUILDINGS OR OTHER CIRCUMSTANCES AS DETERMINED BY  
10 THE ENERGY CODE BOARD.

11 (c) IN DEVELOPING A MODEL LOW ENERGY AND CARBON CODE, THE  
12 ENERGY CODE BOARD SHALL:

13 (I) (A) ENSURE THAT THE MODEL ELECTRIC READY AND SOLAR  
14 READY CODE DEVELOPED BY THE ENERGY CODE BOARD DOES NOT APPLY  
15 TO CONSTRUCTION OR RENOVATION THAT SERVES THE PRIMARY PURPOSE  
16 OF MAKING A BUILDING ACCESSIBLE OR MORE ACCESSIBLE FOR AN  
17 INDIVIDUAL WITH A DISABILITY;

18 (B) AS USED IN THIS SUBSECTION (6)(c)(I), "ACCESSIBLE" MEANS  
19 ABLE TO BE APPROACHED, ENTERED, AND USED; AND

20 (II) ENSURE THAT THE USE OF AN ACCEPTABLE REFRIGERANT IS  
21 NOT PROHIBITED.

22 (7) **Option to relax international energy conservation code**  
23 **appendices.** THE ENERGY CODE BOARD MAY AS NECESSARY RELAX THE  
24 STRINGENCY OF ANY REQUIREMENTS IN THE INTERNATIONAL ENERGY  
25 CONSERVATION CODE, INCLUDING APPENDICES THAT IT ADOPTS AS PART  
26 OF THE MODEL LOW ENERGY AND CARBON CODE LANGUAGE IT DEVELOPS  
27 PURSUANT TO SUBSECTION (5) OF THIS SECTION IF IT DEEMS THAT DOING

1 SO IS APPROPRIATE, BUT THE ENERGY CODE BOARD SHALL NOT INCREASE  
2 THE STRINGENCY OF ANY REQUIREMENTS IN THE INTERNATIONAL ENERGY  
3 CONSERVATION CODE INCLUDING APPENDICES THAT IT ADOPTS AS PART OF  
4 THE MODEL LOW ENERGY AND CARBON CODE LANGUAGE IT DEVELOPS  
5 PURSUANT TO SUBSECTION (5) OF THIS SECTION.

6 (8) (a) **Process for model code development.** IN ORDER TO  
7 DEVELOP EITHER THE MODEL ELECTRIC READY AND SOLAR READY CODE  
8 PURSUANT TO SUBSECTION (5) OF THIS SECTION OR THE MODEL LOW  
9 ENERGY AND CARBON CODE PURSUANT TO SUBSECTION (6) OF THIS  
10 SECTION, TWO-THIRDS OF THE MEMBERS OF THE ENERGY CODE BOARD  
11 MUST APPROVE EACH ELEMENT OF THE MODEL CODE.

12 (b) IF TWO-THIRDS OF THE ENERGY CODE BOARD FAIL, ON OR  
13 BEFORE APRIL 1, 2023, TO ADOPT ANY ELEMENT OF THE MODEL ELECTRIC  
14 READY AND SOLAR READY CODE REQUIRED BY SUBSECTION (5) OF THIS  
15 SECTION, THE EXECUTIVE COMMITTEE SHALL VOTE ON THAT SAME  
16 ELEMENT ON OR BEFORE MAY 15, 2023. IF TWO-THIRDS OF THE ENERGY  
17 CODE BOARD FAIL, ON OR BEFORE FEBRUARY 1, 2025, TO ADOPT AN  
18 ELEMENT OF THE MODEL LOW ENERGY AND CARBON REQUIRED BY  
19 SUBSECTION (6) OF THIS SECTION, THE EXECUTIVE COMMITTEE SHALL  
20 VOTE ON THAT SAME ELEMENT ON OR BEFORE MARCH 15, 2025.

21 (c) IF THE ENERGY CODE BOARD FAILS, ON OR BEFORE APRIL 1,  
22 2023, TO ADOPT ANY ELEMENT OF THE MODEL ELECTRIC READY AND  
23 SOLAR READY CODE REQUIRED BY SUBSECTION (5) OF THIS SECTION, THE  
24 EXECUTIVE COMMITTEE SHALL VOTE ON THAT SAME ELEMENT ON OR  
25 BEFORE MAY 15, 2023. IF THE ENERGY CODE BOARD FAILS, ON OR BEFORE  
26 FEBRUARY 1, 2025, TO ADOPT AN ELEMENT OF THE MODEL LOW ENERGY  
27 AND CARBON CODE REQUIRED BY SUBSECTION (6) OF THIS SECTION, THE



1 EXECUTIVE COMMITTEE SHALL VOTE ON THAT SAME ELEMENT ON OR  
2 BEFORE MARCH 15, 2025.

3 (d) UPON A VOTE OF THE MAJORITY OF THE EXECUTIVE  
4 COMMITTEE, AN ELEMENT THAT THE ENERGY CODE BOARD FAILED TO  
5 ADOPT IS ADOPTED AS PART OF EITHER THE MODEL ELECTRIC READY AND  
6 SOLAR READY CODE OR THE MODEL LOW ENERGY AND CARBON CODE IS  
7 ADOPTED AS AN ELEMENT OF THE RESPECTIVE MODEL CODE.

8 (e) DURING THE DEVELOPMENT OF BOTH THE MODEL ELECTRIC  
9 READY AND SOLAR READY CODE AND THE MODEL LOW ENERGY AND  
10 CARBON CODE, THE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS OR  
11 THE DIRECTOR'S DESIGNEE AND THE DIRECTOR OF THE COLORADO ENERGY  
12 OFFICE OR THE DIRECTOR'S DESIGNEE SHALL ENSURE THAT THE ENERGY  
13 CODE BOARD ADHERES TO THE REQUIREMENTS OF THIS SECTION.

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

21 (10) (a) **Reporting.** THE COLORADO ENERGY OFFICE SHALL  
22 INCLUDE AN UPDATE REGARDING THE EFFECTIVENESS OF THE ENERGY  
23 CODE BOARD IN ITS 2027 REPORT TO THE MEMBERS OF THE APPLICABLE  
24 COMMITTEES OF REFERENCE IN THE SENATE AND HOUSE OF  
25 REPRESENTATIVES AS REQUIRED BY THE "STATE MEASUREMENT FOR  
26 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)  
27 GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

1           (b) THE DEPARTMENT OF LOCAL AFFAIRS SHALL INCLUDE AN  
2 UPDATE REGARDING THE EFFECTIVENESS OF THE ENERGY CODE BOARD IN  
3 ITS 2027 REPORT TO THE MEMBERS OF THE APPLICABLE COMMITTEES OF  
4 REFERENCE IN THE SENATE AND HOUSE OF REPRESENTATIVES AS REQUIRED  
5 BY THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND  
6 TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF  
7 TITLE 2.

8           (11) Repeal. THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER  
9 1, 2027.

10           24-38.5-402. Model green energy code. (1) BEFORE JULY 1,  
11 2024, THE COLORADO ENERGY OFFICE SHALL IDENTIFY MODEL GREEN  
12 CODE LANGUAGE FOR ADOPTION. THE COLORADO ENERGY OFFICE SHALL  
13 PROMOTE THE VOLUNTARY ADOPTION OF THIS MODEL GREEN CODE  
14 LANGUAGE.

15           24-38.5-402. Energy code training - energy code adoption -  
16 grant writing assistance. (1) (a) THE COLORADO ENERGY OFFICE SHALL  
17 PROVIDE ENERGY CODE TRAINING TO ASSIST LOCAL GOVERNMENTS,  
18 DIVISIONS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, BUILDERS,  
19 AND CONTRACTORS IN ADOPTING AND IMPLEMENTING THE 2021  
20 INTERNATIONAL ENERGY CONSERVATION CODE, ELECTRIC READY AND  
21 SOLAR READY CODES, AND LOW ENERGY AND CARBON CODES. THE  
22 TRAINING ITSELF AND THE MATERIALS PROVIDED ALONG WITH THIS  
23 TRAINING MUST BE IN BOTH ENGLISH AND SPANISH.

24           (b) IF THE COLORADO ENERGY OFFICE IS ABLE TO OBTAIN  
25 FUNDING, THE COLORADO ENERGY OFFICE SHALL PROVIDE FINANCIAL  
26 ASSISTANCE THROUGH AN APPLICATION PROCESS TO SUPPORT THE  
27 ADOPTION AND ENFORCEMENT BY LOCAL GOVERNMENTS OF THE 2021

1 INTERNATIONAL ENERGY CONSERVATION CODE, AN ELECTRIC READY AND  
2 SOLAR READY CODE, AND A LOW ENERGY AND CARBON CODE.

3 (2) THE COLORADO ENERGY OFFICE SHALL ADOPT POLICIES AND  
4 PROCEDURES AS NECESSARY FOR THE CREATION AND ADMINISTRATION OF  
5 A GRANT PROGRAM TO AWARD THE GRANTS DESCRIBED IN SUBSECTION  
6 (3)(a)(I) OF THIS SECTION, INCLUDING POLICIES AND PROCEDURES THAT AT  
7 A MINIMUM ESTABLISH THE APPLICATION PROCESS AND THE GRANT AWARD  
8 CRITERIA.

9 (3) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS  
10 SUBSECTION (3)(a), THE STATE TREASURER SHALL TRANSFER THREE  
11 MILLION DOLLARS FROM THE GENERAL FUND TO THE ENERGY FUND  
12 CREATED IN SECTION 24-38.5-102.4. THE COLORADO ENERGY OFFICE  
13 SHALL EXPEND THE MONEY TRANSFERRED BY THE GENERAL ASSEMBLY  
14 PURSUANT TO THIS SUBSECTION (3)(a) FOR THE PURPOSES OF:

15 (I) ISSUING GRANTS, NOT TO EXCEED A TOTAL OF TWO MILLION  
16 DOLLARS, TO LOCAL GOVERNMENTS TO SUPPORT THEIR ADOPTION AND  
17 ENFORCEMENT OF THE 2021 INTERNATIONAL ENERGY CONSERVATION  
18 CODE, AN ELECTRIC READY AND SOLAR READY CODE, AND A LOW ENERGY  
19 AND CARBON CODE AND TO COVER THE DIRECT AND INDIRECT COSTS  
20 ASSOCIATED WITH ISSUING THESE GRANTS; AND

21 (II) PROVIDING ENERGY CODE TRAINING AND TECHNICAL  
22 ASSISTANCE, INCLUDING GRANT WRITING ASSISTANCE, NOT TO EXCEED A  
23 TOTAL COST OF ONE MILLION DOLLARS, TO ASSIST LOCAL GOVERNMENTS  
24 AND DIVISIONS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT IN  
25 ADOPTING AND ENFORCING THE 2021 INTERNATIONAL ENERGY  
26 CONSERVATION CODE, AN ELECTRIC READY AND SOLAR READY CODE, A  
27 LOW ENERGY AND CARBON CODE, OR A GREEN CODE AND COVERING THE

1 DIRECT AND INDIRECT COSTS ASSOCIATED WITH ALIGNING ENERGY CODES  
2 AND WITH PROVIDING THIS TRAINING AND TECHNICAL ASSISTANCE.

3 (b) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS  
4 SUBSECTION (3)(b), THE STATE TREASURER SHALL TRANSFER ONE MILLION  
5 DOLLARS FROM THE GENERAL FUND TO THE ENERGY FUND CREATED IN  
6 SECTION 24-38.5-102.4. THE COLORADO ENERGY OFFICE SHALL EXPEND  
7 THE MONEY TRANSFERRED BY THE GENERAL ASSEMBLY PURSUANT TO THIS  
8 SUBSECTION (3)(b) FOR THE PURPOSE OF PROVIDING ENERGY CODE  
9 TRAINING TO ASSIST ARCHITECTS, BUILDERS, CONTRACTORS, AND  
10 DESIGNERS IN IMPLEMENTING THE 2021 INTERNATIONAL ENERGY  
11 CONSERVATION CODE, ELECTRIC READY AND SOLAR READY CODES, AND  
12 LOW ENERGY AND CARBON CODES. THE TRAINING AND MATERIALS  
13 PROVIDED ALONG WITH THIS TRAINING MUST BE IN BOTH ENGLISH AND  
14 SPANISH.

15 (c) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS  
16 SUBSECTION (3)(c), THE STATE TREASURER SHALL TRANSFER ONE  
17 HUNDRED AND FIFTY THOUSAND DOLLARS FROM THE GENERAL FUND TO  
18 THE ENERGY FUND CREATED IN SECTION 24-38.5-102.4. THE COLORADO  
19 ENERGY OFFICE SHALL EXPEND THE MONEY TRANSFERRED BY THE  
20 GENERAL ASSEMBLY PURSUANT TO THIS SUBSECTION (3)(c) FOR THE COSTS  
21 ASSOCIATED WITH ADMINISTERING THE ENERGY CODE BOARD  
22 ESTABLISHED IN SECTION 24-38.5-401 (2).

23 **24-38.5-403. Building electrification for public buildings grant**  
24 **program - creation - report - legislative declaration.** (1) THE GENERAL  
25 ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

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

1           (b) MANY PUBLIC BUILDINGS OWNED BY LOCAL GOVERNMENTS,  
2           SCHOOL DISTRICTS, INSTITUTIONS OF HIGHER EDUCATION, AND OTHER  
3           GOVERNMENTAL ENTITIES ARE OLDER BUILDINGS WITH BOTH HIGH ENERGY  
4           COSTS AND EMISSIONS;

5           (c) ENERGY PERFORMANCE CONTRACTING IS AN IMPORTANT TOOL  
6           THAT GOVERNMENTAL ENTITIES CAN USE TO UPGRADE THE ENERGY  
7           PERFORMANCE OF BUILDINGS BY FINANCING ENERGY UPGRADES BASED ON  
8           PROJECTED SAVINGS IN ENERGY COSTS;

9           (d) NEWER TECHNOLOGIES SUCH AS COLD CLIMATE HEAT PUMPS  
10          AND HEAT PUMP WATER HEATERS OFFER MANY OPPORTUNITIES TO REDUCE  
11          GREENHOUSE GAS AND NITROGEN OXIDE EMISSIONS AND IMPROVE INDOOR  
12          AIR QUALITY; AND

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

17          (2) THERE IS CREATED IN THE COLORADO ENERGY OFFICE THE  
18          BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM TO  
19          PROVIDE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION, LOCAL  
20          GOVERNMENTS, SCHOOL DISTRICTS, STATE AGENCIES, AND SPECIAL  
21          DISTRICTS FOR THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC HEATING  
22          EQUIPMENT.

23          (3) GRANTEEES MAY USE MONEY RECEIVED THROUGH THE BUILDING  
24          ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM FOR THE  
25          FOLLOWING PURPOSES:

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

1           (b) THE PURCHASE OF ELECTRICAL INSTALLATIONS AND UPGRADES  
2           NECESSARY TO SUPPORT THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC  
3           EQUIPMENT;

4           (c) THE PURCHASE AND INSTALLATION OF OTHER INNOVATIVE  
5           BUILDING HEATING TECHNOLOGIES THAT THE COLORADO ENERGY OFFICE  
6           DETERMINES WILL LIKELY ACHIEVE EQUAL OR LOWER LEVELS OF  
7           GREENHOUSE GAS EMISSIONS THAN HIGH EFFICIENCY HEAT PUMPS  
8           OPERATED ON THE PROJECTED 2030 ELECTRIC GRID; AND

9           (d) IN THE CASE OF ELIGIBLE ENTITIES FROM LOW-INCOME,  
10           DISPROPORTIONATELY IMPACTED COMMUNITIES, OR JUST TRANSITION  
11           COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY THE COLORADO  
12           ENERGY OFFICE, TO COVER THE ADMINISTRATIVE COSTS ASSOCIATED WITH  
13           THE PURCHASE AND INSTALLATION DESCRIBED IN SUBSECTIONS (3)(a),  
14           (3)(b), AND (3)(c) OF THIS SECTION.

15           (4) THE COLORADO ENERGY OFFICE SHALL ADMINISTER THE  
16           BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM,  
17           AWARD GRANTS AS PROVIDED IN THIS SECTION, AND DEVELOP POLICIES  
18           AND PROCEDURES AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM.

19           (5) GRANTS SHALL BE PAID OUT OF THE CLEAN AIR BUILDINGS  
20           INVESTMENTS FUND CREATED IN SECTION 24-38.5-405.

21           (6) THE COLORADO ENERGY OFFICE MAY DEVELOP POLICIES AND  
22           PROCEDURES PRIORITIZING THE GRANT APPLICATIONS OF ELIGIBLE  
23           ENTITIES FROM LOW-INCOME, DISPROPORTIONATELY IMPACTED  
24           COMMUNITIES, OR JUST TRANSITION COMMUNITIES AS THOSE  
25           COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE, AND  
26           THE COLORADO ENERGY OFFICE SHALL AWARD AT LEAST THIRTY PERCENT  
27           OF THE TOTAL AMOUNT OF MONEY IT AWARDS THROUGH GRANTS

1 PURSUANT TO THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS  
2 GRANT PROGRAM TO SUCH ELIGIBLE ENTITIES.

3 (7) (a) TO RECEIVE A GRANT, AN ELIGIBLE ENTITY MUST SUBMIT AN  
4 APPLICATION TO THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH  
5 THE POLICIES AND PROCEDURES SPECIFIED BY THE COLORADO ENERGY  
6 OFFICE.

7 (b) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL  
8 ASSISTANCE IN APPLYING FOR GRANTS THROUGH THE BUILDING  
9 ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM AS NEEDED TO  
10 ELIGIBLE ENTITIES FROM LOW-INCOME, DISPROPORTIONATELY IMPACTED  
11 COMMUNITIES, OR JUST TRANSITION COMMUNITIES AS THOSE  
12 COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE.

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

17 (b) (I) ON OR BEFORE FEBRUARY 1, 2024, AND ON EACH YEAR  
18 THEREAFTER, THE COLORADO ENERGY OFFICE SHALL SUBMIT A  
19 SUMMARIZED REPORT TO THE TRANSPORTATION AND ENERGY COMMITTEE  
20 OF THE SENATE AND THE ENERGY AND ENVIRONMENT COMMITTEE OF THE  
21 HOUSE OF REPRESENTATIVES OR THEIR SUCCESSOR COMMITTEES, ON THE  
22 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM. AT  
23 A MINIMUM, THIS SUMMARIZED REPORT MUST INCLUDE:

24 (A) A DESCRIPTION OF THE GRANTS AWARDED, INCLUDING A  
25 DESCRIPTION OF THE PROJECTS FUNDED BY THE GRANTS AS DESCRIBED TO  
26 THE COLORADO ENERGY OFFICE IN THE GRANT APPLICATIONS;

27 (B) THE PERCENTAGE OF GRANTS AWARDED TO LOW-INCOME,

1 DISPROPORTIONATELY IMPACTED COMMUNITIES OR JUST TRANSITION  
2 COMMUNITIES AND TO INDIVIDUALS WITH A DISABILITY OR ENTITIES THAT  
3 USED THE GRANTS TO PROVIDE A SERVICE FOR INDIVIDUALS WITH A  
4 DISABILITY; AND

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

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

8 **24-38.5-404. High-efficiency electric heating and appliances**  
9 **grant program - creation - report - legislative declaration - repeal.**

10 (1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES  
11 THAT:

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

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

17 (c) NEWER TECHNOLOGIES SUCH AS COLD CLIMATE HEAT PUMPS  
18 AND HEAT PUMP WATER HEATERS OFFER MANY OPPORTUNITIES TO REDUCE  
19 GREENHOUSE GAS AND NITROGEN OXIDE EMISSIONS AND IMPROVE INDOOR  
20 AIR QUALITY;

21 (d) ENERGY UPGRADES TO RESIDENTIAL AND COMMERCIAL  
22 BUILDINGS MAY BE MORE COST EFFECTIVE AND EASIER TO IMPLEMENT  
23 WHEN DEPLOYED AT THE NEIGHBORHOOD SCALE, AND  
24 NEIGHBORHOOD-SCALE UPGRADES MAY ALLOW UTILITIES TO AVOID OR  
25 DEFER INVESTMENTS IN GAS AND ELECTRIC DISTRIBUTION, THEREBY  
26 REDUCING COSTS FOR ALL UTILITY RATEPAYERS; AND

27 (e) THEREFORE, IT IS IMPORTANT FOR THE STATE TO SUPPORT



1 INVESTMENTS IN NEIGHBORHOOD-SCALE ENERGY EFFICIENCY UPGRADES.

2 (2) THERE IS CREATED IN THE COLORADO ENERGY OFFICE THE  
3 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM  
4 TO PROVIDE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION, LOCAL  
5 GOVERNMENTS, UTILITIES, NONPROFIT ORGANIZATIONS, BUSINESSES AND  
6 OTHER ENTITIES AS DETERMINED BY THE COLORADO ENERGY OFFICE, AND  
7 HOUSING DEVELOPERS FOR THE INSTALLATION OF HIGH-EFFICIENCY  
8 ELECTRIC HEATING EQUIPMENT IN MULTIPLE STRUCTURES WITHIN A  
9 NEIGHBORHOOD.

10 (3) GRANTEES MAY USE THE MONEY RECEIVED THROUGH THE  
11 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM  
12 FOR THE FOLLOWING PURPOSES:

13 (a) THE PURCHASE AND INSTALLATION OF HIGH-EFFICIENCY  
14 ELECTRIC EQUIPMENT FOR SPACE HEATING, WATER HEATING, OR COOKING  
15 IN MULTIPLE RESIDENTIAL OR COMMERCIAL BUILDINGS LOCATED IN CLOSE  
16 PROXIMITY;

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

20 (c) THE PURCHASE AND INSTALLATION OF OTHER INNOVATIVE  
21 BUILDING HEATING TECHNOLOGIES THAT THE COLORADO ENERGY OFFICE  
22 DETERMINES WILL LIKELY ACHIEVE EQUAL OR LOWER LEVELS OF  
23 GREENHOUSE GAS EMISSIONS THAN HIGH-EFFICIENCY HEAT PUMPS  
24 OPERATED ON THE PROJECTED 2030 ELECTRIC GRID; AND

25 (d) IN THE CASE OF LOCAL GOVERNMENTS, ELECTRIC AND GAS  
26 UTILITIES, NONPROFIT ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES  
27 AS DETERMINED BY THE COLORADO ENERGY OFFICE, OR HOUSING

1 DEVELOPERS THAT OPERATE IN LOW-INCOME, DISPROPORTIONATELY  
2 IMPACTED COMMUNITIES OR JUST TRANSITION COMMUNITIES AS THOSE  
3 COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE, TO  
4 COVER THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE PURCHASE AND  
5 INSTALLATION DESCRIBED IN SUBSECTIONS (3)(a), (3)(b), AND (3)(c) OF  
6 THIS SECTION.

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

11 (5) GRANTS SHALL BE PAID OUT OF THE CLEAN AIR BUILDINGS  
12 INVESTMENTS FUND CREATED IN SECTION 24-38.5-405.

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

27 (7)(a) TO RECEIVE A GRANT, A LOCAL GOVERNMENT, ELECTRIC OR

1 GAS UTILITY, NONPROFIT ORGANIZATION, BUSINESS AND OTHER ENTITY AS  
2 DETERMINED BY THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPER  
3 MUST SUBMIT AN APPLICATION TO THE COLORADO ENERGY OFFICE IN  
4 ACCORDANCE WITH THE POLICIES AND PROCEDURES SPECIFIED BY THE  
5 COLORADO ENERGY OFFICE.

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

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

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

26 (A) A DESCRIPTION OF THE GRANTS AWARDED, INCLUDING A  
27 DESCRIPTION OF THE PROJECTS FUNDED BY THE GRANTS AS DESCRIBED TO

1 THE COLORADO ENERGY OFFICE IN THE GRANT APPLICATIONS;

2 (B) THE PERCENTAGE OF GRANTS AWARDED TO LOW-INCOME,  
3 DISPROPORTIONATELY IMPACTED COMMUNITIES OR JUST TRANSITION  
4 COMMUNITIES AND TO INDIVIDUALS WITH A DISABILITY OR ENTITIES THAT  
5 USED THE GRANTS TO PROVIDE A SERVICE FOR INDIVIDUALS WITH A  
6 DISABILITY; 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 **24-38.5-405. Clean air building investments fund - creation -**

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

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

21 (a) THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT  
22 PROGRAM CREATED IN SECTION 24-38.5-403; AND

23 (b) THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES  
24 GRANT PROGRAM CREATED IN SECTION 24-38.5-404.

25 (3) (a) ON THE EFFECTIVE DATE OF THIS SECTION, OR AS SOON AS  
26 POSSIBLE THEREAFTER, THE STATE TREASURER SHALL TRANSFER TWENTY  
27 MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS FROM THE GENERAL

1 FUND TO THE FUND.

2 (b) THE COLORADO ENERGY OFFICE SHALL USE TEN MILLION  
3 DOLLARS OF THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (3)  
4 FOR THE CREATION, IMPLEMENTATION, AND ADMINISTRATION OF THE  
5 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM  
6 CREATED IN SECTION 24-38.5-403.

7 (c) THE COLORADO ENERGY OFFICE SHALL USE TEN MILLION EIGHT  
8 HUNDRED FIFTY THOUSAND DOLLARS OF THE MONEY TRANSFERRED  
9 PURSUANT TO THIS SUBSECTION (3) FOR THE CREATION, IMPLEMENTATION,  
10 AND ADMINISTRATION OF THE HIGH-EFFICIENCY ELECTRIC HEATING AND  
11 APPLIANCES GRANT PROGRAM CREATED IN SECTION 24-38.5-404.

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

14 **12-115-107. Board powers and duties - rules - definition.**

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

17 (a) (I) Adopt, and from time to time revise, rules pursuant to  
18 section 12-20-204. In adopting the rules, the board shall be governed  
19 when appropriate by the standards in the most current edition of the  
20 national electrical code or by any modifications to the standards made by  
21 the board after a hearing is held pursuant to the provisions of article 4 of  
22 title 24. These standards are adopted as the minimum standards governing  
23 the planning, laying out, and installing or the making of additions,  
24 alterations, and repairs in the installation of wiring apparatus and  
25 equipment for electric light, heat, and power in this state. A copy of the  
26 code shall be kept in the office of the board and open to public inspection.  
27 Nothing contained in this section prohibits any city, town, county, city

1 and county, or qualified state institution of higher education from making  
2 and enforcing any such standards that are more stringent than the  
3 minimum standards adopted by the board, and any city, town, county, city  
4 and county, or qualified state institution of higher education that adopts  
5 more stringent standards shall furnish a copy thereof to the board. The  
6 standards adopted by the board shall be prima facie evidence of minimum  
7 approved methods of construction for safety to life and property. The  
8 affirmative vote of two-thirds of all appointed members of the board is  
9 required to set any standards that are different from those set forth in the  
10 national electrical code. If requested in writing, the board shall send a  
11 copy of newly adopted standards and rules to any interested party at least  
12 thirty days before the implementation and enforcement of the standards  
13 or rules. The copies may be furnished for a fee established pursuant to  
14 section 12-20-105.

15 (II) IN THE EVENT OF A CONFLICT BETWEEN THE 2021  
16 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2024 INTERNATIONAL  
17 ENERGY CONSERVATION CODE, THE MODEL ELECTRIC READY AND SOLAR  
18 READY CODE DEVELOPED BY THE ENERGY CODE BOARD PURSUANT TO  
19 SECTION 24-38.5-401 (5), OR ANY ENERGY CODES ADOPTED BY EITHER A  
20 LOCAL GOVERNMENT OR DIVISIONS IN THE EXECUTIVE BRANCH OF STATE  
21 GOVERNMENT AND THE NATIONAL ELECTRIC CODE OR THE STANDARDS  
22 ADOPTED BY THE BOARD PURSUANT TO THIS SUBSECTION (2)(a), THE  
23 NATIONAL ELECTRIC CODE OR THE STANDARDS ADOPTED BY THE BOARD  
24 PURSUANT TO THIS SUBSECTION (2)(a) PREVAILS.

25 **SECTION 3.** In Colorado Revised Statutes, 12-155-106, **add**  
26 **(4.5) as follows:**

27 **12-155-106. Colorado plumbing code - amendments -**

1 **variances - Colorado fuel gas code. (4.5)** IN THE EVENT OF A CONFLICT  
2 BETWEEN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, THE  
3 2024 INTERNATIONAL ENERGY CONSERVATION CODE, THE MODEL  
4 ELECTRIC READY AND SOLAR READY CODE DEVELOPED BY THE ENERGY  
5 CODE BOARD PURSUANT TO SECTION 24-38.5-401 (5), OR ANY ENERGY  
6 CODES ADOPTED BY EITHER A LOCAL GOVERNMENT OR DIVISIONS IN THE  
7 EXECUTIVE BRANCH OF STATE GOVERNMENT AND THE COLORADO  
8 PLUMBING CODE, THE COLORADO PLUMBING CODE PREVAILS.

9 **SECTION 4.** In Colorado Revised Statutes, 24-30-1303, **add**  
10 **(1)(ff)** as follows:

11 **24-30-1303. Office of the state architect - responsibilities.**

12 **(1)** The office of the state architect shall:

13 **(ff) (I) (A)** ON OR BEFORE JANUARY 1, 2025, ADOPT AND ENFORCE  
14 AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY  
15 PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY CONSERVATION  
16 CODE AND THE MODEL ELECTRIC READY AND SOLAR READY CODE  
17 LANGUAGE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD  
18 PURSUANT TO SECTION 24-38.5-401 (5). THIS ENERGY CODE MUST APPLY  
19 TO ALL CONSTRUCTION BY STATE AGENCIES ON STATE-OWNED PROPERTIES  
20 OR FACILITIES OR ON PROPERTIES OR FACILITIES THAT ARE LEASED BY THE  
21 STATE UNDER A FINANCED PURCHASE OF AN ASSET OR CERTIFICATE OF  
22 PARTICIPATION AGREEMENT.

23 **(B)** ON OR BEFORE JANUARY 1, 2030, ADOPT AND ENFORCE AN  
24 ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY AND  
25 CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW ENERGY AND  
26 CARBON CODE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD  
27 PURSUANT TO SECTION 24-38.5-401 (6). THIS ENERGY CODE MUST APPLY

1 TO ALL CONSTRUCTION BY STATE AGENCIES ON STATE-OWNED PROPERTIES  
2 OR FACILITIES OR ON PROPERTIES OR FACILITIES THAT ARE LEASED BY THE  
3 STATE UNDER A FINANCED PURCHASE OF AN ASSET OR CERTIFICATE OF  
4 PARTICIPATION AGREEMENT.

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

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

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

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

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

27 (V) (A) A UTILITY SHALL BE ALLOWED TO COUNT MASS-BASED



1 EMISSIONS REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS  
2 SUBSECTION (1)(ff) TOWARDS COMPLIANCE WITH ITS REQUIREMENTS  
3 UNDERSECTION 25-7-105 (1)(e)(X.7) OR (1)(e)(X.8), SECTION 40-3.2-108  
4 (3)(b), OR ANY SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION  
5 PROGRAM OR SET OF REQUIREMENTS.

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

14 **SECTION 5.** In Colorado Revised Statutes, 24-32-3305, **amend**  
15 **(3); and add (3.5) as follows:**

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

1 reimbursed for actual and necessary expenses incurred while engaged in  
2 official duties.

3 (3.5) (a) (I) ON OR BEFORE JANUARY 1, 2025, THE DIVISION SHALL  
4 ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR  
5 BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY  
6 CONSERVATION CODE AND THE MODEL ELECTRIC READY AND SOLAR  
7 READY CODE LANGUAGE DEVELOPED FOR ADOPTION BY THE ENERGY CODE  
8 BOARD PURSUANT TO SECTION 24-38.5-401 (5). THIS ENERGY CODE MUST  
9 APPLY TO FACTORY-BUILT STRUCTURES AND HOTELS, MOTELS, AND  
10 MULTI-FAMILY STRUCTURES IN AREAS OF THE STATE WHERE NO  
11 CONSTRUCTION STANDARDS FOR HOTELS, MOTELS, AND MULTI-FAMILY  
12 STRUCTURES EXIST.

13 (II) ON OR BEFORE JANUARY 1, 2030, THE DIVISION SHALL ADOPT  
14 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER  
15 ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW  
16 ENERGY AND CARBON CODE DEVELOPED FOR ADOPTION BY THE ENERGY  
17 CODE BOARD PURSUANT TO SECTION 24-38.5-401 (6). THIS ENERGY CODE  
18 MUST APPLY TO FACTORY-BUILT STRUCTURES AND HOTELS, MOTELS, AND  
19 MULTI-FAMILY STRUCTURES IN AREAS OF THE STATE WHERE NO  
20 CONSTRUCTION STANDARDS FOR HOTELS, MOTELS, AND MULTI-FAMILY  
21 STRUCTURES EXIST.

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

1 3280, ET SEQ.

2 (c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
3 SUBSECTION (3.5), THE DIVISION MAY MAKE ANY AMENDMENTS TO AN  
4 ENERGY CODE THAT THE DIVISION DEEMS APPROPRIATE, SO LONG AS THE  
5 AMENDMENTS DO NOT DECREASE THE EFFECTIVENESS OR ENERGY  
6 EFFICIENCY OF THE ENERGY CODE.

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

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

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

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

23 (f) (I) A UTILITY MAY COUNT MASS-BASED EMISSIONS REDUCTIONS  
24 ASSOCIATED WITH THE REQUIREMENTS OF THIS SUBSECTION (3.5)  
25 TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105  
26 (1)(e)(X.7) OR (1)(e)(X.8), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR  
27 GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF

1 REQUIREMENTS.

2 (II) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES  
3 COMMISSION SHALL NOT COUNT ENERGY SAVINGS OR GREENHOUSE GAS  
4 EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS  
5 SUBSECTION (3.5) FOR THE PURPOSE OF CALCULATING A SHAREHOLDER  
6 INCENTIVE ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND  
7 40-3.2-104 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL  
8 INVESTMENT FOR CODE ADOPTION AS DOCUMENTED IN A PLAN APPROVED  
9 BY THE COMMISSION.

10 SECTION 6. In Colorado Revised Statutes, 24-33.5-1203, add  
11 (1)(x) as follows:

12 24-33.5-1203. Duties of division. (1) The division shall perform  
13 the following duties:

14 (x) (I) (A) ON OR BEFORE JANUARY 1, 2025, THE DIVISION SHALL  
15 ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR  
16 BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY  
17 CONSERVATION CODE AND THE MODEL ELECTRIC READY AND SOLAR  
18 READY CODE LANGUAGE DEVELOPED FOR ADOPTION BY THE ENERGY CODE  
19 BOARD PURSUANT TO SECTION 24-38.5-401 (5). THIS ENERGY CODE MUST  
20 APPLY TO THE BUILDINGS DESCRIBED IN SECTIONS 22-32-124 (2),  
21 23-71-122 (1)(v), AND 24-33.5-1212.5.

22 (B) ON OR BEFORE JANUARY 1, 2030, THE DIVISION SHALL ADOPT  
23 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER  
24 ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW  
25 ENERGY AND CARBON CODE DEVELOPED FOR ADOPTION BY THE ENERGY  
26 CODE BOARD PURSUANT TO SECTION 24-38.5-401 (6). THIS ENERGY CODE  
27 MUST APPLY TO THE BUILDINGS DESCRIBED IN SECTIONS 22-32-124 (2),

1 23-71-122 (1)(v), 24-33.5-1212.5, 24-33.5-1213.3, AND 24-33.5-1213.5.

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

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

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

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

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

22 (V) (A) A UTILITY MAY COUNT MASS-BASED EMISSIONS  
23 REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SUBSECTION  
24 (1)(x) TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION  
25 25-7-105 (1)(e)(X.7) OR (1)(e)(X.8), SECTION 40-3.2-108 (3)(b), OR ANY  
26 SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF  
27 REQUIREMENTS.

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

8           **SECTION 7.** In Colorado Revised Statutes, 30-28-211, **amend**  
9           (2)(b), (3), and (5) introductory portion; **repeal** (4); and **add** (1)(i), (1)(j),  
10          (2)(b.5), (3.5), (8), (9), and (10) as follows:

11          **30-28-211. Energy efficient building codes - legislative**  
12          **declaration - definitions.** (1) The general assembly hereby finds and  
13          declares that there is statewide interest in requiring an effective energy  
14          efficient building code for the following reasons:

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

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

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

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

26                 (b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE  
27                 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL OR A

1 SUCCESSOR ORGANIZATION.

2 (3) Every board of county commissioners when adopting or  
3 updating a building code pursuant to section 30-28-201 THAT HAS  
4 ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, OR THAT ADOPTS  
5 AND ENFORCES ONE OR MORE BUILDING CODES AFTER JULY 1, 2022, shall  
6 adopt and enforce an energy code that applies to the construction of, and  
7 MAJOR renovations and additions to, all commercial and residential  
8 buildings AS REQUIRED BY THE ENERGY CODE in the county to which the  
9 building code applies.

10 (3.5) (a) A BOARD OF COUNTY COMMISSIONERS THAT HAS  
11 ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, AND THAT  
12 UPDATES ONE OR MORE BUILDING CODES ON OR AFTER JULY 1, 2023, AND  
13 BEFORE JULY 1, 2026, SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT  
14 ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021  
15 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC  
16 READY AND SOLAR READY CODE LANGUAGE DEVELOPED FOR ADOPTION BY  
17 THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (5) AT THE  
18 SAME TIME OTHER BUILDING CODES ARE UPDATED.

19 (b) A BOARD OF COUNTY COMMISSIONERS THAT HAS ADOPTED AND  
20 ENFORCED ONE OR MORE BUILDING CODES, AND THAT UPDATES ONE OR  
21 MORE BUILDING CODES ON OR AFTER JULY 1, 2026, SHALL ADOPT AND  
22 BEGIN ENFORCING AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR  
23 BETTER ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL  
24 LOW ENERGY AND CARBON CODE DEVELOPED FOR ADOPTION BY THE  
25 ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (6) AT THE  
26 SAME TIME OTHER BUILDING CODES ARE UPDATED.

27 (c) WHEN ADOPTING OR UPDATING A BUILDING CODE PRIOR TO

1 JULY 1, 2023, A BOARD OF COUNTY COMMISSIONERS SHALL ADOPT AND  
2 ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER  
3 ENERGY PERFORMANCE THAN ONE OF THE THREE MOST RECENT EDITIONS  
4 OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

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

8 (5) The following buildings are exempt from subsections (3) and  
9 (4) AND (3.5) of this section:

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

13 (a) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM  
14 SERVICES TO HELP THE BOARD OF COUNTY COMMISSIONERS OF ANY  
15 COUNTY OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION;  
16 OR

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

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

27 (10) (a) A UTILITY MAY COUNT MASS-BASED EMISSIONS



1 REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SECTION  
2 TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION  
3 25-7-105 (1)(e)(X.7) OR (1)(e)(X.8), SECTION 40-3.2-108 (3)(b), OR ANY  
4 SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF  
5 REQUIREMENTS.

6 (b) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES  
7 COMMISSION SHALL NOT COUNT ENERGY SAVINGS OR GREENHOUSE GAS  
8 EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS  
9 SECTION FOR THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE  
10 ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104  
11 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL INVESTMENT FOR CODE  
12 ADOPTION AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

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

16 **31-15-602. Energy efficient building codes - legislative**  
17 **declaration - definitions - repeal.** (1) The general assembly hereby finds  
18 and declares that there is statewide interest in requiring an effective  
19 energy efficient building code for the following reasons:

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

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

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

26 (b) "Energy code" means at a minimum, one of the three most  
27 recent versions of the international energy conservation code published

1 by the international code council A SUBSET OF BUILDING CODES RELATED  
2 TO THE TOTAL ENERGY PERFORMANCE AND CARBON EMISSIONS OF  
3 RESIDENTIAL AND COMMERCIAL BUILDINGS.

4 (b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE  
5 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL OR A  
6 SUCCESSOR ORGANIZATION.

7 (3) The governing body of any municipality ~~when adopting or~~  
8 ~~updating any other building codes~~ THAT HAS ADOPTED AND ENFORCED  
9 ONE OR MORE BUILDING CODES, OR THAT ADOPTS AND ENFORCES ONE OR  
10 MORE BUILDING CODES AFTER JULY 1, 2022, shall adopt and enforce an  
11 energy code that applies to the construction of, and MAJOR renovations  
12 and additions to, all commercial and residential buildings AS REQUIRED  
13 BY THE ENERGY CODE in the municipality to which the building code  
14 applies.

15 (3.5) (a) THE GOVERNING BODY OF A MUNICIPALITY THAT HAS  
16 ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, AND THAT  
17 UPDATES ONE OR MORE BUILDING CODES ON OR AFTER JULY 1, 2023, AND  
18 BEFORE JULY 1, 2026, SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT  
19 ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021  
20 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC  
21 READY AND SOLAR READY CODE LANGUAGE EITHER DEVELOPED FOR  
22 ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION  
23 24-38.5-401 (5) AT THE SAME TIME OTHER BUILDING CODES ARE UPDATED.

24 (b) THE GOVERNING BODY OF A MUNICIPALITY THAT HAS ADOPTED  
25 AND ENFORCED ONE OR MORE BUILDING CODES, AND THAT UPDATES ONE  
26 OR MORE BUILDING CODES ON OR AFTER JULY 1, 2026, SHALL ADOPT AND  
27 BEGIN ENFORCING AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR

1 BETTER ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL  
2 LOW ENERGY AND CARBON CODE LANGUAGE DEVELOPED FOR ADOPTION  
3 BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (6), AT  
4 THE SAME TIME OTHER BUILDING CODES ARE UPDATED.

5 (c) WHEN ADOPTING OR UPDATING A BUILDING CODE PRIOR TO  
6 JULY 1, 2023, THE GOVERNING BODY OF A MUNICIPALITY SHALL ADOPT  
7 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER  
8 ENERGY PERFORMANCE THAN ONE OF THE THREE MOST RECENT EDITIONS  
9 OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

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

13 (5) The following buildings are exempt from subsections (3),  
14 (3.5), and (4) of this section:

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

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

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

26 (9) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC  
27 UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY

1 EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE  
2 GOVERNING BODY OF ANY MUNICIPALITY OR ANY BUILDERS IN COMPLYING  
3 WITH THE REQUIREMENTS OF THIS SECTION.

4 (10) (a) A UTILITY MAY COUNT MASS-BASED EMISSIONS  
5 REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SECTION  
6 TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION  
7 25-7-105 (1)(e)(X.7) OR (1)(e)(X.8), SECTION 40-3.2-108 (3)(b), OR ANY  
8 SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF  
9 REQUIREMENTS.

10 (b) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES  
11 COMMISSION SHALL NOT COUNT ENERGY SAVINGS OR GREENHOUSE GAS  
12 EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS  
13 SECTION FOR THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE  
14 ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104  
15 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL INVESTMENT FOR CODE  
16 ADOPTION AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

17 **SECTION 9.** In Colorado Revised Statutes, **repeal** article 7 of  
18 title 6.

19 **SECTION 10. Safety clause.** The general assembly hereby finds,  
20 determines, and declares that this act is necessary for the immediate  
21 preservation of the public peace, health, or safety.