

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0584.03 Pierce Lively x2059

HOUSE BILL 24-1239

HOUSE SPONSORSHIP

Valdez,

SENATE SPONSORSHIP

Priola,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING REQUIRING A LOCAL GOVERNMENT TO MODIFY A
102 BUILDING CODE TO ALLOW FIVE STORIES OF A MULTIFAMILY
103 RESIDENTIAL BUILDING TO BE SERVED BY A SINGLE EXIT.

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>.)

On or before December 1, 2026, the bill requires a board of county commissioners or the governing body of a municipality to adopt a building code, or amend an existing building code, to allow up to 5 stories of a multifamily residential building to be served by a single exit. To satisfy this requirement, a local government shall incorporate by reference

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

and adopt or adapt and adopt language from a portion of an existing building code that allows a single exit to serve no more than 5 stories of a group r-2 occupancy in the same building. If a local government so requests, the department of local affairs shall provide technical assistance to the local government in satisfying this requirement.

The bill also clarifies that the adoption or amendment of a building code to satisfy the requirements of the bill does not qualify as adopting or enforcing a building code for the purpose of determining whether a board of county commissioners or the governing body of a municipality is required to adopt an energy code.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 30-28-213 as
3 follows:

4 **30-28-213. Single exit in multifamily residential structure -**
5 **technical assistance - definition.** (1) SUBJECT TO THE CONDITIONS SET
6 FORTH IN SUBSECTION (2) OF THIS SECTION AND NOTWITHSTANDING ANY
7 OTHER PROVISION OF LAW, ON OR BEFORE DECEMBER 1, 2026, A BOARD OF
8 COUNTY COMMISSIONERS SHALL ADOPT A BUILDING CODE, OR AMEND ITS
9 EXISTING BUILDING CODE, TO ALLOW A SINGLE EXIT TO SERVE NO MORE
10 THAN FIVE STORIES OF A GROUP R-2 OCCUPANCY IN THE SAME BUILDING.

11 (2) TO SATISFY THE REQUIREMENTS OF SUBSECTION (1) OF THIS
12 SECTION, A BOARD OF COUNTY COMMISSIONERS SHALL INCORPORATE BY
13 REFERENCE INTO ITS NEW OR EXISTING BUILDING CODE AND ADOPT OR
14 ADAPT AND ADOPT LANGUAGE FROM A PORTION OF AN EXISTING BUILDING
15 CODE OF ANY OTHER AMERICAN JURISDICTION THAT ALLOWS A SINGLE
16 EXIT TO SERVE NO MORE THAN FIVE STORIES OF A GROUP R-2 OCCUPANCY
17 IN THE SAME BUILDING.

18 (3) THE ADOPTION OF A BUILDING CODE, OR THE AMENDMENT OF
19 AN EXISTING BUILDING CODE, BY A BOARD OF COUNTY COMMISSIONERS TO
20 COMPLY WITH SUBSECTION (1) OF THIS SECTION, IS NOT ADOPTING OR

1 ENFORCING A BUILDING CODE FOR PURPOSES OF DETERMINING WHETHER
2 A BOARD OF COUNTY COMMISSIONERS IS REQUIRED TO ADOPT AND
3 ENFORCE AN ENERGY CODE PURSUANT TO SECTION 30-28-211.

4 (4) UPON THE REQUEST OF A COUNTY OFFICIAL OR EMPLOYEE, THE
5 DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE TECHNICAL ASSISTANCE
6 IN ADOPTING A BUILDING CODE OR AMENDING AN EXISTING BUILDING CODE
7 PURSUANT TO SUBSECTION (1) OF THIS SECTION.

8 (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
9 REQUIRES, "GROUP R-2 OCCUPANCY" MEANS A RESIDENTIAL OCCUPANCY
10 CONTAINING SLEEPING UNITS OR MORE THAN TWO DWELLING UNITS WHERE
11 THE OCCUPANTS ARE PRIMARILY PERMANENT IN NATURE.

12 **SECTION 2.** In Colorado Revised Statutes, **add** 31-15-604 as
13 follows:

14 **31-15-604. Single exit in multifamily residential structure -**
15 **technical assistance - definition.** (1) SUBJECT TO THE CONDITIONS SET
16 FORTH IN SUBSECTION (2) OF THIS SECTION AND NOTWITHSTANDING ANY
17 OTHER PROVISION OF LAW, ON OR BEFORE DECEMBER 1, 2026, THE
18 GOVERNING BODY OF ANY MUNICIPALITY SHALL ADOPT A BUILDING CODE,
19 OR AMEND ITS EXISTING BUILDING CODE, TO ALLOW A SINGLE EXIT TO
20 SERVE NO MORE THAN FIVE STORIES OF A GROUP R-2 OCCUPANCY IN THE
21 SAME BUILDING.

22 (2) TO SATISFY THE REQUIREMENTS OF SUBSECTION (1) OF THIS
23 SECTION, THE GOVERNING BODY OF A MUNICIPALITY SHALL INCORPORATE
24 BY REFERENCE INTO ITS NEW OR EXISTING BUILDING CODE AND ADOPT OR
25 ADAPT AND ADOPT LANGUAGE FROM A PORTION OF AN EXISTING BUILDING
26 CODE OF ANY AMERICAN JURISDICTION THAT ALLOWS A SINGLE EXIT TO
27 SERVE NO MORE THAN FIVE STORIES OF A GROUP R-2 OCCUPANCY IN THE

1 SAME BUILDING.

2 (3) THE ADOPTION OF A BUILDING CODE, OR THE AMENDMENT OF
3 AN EXISTING BUILDING CODE, BY A GOVERNING BODY OF A MUNICIPALITY
4 TO COMPLY WITH SUBSECTION (1) OF THIS SECTION, IS NOT ADOPTING OR
5 ENFORCING A BUILDING CODE FOR PURPOSES OF DETERMINING WHETHER
6 A GOVERNING BODY OF A MUNICIPALITY IS REQUIRED TO ADOPT AND
7 ENFORCE AN ENERGY CODE PURSUANT TO SECTION 31-15-602.

8 (4) UPON THE REQUEST OF A MUNICIPAL OFFICIAL OR EMPLOYEE,
9 THE DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE TECHNICAL
10 ASSISTANCE IN ADOPTING A BUILDING CODE OR AMENDING AN EXISTING
11 BUILDING CODE PURSUANT TO SUBSECTION (1) OF THIS SECTION.

12 (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
13 REQUIRES, "GROUP R-2 OCCUPANCY" MEANS A RESIDENTIAL OCCUPANCY
14 CONTAINING SLEEPING UNITS OR MORE THAN TWO DWELLING UNITS WHERE
15 THE OCCUPANTS ARE PRIMARILY PERMANENT IN NATURE.

16 **SECTION 3. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly; except
19 that, if a referendum petition is filed pursuant to section 1 (3) of article V
20 of the state constitution against this act or an item, section, or part of this
21 act within such period, then the act, item, section, or part will not take
22 effect unless approved by the people at the general election to be held in
23 November 2024 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.