

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 24-0281.01 Richard Sweetman x4333

HOUSE BILL 24-1307

HOUSE SPONSORSHIP

Lieder and Hamrick,

SENATE SPONSORSHIP

Marchman,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING HVAC INFRASTRUCTURE IMPROVEMENT PROJECTS IN**
102 **SCHOOLS.**

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 a school district board of education, a charter school, an institute charter school, a board of cooperative services, or the Colorado school for the deaf and the blind (school administrative entity) to satisfy certain requirements concerning installation, inspection, and maintenance of heating, ventilation, and air conditioning (HVAC) systems in schools if the school administrative entity undertakes HVAC

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.

infrastructure improvements using money made available by a federal government source or by a federal government source in combination with a state government source specifically for such purpose.

The requirements established in the bill concern:

- Ventilation verification assessments, which include assessments of an HVAC system's filtration, ventilation exhaust, economizers, demand control ventilation, air distribution and building pressurization, general maintenance requirements, operational controls, and carbon dioxide output;
- The preparation of HVAC assessment reports;
- The review of HVAC assessment reports by mechanical engineers, who make recommendations regarding necessary repairs and improvements and estimate associated costs;
- HVAC adjustments, repairs, upgrades, and replacements;
- The preparation of HVAC verification reports and the submission of the reports to the state board of education; and
- Periodic inspections and ongoing maintenance.

The bill establishes mandatory criteria that an HVAC contractor must satisfy in order to perform work described in the bill. A school administrative entity that undertakes HVAC infrastructure improvements using money made available by a federal government source or by a federal government source in combination with a state government source must do so using only contractors on the certified contractor list established by the department of labor and employment.

The bill allows a school administrative entity to apply for grants to pay for HVAC infrastructure improvement projects and establishes requirements for school administrative entities that apply for grants from federal and state government sources.

The bill allows the governor's office to expend money from the "Infrastructure Investment and Jobs Act" cash fund to provide grant writing support and project planning support to school administrative entities that are undertaking HVAC infrastructure improvement projects.

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

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

4 (a) Students and staff in Colorado's public schools deserve access
5 to clean, healthy air along with proper heating and cooling to improve

1 their opportunities to learn;

2 (b) Indoor air quality is one of several toxic threats to students in
3 schools;

4 (c) The condition of inadequate school facilities can expose
5 students and staff to mold and legacy toxins such as lead, asbestos, and
6 industrial products and chemicals known as PCBs; poor air quality and
7 temperature control; inadequate lighting; and excessive noise; and

8 (d) Improving the air quality in schools can result in higher
9 attendance, better cognitive function, less asthma and other respiratory
10 health problems, and improved academic performance.

11 (2) The general assembly further finds that:

12 (a) In Colorado, many of the conditions that cause unhealthy
13 indoor air and environmental quality impact Colorado school buildings;

14 (b) Various Colorado schools have been featured in news stories
15 profiling funding shortages, heating and cooling issues, and the need for
16 facility improvements;

17 (c) The department of education's own Facility Insight Dashboard
18 reports the average age of school infrastructure to be forty years; and

19 (d) State school buildings receive a poor score on the department
20 of education's Facility Condition Index.

21 (3) The general assembly further finds that:

22 (a) Despite efforts by state agencies and school districts to
23 improve indoor environmental quality in classrooms and other school
24 buildings, many of Colorado's school districts lack the funding and staff
25 to improve facility conditions and thereby improve school health
26 outcomes;

27 (b) According to the American Society of Civil Engineers' 2020

1 infrastructure report card, Colorado schools have an approximately \$14
2 billion funding gap between the need for infrastructure replacements,
3 repairs, or upgrades and money available from regular funding and budget
4 processes;

5 (c) The current funding sources for schools do not equitably
6 distribute funds, leaving many schools in rural and disproportionately
7 impacted communities unable to pay for necessary retrofits and updates;

8 (d) The passage of the federal "Inflation Reduction Act of 2022"
9 and "Bipartisan Infrastructure Law", which was enacted in the federal
10 "Infrastructure Investment and Jobs Act", have made billions of dollars
11 in federal money available to combine with current and planned state or
12 local funding that can help public schools improve air quality, improve
13 student performance and staff retention, and realize significant energy
14 savings for school districts;

15 (e) Accessing this federal money would not only improve air
16 quality in schools but also bring billions of dollars in economic
17 investments in quality projects to Colorado communities and workers;
18 and

19 (f) Unfortunately, many of the schools with the most pressing
20 infrastructure improvement needs lack the staff capacity to track, apply
21 for, and manage grant funding available at the state and federal level.

22 (4) Therefore, the general assembly declares that, in order to help
23 schools address health concerns and energy efficiency needs, this act:

24 (a) Makes school administrative entities eligible to receive grants
25 from the "Infrastructure Investment and Jobs Act" cash fund created in
26 Senate Bill 22-215, which was enacted in 2022;

27 (b) Authorizes the governor's office to coordinate with outside

1 entities to provide school administrative entities with project planning,
2 grant writing, and other technical assistance, such as school ventilation
3 and energy efficiency verification, as needed;

4 (c) Ensures that school districts' federal funding applications
5 remain competitive by requiring the use of certified contractors to
6 complete HVAC infrastructure improvement projects receiving federal
7 funding and requiring compliance with the labor standards outlined in
8 federal funding opportunities; and

9 (d) Will save schools money by ensuring that facility improvement
10 projects are completed by a highly skilled workforce and result in
11 measurable energy efficiency improvements and health improvements for
12 students and staff.

13 **SECTION 2.** In Colorado Revised Statutes, **add** 22-32-152 as
14 follows:

15 **22-32-152. School ventilation and energy efficiency**
16 **verification and repair - definitions - applicability of section -**
17 **ventilation verification assessment - filtration - HVAC assessment**
18 **report - mechanical engineer review - adjustments, repairs, upgrades,**
19 **and replacements - HVAC verification report - periodic inspections**
20 **and ongoing maintenance - certified contractors - grants.**

21 (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
22 OTHERWISE REQUIRES:

23 (a) "ANAB" MEANS THE AMERICAN NATIONAL STANDARDS
24 INSTITUTE NATIONAL ACCREDITATION BOARD.

25 (b) "ASHRAE" MEANS THE AMERICAN SOCIETY OF HEATING,
26 REFRIGERATION AND AIR-CONDITIONING ENGINEERS.

27 (c) "CERTIFIED CONTRACTOR" MEANS A CONTRACTOR ON THE

1 CERTIFIED CONTRACTOR LIST.

2 (d) "CERTIFIED CONTRACTOR LIST" MEANS THE CERTIFIED
3 CONTRACTOR LIST CREATED BY THE DEPARTMENT OF LABOR AND
4 EMPLOYMENT PURSUANT TO SECTION 40-3.2-105.6 (3)(a).

5 (e) "CERTIFIED TAB TECHNICIAN" MEANS A TECHNICIAN
6 CERTIFIED TO PERFORM TESTING, ADJUSTING, AND BALANCING OF HVAC
7 SYSTEMS BY:

8 (I) THE ASSOCIATED AIR BALANCE COUNCIL;

9 (II) THE NATIONAL ENVIRONMENTAL BALANCING BUREAU;

10 (III) THE TESTING, ADJUSTING AND BALANCING BUREAU; OR

11 (IV) A SUCCESSOR ORGANIZATION OF AN ORGANIZATION NAMED
12 IN SUBSECTION (1)(e)(I), (1)(e)(II), OR (1)(e)(III) OF THIS SECTION.

13 (f) "CO2" MEANS CARBON DIOXIDE.

14 (g) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
15 CREATED IN SECTION 24-1-115.

16 (h) "HVAC" MEANS HEATING, VENTILATION, AND AIR
17 CONDITIONING.

18 (i) "HVAC ASSESSMENT REPORT" MEANS THE HVAC ASSESSMENT
19 REPORT DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

20 (j) "INTERNATIONAL MECHANICAL CODE" MEANS THE 2021
21 INTERNATIONAL MECHANICAL CODE PUBLISHED BY THE INTERNATIONAL
22 CODE COUNCIL OR THE MOST RECENT VERSION ADOPTED BY THE OFFICE
23 OF THE STATE ARCHITECT CREATED IN SECTION 24-30-1302.5.

24 (k) "ISO/IEC 17024 PERSONNEL CERTIFICATION STANDARD"
25 MEANS THE ISO/IEC 17024 PERSONNEL CERTIFICATION ACCREDITATION
26 STANDARD DEVELOPED BY THE INTERNATIONAL ORGANIZATION FOR
27 STANDARDIZATION AND THE INTERNATIONAL ELECTROTECHNICAL

1 COMMISSION FOR THE PURPOSE OF CERTIFYING PERSONNEL.

2 (l) "MECHANICAL ENGINEER" MEANS A PROFESSIONAL ENGINEER
3 WHO IS LICENSED PURSUANT TO PART 2 OF ARTICLE 120 OF TITLE 12 AND
4 HAS PROFESSIONAL EXPERIENCE WITH HVAC SYSTEMS.

5 (m) "MERV" MEANS MINIMUM EFFICIENCY REPORTING VALUE, AS
6 ESTABLISHED BY ANAB/ASHRAE STANDARD 52.2-2017, "METHOD OF
7 TESTING GENERAL VENTILATION AIR-CLEANING DEVICES FOR REMOVAL
8 EFFICIENCY BY PARTICLE SIZE".

9 (n) "NOX" HAS THE MEANING SET FORTH IN SECTION 25-7-1502
10 (8).

11 (o) "OCCUPIED AREAS" MEANS THE CLASSROOMS, AUDITORIUMS,
12 GYMNASIUMS, CAFETERIAS, NURSES' OFFICES, RESTROOMS, AND OFFICES
13 OF A SCHOOL.

14 (p) "PPM" MEANS PARTS PER MILLION.

15 (q) "PROJECT LABOR AGREEMENT" HAS THE MEANING SET FORTH
16 IN 48 CFR 52.222-34.

17 (r) "QUALIFIED ADJUSTING PERSONNEL" MEANS:

18 (I) A CERTIFIED TAB TECHNICIAN; OR

19 (II) A WORKER WHO IS UNDER THE DIRECT SUPERVISION OF A
20 CERTIFIED TAB TECHNICIAN.

21 (s) "QUALIFIED PERSONNEL" MEANS QUALIFIED TESTING
22 PERSONNEL, QUALIFIED ADJUSTING PERSONNEL, OR OTHER WORKFORCE
23 THAT IS HIRED BY AND UNDER THE DIRECT SUPERVISION OF A CERTIFIED
24 CONTRACTOR FOR THE PURPOSE OF PERFORMING HVAC WORK.

25 (t) "QUALIFIED TESTING PERSONNEL" MEANS:

26 (I) A CERTIFIED TAB TECHNICIAN; OR

27 (II) AN INDIVIDUAL CERTIFIED TO PERFORM VENTILATION

1 ASSESSMENTS OF HVAC SYSTEMS BY THE INTERNATIONAL CERTIFICATION
2 BOARD OR THROUGH AN EQUIVALENT CERTIFICATION PROGRAM OR BODY
3 ACCREDITED UNDER THE ISO/IEC 17024 PERSONNEL CERTIFICATION
4 STANDARD.

5 (u) "REGISTERED APPRENTICESHIP PROGRAM" HAS THE MEANING
6 SET FORTH IN SECTION 8-15.7-101 (13).

7 (v) "SCHOOL" MEANS AN EDUCATIONAL FACILITY OPERATED BY A
8 SCHOOL ADMINISTRATIVE ENTITY.

9 (w) "SCHOOL ADMINISTRATIVE ENTITY" MEANS:

10 (I) A SCHOOL DISTRICT BOARD OF EDUCATION;

11 (II) A CHARTER SCHOOL, AS DEFINED IN SECTION 22-30.5-103 (2);

12 (III) AN INSTITUTE CHARTER SCHOOL, AS DEFINED IN SECTION
13 22-30.5-502 (6);

14 (IV) A BOARD OF COOPERATIVE SERVICES, AS DEFINED IN SECTION
15 22-5-103 (2); OR

16 (V) THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND
17 CREATED IN SECTION 22-80-102.

18

19 (x) "TAB" MEANS TESTING, ADJUSTING, AND BALANCING OF AN
20 HVAC SYSTEM.

21 (2) **Applicability of section.** (a) ON AND AFTER THE EFFECTIVE
22 DATE OF THIS SECTION, IF A SCHOOL ADMINISTRATIVE ENTITY
23 UNDERTAKES HVAC INFRASTRUCTURE IMPROVEMENTS AT A SCHOOL
24 USING MONEY MADE AVAILABLE BY A FEDERAL GOVERNMENT SOURCE OR
25 BY A FEDERAL GOVERNMENT SOURCE IN COMBINATION WITH A STATE
26 GOVERNMENT SOURCE SPECIFICALLY FOR SUCH PURPOSE, THE SCHOOL
27 ADMINISTRATIVE ENTITY SHALL COMPLY WITH THE PROCEDURES SET

1 FORTH IN THIS SECTION IN IMPLEMENTING THE HVAC INFRASTRUCTURE
2 IMPROVEMENTS.

3 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
4 CONTRARY, A SCHOOL ADMINISTRATIVE ENTITY IS NOT REQUIRED TO
5 SATISFY THE REQUIREMENTS OF THIS SECTION UNLESS THE SCHOOL
6 ADMINISTRATIVE ENTITY RECEIVES MONEY FROM A FEDERAL
7 GOVERNMENT SOURCE OR FROM A FEDERAL GOVERNMENT SOURCE IN
8 COMBINATION WITH A STATE GOVERNMENT SOURCE, WHICH MONEY IS
9 MADE AVAILABLE FOR THE SPECIFIC PURPOSE OF IMPLEMENTING HVAC
10 SYSTEM IMPROVEMENTS.

11 (3) **Ventilation verification assessment.** QUALIFIED PERSONNEL
12 SHALL PERFORM ALL OF THE FOLLOWING:

13 (a) **Filtration.** MERV 13 OR BETTER FILTRATION MUST BE
14 INSTALLED IN A SCHOOL'S HVAC SYSTEM WHERE FEASIBLE. QUALIFIED
15 PERSONNEL SHALL:

16 (I) REVIEW SYSTEM CAPACITY AND AIRFLOW TO DETERMINE THE
17 HIGHEST MERV FILTRATION THAT CAN BE INSTALLED WITHOUT
18 ADVERSELY IMPACTING EQUIPMENT;

19 (II) REPLACE OR UPGRADE FILTERS WHERE NEEDED AND VERIFY
20 THAT FILTERS ARE INSTALLED CORRECTLY; AND

21 (III) ISSUE RECOMMENDATIONS FOR ADDITIONAL MAINTENANCE,
22 FREQUENCY OF FILTER REPLACEMENTS, OR UPGRADES TO ALLOW FOR
23 MORE PROTECTIVE FILTRATION AND RECORD THE RECOMMENDATIONS IN
24 THE HVAC ASSESSMENT REPORT.

25 (b) **Ventilation and exhaust.** AFTER ASSESSING THE FILTRATION
26 AS DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION, QUALIFIED
27 PERSONNEL SHALL ASSESS THE VENTILATION RATES IN THE SCHOOL'S

1 OCCUPIED AREAS TO DETERMINE WHETHER THEY MEET THE MINIMUM
2 VENTILATION RATE REQUIREMENTS SET FORTH IN THE INTERNATIONAL
3 MECHANICAL CODE. ASSESSMENT OF THE VENTILATION AND EXHAUST
4 MUST INCLUDE ALL THE FOLLOWING:

5 (I) CALCULATION OF THE ESTIMATED MINIMUM OUTSIDE AIR
6 VENTILATION RATES FOR EACH OCCUPIED AREA BASED ON THE MAXIMUM
7 ANTICIPATED OCCUPANCY AND THE MINIMUM REQUIRED VENTILATION
8 RATE PER OCCUPANT. CALCULATIONS MUST BE BASED ON MAXIMUM
9 ANTICIPATED CLASSROOM OR OTHER OCCUPIED AREA OCCUPANCY RATES
10 AND DETERMINED BY THE INTERNATIONAL MECHANICAL CODE;

11 (II) MEASUREMENT OF OUTSIDE AIR AND VERIFICATION THAT THE
12 SYSTEM PROVIDES THE MINIMUM OUTSIDE AIR VENTILATION RATES
13 CALCULATED PURSUANT TO SUBSECTION (3)(b)(I) OF THIS SECTION;

14 (III) VERIFICATION OF COIL VELOCITIES AND UNIT DISCHARGE AIR
15 TEMPERATURES REQUIRED TO MAINTAIN DESIRED INDOOR CONDITIONS
16 AND TO AVOID MOISTURE CARRYOVER FROM COOLING COILS;

17 (IV) VERIFICATION THAT SEPARATION BETWEEN OUTDOOR AIR
18 INTAKES AND EXHAUST DISCHARGE OUTLETS MEETS THE REQUIREMENTS
19 OF THE INTERNATIONAL MECHANICAL CODE;

20 (V) CONFIRMATION THAT THE AIR HANDLING UNIT IS BRINGING IN
21 OUTDOOR AIR AND REMOVING EXHAUST AIR AS INTENDED BY THE SYSTEM
22 DESIGN; AND

23 (VI) MEASUREMENT OF ALL EXHAUST AIR VOLUME FOR EXHAUST
24 FANS, SUCH AS RESTROOM EXHAUST FANS, INCLUDING DOCUMENTATION
25 OF ANY DISCREPANCIES FROM SYSTEM DESIGN.

26 (c) **Economizers.** FOR HVAC SYSTEMS WITH ECONOMIZERS,
27 QUALIFIED PERSONNEL SHALL TEST SYSTEM ECONOMIZER DAMPERS FOR

1 PROPER OPERATION. ECONOMIZER DAMPERS AND CONTROLS THAT ARE
2 NOT PROPERLY FUNCTIONING SHALL BE REPAIRED BY A CERTIFIED
3 CONTRACTOR AND THE CERTIFIED CONTRACTOR'S QUALIFIED PERSONNEL.
4 QUALIFIED PERSONNEL SHALL RECORD RECOMMENDATIONS FOR
5 ADDITIONAL MAINTENANCE, REPLACEMENT, OR UPGRADES IN THE HVAC
6 ASSESSMENT REPORT.

7 (d) **Demand control ventilation.** (I) IF DEMAND CONTROL
8 VENTILATION SYSTEMS ARE INSTALLED, QUALIFIED PERSONNEL SHALL
9 VERIFY THEIR PROPER OPERATION.

10 (II) DEMAND CONTROL VENTILATION SYSTEMS THAT ARE NOT
11 PROPERLY FUNCTIONING SHALL BE REPAIRED BY A CERTIFIED CONTRACTOR
12 AND THE CERTIFIED CONTRACTOR'S QUALIFIED PERSONNEL.

13 (III) IF A DEMAND CONTROL VENTILATION SYSTEM IS
14 RECOMMENDED TO BE DISABLED OR IS UNABLE TO PROVIDE
15 RECOMMENDED VENTILATION RATES, THE HVAC SYSTEM MUST BE
16 CONFIGURED TO MEET THE MINIMUM VENTILATION RATE REQUIREMENTS
17 WITHOUT USE OF THE DEMAND CONTROL VENTILATION SYSTEM AND
18 TESTED AND ADJUSTED TO ACHIEVE THE ESTIMATED MINIMUM OUTSIDE
19 AIR VENTILATION RATE, AS DESCRIBED IN SUBSECTION (3)(b)(I) OF THIS
20 SECTION.

21 (IV) QUALIFIED PERSONNEL SHALL RECORD RECOMMENDATIONS
22 FOR ADDITIONAL MAINTENANCE, REPLACEMENT, OR UPGRADES IN THE
23 HVAC ASSESSMENT REPORT.

24 (e) **Air distribution and building pressurization.** (I) QUALIFIED
25 PERSONNEL SHALL:

26 (A) PERFORM SURVEY READINGS OF INLETS AND OUTLETS TO
27 VERIFY THAT ALL VENTILATION IS REACHING THE SERVED ZONES AND

1 THAT THERE IS ADEQUATE AIR DISTRIBUTION;

2 (B) VERIFY THAT INLETS AND OUTLETS ARE BALANCED WITHIN
3 TOLERANCE OF THE SYSTEM DESIGN; AND

4 (C) DOCUMENT READ VALUES AND DEFICIENCIES. IF THE ORIGINAL
5 SYSTEM DESIGN VALUES ARE NOT AVAILABLE, QUALIFIED PERSONNEL
6 SHALL DOCUMENT AVAILABLE INFORMATION AND NOTE THE
7 UNAVAILABILITY OF SYSTEM DESIGN VALUES IN THE HVAC ASSESSMENT
8 REPORT.

9 (II) QUALIFIED PERSONNEL SHALL VERIFY BUILDING AND SPACE
10 PRESSURE TO ENSURE THAT:

11 (A) THE PRESSURE DIFFERENTIAL IS WITHIN TOLERANCE OF
12 DESIGN, IF KNOWN;

13 (B) THE SCHOOL BUILDING IS NOT OVER PRESSURIZED; AND

14 (C) IF APPLICABLE, ROOMS DESIGNATED FOR TEMPORARY
15 OCCUPATION BY SICK STUDENTS OR STAFF MAINTAIN A NEGATIVE
16 PRESSURE, OR AS OTHERWISE DESIGNED.

17 (f) **General maintenance.** QUALIFIED PERSONNEL SHALL VERIFY
18 COIL CONDITION, CONDENSATE DRAINAGE, COOLING COIL AIR
19 TEMPERATURE DIFFERENTIAL (ENTERING AND LEAVING DRY BULB), HEAT
20 EXCHANGER AIR TEMPERATURE DIFFERENTIAL (ENTERING AND LEAVING
21 DRY BULB), AND DRIVE ASSEMBLY CONDITION. QUALIFIED PERSONNEL
22 SHALL RECORD RECOMMENDATIONS FOR ADDITIONAL MAINTENANCE,
23 REPLACEMENT, OR UPGRADES IN THE HVAC ASSESSMENT REPORT.

24 (g) **Operational controls.** QUALIFIED PERSONNEL SHALL REVIEW
25 CONTROL SEQUENCES TO VERIFY THAT SYSTEMS WILL MAINTAIN INTENDED
26 VENTILATION, TEMPERATURE, AND HUMIDITY CONDITIONS DURING SCHOOL
27 OPERATION.

1 (h) **CO2 monitoring.** (I) AS AN INDICATOR OF PROPER
2 VENTILATION THROUGHOUT THE SCHOOL YEAR, OCCUPIED AREAS, AS
3 DETERMINED BY QUALIFIED PERSONNEL, MUST BE EQUIPPED WITH A CO2
4 MONITOR THAT:

5 (A) IS HARDWIRED, PLUG-IN, OR BATTERY OPERATED AND
6 MOUNTED TO THE WALL AT LEAST THREE FEET BUT LESS THAN SIX FEET
7 ABOVE THE FLOOR AND AT LEAST FIVE FEET AWAY FROM THE DOOR AND
8 ANY OPERABLE WINDOWS;

9 (B) DISPLAYS THE CO2 READINGS TO THE SCHOOL FACILITIES
10 MANAGER OR DESIGNATED STAFF MEMBER THROUGH A DISPLAY ON THE
11 DEVICE OR OTHER MEANS, SUCH AS A WEB-BASED APPLICATION OR CELL
12 PHONE APPLICATION;

13 (C) NOTIFIES THE SCHOOL FACILITIES MANAGER OR DESIGNATED
14 STAFF MEMBER THROUGH A VISUAL INDICATOR OR OTHER ALERT, SUCH AS
15 AN E-MAIL, A TEXT, OR A CELL PHONE APPLICATION, WHEN CO2 LEVELS IN
16 THE OCCUPIED AREAS, AS DETERMINED BY QUALIFIED PERSONNEL, HAVE
17 EXCEEDED ONE THOUSAND ONE HUNDRED PPM;

18 (D) MAINTAINS A RECORD OF PREVIOUS DATA, WHICH RECORD
19 INCLUDES AT LEAST THE MAXIMUM CO2 CONCENTRATION MEASURED;

20 (E) HAS A MEASUREMENT RANGE OF AT LEAST FOUR HUNDRED TO
21 FIVE THOUSAND PPM; AND

22 (F) IS CERTIFIED BY THE MANUFACTURER TO BE ACCURATE WITHIN
23 SEVENTY-FIVE PPM AT ONE THOUSAND PPM CO2 CONCENTRATION AND TO
24 REQUIRE CALIBRATION NO MORE FREQUENTLY THAN ONCE EVERY FIVE
25 YEARS.

26 (II) QUALIFIED PERSONNEL SHALL VERIFY THAT THE CO2
27 MONITORS ARE ACCURATE WITHIN SEVENTY-FIVE PPM AT ONE THOUSAND

1 PPM CO2.

2 (III) IN SCHOOLS WHERE THERE IS LIMITED OR NO EXISTING
3 MECHANICAL VENTILATION, THE ASSESSMENT OF CO2 MONITORING MUST
4 FOCUS ON DOCUMENTING EXISTING CONDITIONS AND PROVIDING THE
5 MECHANICAL ENGINEER WITH THE INFORMATION NEEDED TO PROVIDE
6 MECHANICAL VENTILATION UPGRADE RECOMMENDATIONS, IF NEEDED, TO
7 ENSURE PROPER VENTILATION AND INDOOR AIR QUALITY. OCCUPIED
8 AREAS WITH LIMITED OR NO EXISTING MECHANICAL VENTILATION MUST
9 HAVE CO2 MONITORS INSTALLED.

10 (IV) IN THE HVAC ASSESSMENT REPORT, QUALIFIED PERSONNEL
11 SHALL INCLUDE VERIFICATION OF THE INSTALLATION OF CO2 MONITORS
12 IN OCCUPIED AREAS, AS APPLICABLE.

13 (4) **HVAC assessment report.** QUALIFIED PERSONNEL SHALL
14 PREPARE AN HVAC ASSESSMENT REPORT FOR REVIEW BY A MECHANICAL
15 ENGINEER. THE HVAC ASSESSMENT REPORT MUST INCLUDE ALL OF THE
16 FOLLOWING INFORMATION:

17 (a) THE NAME AND ADDRESS OF THE SCHOOL AND THE CERTIFIED
18 CONTRACTOR COMPLETING THE WORK, INCLUDING THE NAME OF THE
19 QUALIFIED PERSONNEL PREPARING THE ASSESSMENT REPORT AND THE
20 NAME OF THE MECHANICAL ENGINEER CERTIFYING THE ASSESSMENT
21 REPORT;

22 (b) A DESCRIPTION OF ASSESSMENT, MAINTENANCE, ADJUSTMENT,
23 AND REPAIR ACTIVITIES AND OUTCOMES;

24 (c) DOCUMENTATION OF HVAC EQUIPMENT MODEL NUMBERS,
25 SERIAL NUMBERS, GENERAL CONDITION OF UNITS, AND ANY ADDITIONAL
26 INFORMATION THAT COULD BE USED TO ASSESS REPLACEMENT AND REPAIR
27 OPTIONS GIVEN THE POTENTIAL FOR INCREASED ENERGY EFFICIENCY

1 BENEFITS;

2 (d) VERIFICATION THAT EITHER:

3 (I) MERV 13 FILTERS HAVE BEEN INSTALLED; OR

4 (II) THE MAXIMUM MERV-RATED FILTER THAT THE SYSTEM IS
5 ABLE TO EFFECTIVELY HANDLE HAS BEEN INSTALLED, INCLUDING AN
6 INDICATION OF THE MERV RATING OF THAT FILTER;

7 (e) VERIFICATION THAT ALL REQUIREMENTS DESCRIBED IN THIS
8 SUBSECTION (4) HAVE BEEN SATISFIED, INCLUDING INSTALLATION OF CO2
9 MONITORS IN OCCUPIED AREAS;

10 (f) THE VERIFIED VENTILATION RATES FOR OCCUPIED AREAS AND
11 WHETHER THOSE RATES MEET THE ESTIMATED REQUIREMENTS SET FORTH
12 IN THE INTERNATIONAL MECHANICAL CODE;

13 (g) THE VERIFIED EXHAUST FOR OCCUPIED AREAS AND WHETHER
14 THOSE RATES MEET THE REQUIREMENTS OF THE SYSTEM'S DESIGN; AND

15 (h) DOCUMENTATION OF SYSTEM DEFICIENCIES AND
16 RECOMMENDATIONS FOR ADDITIONAL MAINTENANCE, REPLACEMENT, OR
17 UPGRADES TO IMPROVE ENERGY EFFICIENCY, NOX EMISSIONS,
18 GREENHOUSE GAS EMISSIONS, SAFETY, OR PERFORMANCE, IF ANY.

19 (5) **Mechanical engineer review.** A MECHANICAL ENGINEER
20 SHALL:

21 (a) REVIEW THE HVAC ASSESSMENT REPORT;

22 (b) VERIFY OR ADJUST THE ESTIMATED MINIMUM OUTSIDE AIR
23 VENTILATION RATES;

24 (c) DETERMINE WHAT, IF ANY, ADDITIONAL ADJUSTMENTS,
25 REPAIRS, UPGRADES, OR REPLACEMENTS ARE NECESSARY TO MEET THE
26 MINIMUM VENTILATION AND FILTRATION REQUIREMENTS OF THE
27 INTERNATIONAL MECHANICAL CODE; ■

1 (d) RECOMMEND A PATHWAY FOR REDUCING NOX EMISSIONS AND
2 GREENHOUSE GAS EMISSIONS; AND

3 (e) PROVIDE A COST ESTIMATE FOR ALL RECOMMENDED WORK.

4 (6) **Adjustments, repairs, upgrades, and replacements.** ALL
5 HVAC REPAIRS, UPGRADES, AND REPLACEMENTS SHALL BE PERFORMED
6 BY A CERTIFIED CONTRACTOR AND THE CERTIFIED CONTRACTOR'S
7 QUALIFIED PERSONNEL. ALL HVAC ADJUSTMENTS SHALL BE PERFORMED
8 BY QUALIFIED ADJUSTING PERSONNEL.

9 (7) **HVAC verification report.** (a) THE CERTIFIED CONTRACTOR
10 OR A MEMBER OF THE CERTIFIED CONTRACTOR'S QUALIFIED PERSONNEL
11 SHALL PREPARE AN HVAC VERIFICATION REPORT, AND THE SCHOOL
12 ADMINISTRATIVE ENTITY SHALL SUBMIT THE HVAC VERIFICATION REPORT
13 TO THE DEPARTMENT WITHIN THIRTY DAYS AFTER COMPLETION OF ALL
14 WORK DESCRIBED IN SUBSECTIONS (3) TO (6) OF THIS SECTION.

15 (b) THE HVAC VERIFICATION REPORT MUST INCLUDE ALL OF THE
16 FOLLOWING INFORMATION:

17 (I) THE NAME AND ADDRESS OF THE SCHOOL AND THE PERSON
18 PREPARING AND CERTIFYING THE REPORT;

19 (II) A DESCRIPTION OF ASSESSMENT, MAINTENANCE, ADJUSTMENT,
20 REPAIR, UPGRADE, AND REPLACEMENT ACTIVITIES AND OUTCOMES;

21 (III) VERIFICATION THAT THE CERTIFIED CONTRACTOR OR THE
22 CERTIFIED CONTRACTOR'S QUALIFIED PERSONNEL HAS COMPLIED WITH ALL
23 REQUIREMENTS OF THIS SECTION;

24 (IV) VERIFICATION THAT EITHER:

25 (A) MERV 13 FILTERS HAVE BEEN INSTALLED; OR

26 (B) THE MAXIMUM MERV-RATED FILTER THAT THE SYSTEM IS
27 ABLE TO EFFECTIVELY HANDLE HAS BEEN INSTALLED, INCLUDING AN

1 INDICATION OF THE **MERV** RATING OF THAT FILTER;

2 (V) THE VERIFIED VENTILATION RATES FOR OCCUPIED AREAS AND
3 WHETHER THOSE RATES MEET THE REQUIREMENTS SET FORTH IN THE
4 INTERNATIONAL MECHANICAL CODE. IF VENTILATION RATES DO NOT MEET
5 APPLICABLE GUIDANCE, THEN THE **HVAC** VERIFICATION REPORT MUST
6 INCLUDE AN EXPLANATION OF WHY THE CURRENT SYSTEM IS UNABLE TO
7 MEET THOSE RATES.

8 (VI) THE VERIFIED EXHAUST RATES FOR OCCUPIED AREAS AND
9 WHETHER THOSE RATES MEET THE REQUIREMENTS SET FORTH IN THE
10 SYSTEM'S DESIGN;

11 (VII) DOCUMENTATION OF REPAIRS, UPGRADES, OR
12 REPLACEMENTS PERFORMED IN RESPONSE TO:

13 (A) THE **HVAC** ASSESSMENT REPORT; AND

14 (B) THE MECHANICAL ENGINEER'S RECOMMENDATIONS MADE
15 PURSUANT TO SUBSECTION (5) OF THIS SECTION;

16 (VIII) DOCUMENTATION OF RECOMMENDATIONS FOR ADDITIONAL
17 MAINTENANCE, REPAIRS, REPLACEMENTS, OR UPGRADES TO IMPROVE
18 ENERGY EFFICIENCY, **NOX EMISSIONS, GREENHOUSE GAS EMISSIONS,**
19 SAFETY, OR PERFORMANCE;

20 (IX) **DOCUMENTATION OF THE MECHANICAL ENGINEER'S**
21 **RECOMMENDED PATHWAY FOR REDUCING NOX EMISSIONS AND**
22 **GREENHOUSE GAS EMISSIONS;**

23 (X) DOCUMENTATION OF INITIAL OPERATING VERIFICATIONS,
24 ADJUSTMENTS, AND FINAL OPERATING VERIFICATIONS AND
25 DOCUMENTATION OF ANY ADJUSTMENTS OR REPAIRS PERFORMED;

26 (XI) VERIFICATION OF INSTALLATION OF **CO2** MONITORS,
27 INCLUDING THE NUMBER OF MONITORS INSTALLED AND VERIFIED AND THE

1 MAKE AND MODEL OF EACH MONITOR; AND

2 (XII) VERIFICATION THAT ALL WORK HAS BEEN PERFORMED BY A
3 CERTIFIED CONTRACTOR OR THE CERTIFIED CONTRACTOR'S QUALIFIED
4 PERSONNEL, INCLUDING THE CONTRACTOR'S NAME, THE NAMES OF
5 QUALIFIED PERSONNEL, CERTIFICATION NUMBERS OF ANY QUALIFIED
6 PERSONNEL, AND VERIFICATION THAT ALL CONSTRUCTION WORK HAS BEEN
7 PERFORMED BY A CERTIFIED CONTRACTOR AND THE CERTIFIED
8 CONTRACTOR'S QUALIFIED PERSONNEL.

9 (c) THE SCHOOL ADMINISTRATIVE ENTITY SHALL MAINTAIN A COPY
10 OF THE HVAC VERIFICATION REPORT FOR AT LEAST FIVE YEARS AND
11 MAKE IT AVAILABLE TO THE PUBLIC UPON REQUEST.

12 (8) **Periodic inspections and ongoing maintenance.** (a) AT
13 LEAST ONCE EVERY FIVE YEARS, QUALIFIED PERSONNEL SHALL PERFORM
14 THE DUTIES CONCERNING ASSESSMENT, MAINTENANCE, ADJUSTMENT,
15 OPERATIONAL CONTROLS, AND CO2 MONITORS DESCRIBED IN
16 SUBSECTIONS (3) TO (6) OF THIS SECTION.

17 (b) FOR CO2 MONITORS INSTALLED IN OCCUPIED AREAS, AS
18 DETERMINED BY QUALIFIED PERSONNEL, IF THE CO2 CONCENTRATION
19 ALARM SET POINT IS EXCEEDED FOR MORE THAN FIFTEEN MINUTES MORE
20 THAN FOUR TIMES IN A MONTH, QUALIFIED ADJUSTING PERSONNEL SHALL
21 EITHER ADJUST THE OCCUPIED AREA'S VENTILATION RATES OR INSTALL A
22 DIRECT OUTSIDE AIRFLOW MEASUREMENT DEVICE AND VERIFY ITS
23 ACCURACY TO ENSURE PEAK CO2 CONCENTRATIONS IN THE OCCUPIED
24 AREA REMAIN BELOW THE SET POINT.

25 (c) EACH SCHOOL ADMINISTRATIVE ENTITY SHALL:

26 (I) RECORD EACH INCIDENT IN WHICH A CO2 CONCENTRATION
27 ALARM SET POINT WAS BREACHED;

1 (II) RETAIN EACH RECORD FOR AT LEAST FIVE YEARS; AND

2 (III) MAKE THE RECORDS AVAILABLE TO THE PUBLIC UPON
3 REQUEST.

4 (9) **Certified contractors.** (a) IF A SCHOOL ADMINISTRATIVE
5 ENTITY UNDERTAKES HVAC INFRASTRUCTURE IMPROVEMENTS AS
6 DESCRIBED IN THIS SECTION USING MONEY MADE AVAILABLE BY FEDERAL
7 GOVERNMENT SOURCES OR FEDERAL GOVERNMENT SOURCES IN
8 COMBINATION WITH STATE GOVERNMENT SOURCES SPECIFICALLY FOR
9 SUCH PURPOSE, THE SCHOOL ADMINISTRATIVE ENTITY SHALL:

10 (I) OBTAIN AND MAKE USE OF THE CERTIFIED CONTRACTOR LIST;
11 AND

12 (II) EMPLOY ONLY CERTIFIED CONTRACTORS FOR THE
13 PERFORMANCE OF THE HVAC INFRASTRUCTURE IMPROVEMENTS.

14 (b) THE DEPARTMENT SHALL PUBLISH THE CERTIFIED CONTRACTOR
15 LIST ON ITS WEBSITE AND INCLUDE OR REFERENCE THE LIST IN ALL OF THE
16 RELEVANT MARKETING MATERIAL FOR SCHOOL INFRASTRUCTURE
17 IMPROVEMENT PROGRAMS.

18 (c) THE REQUIREMENT DESCRIBED IN SUBSECTION (9)(a) OF THIS
19 SECTION DOES NOT APPLY TO MECHANICAL, PLUMBING, AND ELECTRICAL
20 WORK THAT IS PERFORMED PURSUANT TO A PROJECT LABOR AGREEMENT.

21 (10) **Grants.** (a) TO ACQUIRE MONEY TO PAY FOR HVAC
22 INFRASTRUCTURE IMPROVEMENT PROJECTS AS DESCRIBED IN THIS
23 SECTION, A SCHOOL ADMINISTRATIVE ENTITY MAY:

24 (I) SEEK AND ACQUIRE GRANT WRITING SUPPORT AND PROJECT
25 PLANNING SUPPORT FROM THE OFFICE OF THE GOVERNOR, AS DESCRIBED
26 IN SECTION 24-75-232;

27 (II) APPLY FOR GRANTS FROM FEDERAL AND STATE GOVERNMENT

1 SOURCES;
2 (III) UTILIZE THE REGIONAL GRANT NAVIGATOR PROGRAM
3 ADMINISTERED THROUGH THE GOVERNOR'S OFFICE; AND
4 (IV) COORDINATE WITH THIRD PARTIES WITH EXPERTISE
5 PERTAINING TO FEDERAL FUNDING APPLICATION TECHNICAL ASSISTANCE,
6 INCLUDING ASSISTANCE CONCERNING:
7 (A) SCHOOL VENTILATION AND ENERGY EFFICIENCY VERIFICATION;
8 (B) SUSTAINABILITY PROJECT PLANNING;
9 (C) GRANT WRITING;
10 (D) TECHNICAL ASSISTANCE, SUCH AS ENGINEERING OR
11 FEASIBILITY STUDIES, NEEDED TO IMPROVE OR MAKE THE CASE FOR A
12 GRANT APPLICATION;
13 (E) COMPLIANCE WITH FEDERAL LABOR STANDARDS;
14 (F) INCENTIVES FOR TAX CREDITS;
15 (G) PROCUREMENT MATERIALS ASSOCIATED WITH THE FEDERAL
16 "BUILD AMERICA, BUY AMERICA ACT", SECTION 70901 ET SEQ., OF THE
17 FEDERAL "INFRASTRUCTURE INVESTMENT AND JOBS ACT", PUB.L. 117-58;
18 (H) PROJECT FINANCING EXPERTISE, SUCH AS CREATING AN
19 ON-BILL FINANCING AND REPAYMENT PROGRAM;
20 (I) COMPLIANCE WITH LABOR STANDARDS OUTLINED IN FEDERAL
21 FUNDING GUIDANCE; AND
22 (J) COMMUNITY BENEFIT PLAN DEVELOPMENT AND COMMUNITY
23 BENEFIT AGREEMENT NEGOTIATION AND IMPLEMENTATION, SUCH AS BEST
24 PRACTICES OR CONSULTANT FUNDS FOR COMMUNITY MEMBERS.
25 (b) IN APPLYING FOR A GRANT AS DESCRIBED IN SUBSECTION
26 (10)(a)(II) OF THIS SECTION, A SCHOOL ADMINISTRATIVE ENTITY SHALL
27 ENSURE THAT EACH GRANT APPLICATION INCLUDES A STATEMENT

1 **ACKNOWLEDGING THAT** THE SCHOOL ADMINISTRATIVE ENTITY MUST
2 COMPLY WITH APPLICABLE LABOR STANDARDS OUTLINED IN FEDERAL
3 FUNDING GUIDANCE, INCLUDING STANDARDS PERTAINING TO:

- 4 (I) THE FEDERAL "DAVIS-BACON ACT OF 1931", PUB.L. 71-798;
- 5 (II) REGISTERED APPRENTICESHIP PROGRAMS AND OTHER LABOR
6 MANAGEMENT PARTNERSHIPS;
- 7 (III) PROJECT LABOR AGREEMENTS;
- 8 (IV) COMMUNITY WORKFORCE AGREEMENTS;
- 9 (V) COMMUNITY BENEFIT AGREEMENTS; AND
- 10 (VI) PREVENTION OF WORKER MISCLASSIFICATION.

11 **(11) Notices of receipt of federal grant funding.** A SCHOOL
12 ADMINISTRATIVE ENTITY THAT RECEIVES FEDERAL GRANT FUNDING FOR
13 HVAC IMPROVEMENTS SHALL NOTIFY THE DEPARTMENT OF THE RECEIPT
14 OF THE FUNDING. THE DEPARTMENT SHALL PUBLISH ON ITS PUBLIC
15 WEBSITE NOTIFICATIONS OF ALL FEDERAL GRANT FUNDING THAT IS
16 AWARDED TO SCHOOL ADMINISTRATIVE ENTITIES FOR HVAC
17 IMPROVEMENTS.

18 **SECTION 3.** In Colorado Revised Statutes, **add** 22-5-123 as
19 follows:

20 **22-5-123. BOCES - ventilation and energy efficiency**
21 **verification and repair.** ON AND AFTER THE EFFECTIVE DATE OF THIS
22 SECTION, IF A BOCES UNDERTAKES HVAC INFRASTRUCTURE
23 IMPROVEMENTS USING MONEY MADE AVAILABLE BY A FEDERAL
24 GOVERNMENT SOURCE OR BY A FEDERAL GOVERNMENT SOURCE IN
25 COMBINATION WITH A STATE GOVERNMENT SOURCE SPECIFICALLY FOR
26 SUCH PURPOSE, THE BOCES SHALL COMPLY WITH THE REQUIREMENTS
27 DESCRIBED IN SECTION 22-32-152 IN IMPLEMENTING THE HVAC

1 INFRASTRUCTURE IMPROVEMENTS.

2 **SECTION 4.** In Colorado Revised Statutes, **add** 22-30.5-121 as
3 follows:

4 **22-30.5-121. Charter schools - ventilation and energy**
5 **efficiency verification and repair.** ON AND AFTER THE EFFECTIVE DATE
6 OF THIS SECTION, IF A CHARTER SCHOOL UNDERTAKES HVAC
7 INFRASTRUCTURE IMPROVEMENTS USING MONEY MADE AVAILABLE BY A
8 FEDERAL GOVERNMENT SOURCE OR BY A FEDERAL GOVERNMENT SOURCE
9 IN COMBINATION WITH A STATE GOVERNMENT SOURCE SPECIFICALLY FOR
10 SUCH PURPOSE, THE CHARTER SCHOOL SHALL COMPLY WITH THE
11 REQUIREMENTS DESCRIBED IN SECTION 22-32-152 IN IMPLEMENTING THE
12 HVAC INFRASTRUCTURE IMPROVEMENTS.

13 **SECTION 5.** In Colorado Revised Statutes, **add** 22-30.5-531 as
14 follows:

15 **22-30.5-531. Institute charter schools - ventilation and energy**
16 **efficiency verification and repair.** ON AND AFTER THE EFFECTIVE DATE
17 OF THIS SECTION, IF AN INSTITUTE CHARTER SCHOOL UNDERTAKES HVAC
18 INFRASTRUCTURE IMPROVEMENTS USING MONEY MADE AVAILABLE BY A
19 FEDERAL GOVERNMENT SOURCE OR BY A FEDERAL GOVERNMENT SOURCE
20 IN COMBINATION WITH A STATE GOVERNMENT SOURCE SPECIFICALLY FOR
21 SUCH PURPOSE, THE INSTITUTE CHARTER SCHOOL SHALL COMPLY WITH THE
22 REQUIREMENTS DESCRIBED IN SECTION 22-32-152 IN IMPLEMENTING THE
23 HVAC INFRASTRUCTURE IMPROVEMENTS.

24 **SECTION 6.** In Colorado Revised Statutes, **add** 22-80-120 as
25 follows:

26 **22-80-120. Ventilation and energy efficiency verification and**
27 **repair.** ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, IF THE

1 SCHOOL UNDERTAKES HVAC INFRASTRUCTURE IMPROVEMENTS USING
2 MONEY MADE AVAILABLE BY A FEDERAL GOVERNMENT SOURCE OR BY A
3 FEDERAL GOVERNMENT SOURCE IN COMBINATION WITH A STATE
4 GOVERNMENT SOURCE SPECIFICALLY FOR SUCH PURPOSE, THE SCHOOL
5 SHALL COMPLY WITH THE REQUIREMENTS DESCRIBED IN SECTION
6 22-32-152 IN IMPLEMENTING THE HVAC INFRASTRUCTURE
7 IMPROVEMENTS.

8 **SECTION 7.** In Colorado Revised Statutes, 24-75-232, **amend**
9 **(1)(d) and (2)(d); and add (1)(d.5) and (5)(e) as follows:**

10 **24-75-232. "Infrastructure Investment and Jobs Act" cash**
11 **fund - creation - allowable uses - report - legislative declaration -**
12 **definitions - repeal.** (1) The general assembly finds and declares that:

13 (d) In order for the state to be competitive for the highest range of
14 funding available to it under the federal act, it is necessary for
15 departments to have funds available as a nonfederal match, although due
16 to still-evolving federal guidance the amounts needed and specific types
17 of projects may not be known in time for this money to be appropriated
18 in the annual general appropriation act; ~~and~~

19 (d.5) WITH THE PASSAGE OF THE "INFLATION REDUCTION ACT OF
20 2022" AND THE "BIPARTISAN INFRASTRUCTURE LAW" BILLIONS OF
21 DOLLARS IN FEDERAL MONEY ARE AVAILABLE TO HELP PUBLIC SCHOOL
22 IMPROVE AIR QUALITY IN SCHOOLS, STUDENT PERFORMANCE, AND STAFF
23 RETENTION; AND

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

25 (d) "Local government" means a county, a municipality, a city and
26 county, A SCHOOL DISTRICT, or a special district.

27 (5) (e) (I) THE OFFICE SHALL USE EXISTING RESOURCES FUNDED BY

1 THE FUND TO PROVIDE GRANT WRITING SUPPORT, ADMINISTRATIVE
2 SUPPORT, AND PROJECT PLANNING PURSUANT TO SUBSECTION (1)(e)(V) OF
3 THIS SECTION TO SCHOOL DISTRICTS, BOCES, THE COLORADO SCHOOL
4 FOR THE DEAF AND THE BLIND, CHARTER SCHOOLS, AND INSTITUTE
5 CHARTER SCHOOLS, INCLUDING SUCH ENTITIES THAT ARE UNDERTAKING
6 HVAC INFRASTRUCTURE IMPROVEMENTS AS DESCRIBED IN SECTION
7 22-32-152.

8 (II) THE OFFICE SHALL SUBMIT A REPORT TO THE JOINT BUDGET
9 COMMITTEE AND THE CAPITAL DEVELOPMENT COMMITTEE CONCERNING
10 THE NUMBER OF APPLICANTS FOR MATCHING FUNDS FROM SCHOOL
11 DISTRICTS REVIEWED BY THE OFFICE BEFORE OCTOBER 2, 2025. THE
12 REPORT MUST INCLUDE THE AMOUNT OF REQUESTED MATCHING FUNDS,
13 THE RECOMMENDED AMOUNT OF MATCHING FUNDS, AND AN EXPLANATION
14 FOR THE DIFFERENCE, IF ANY, BETWEEN THE REQUESTED AMOUNTS AND
15 THE RECOMMENDED AMOUNTS.

16 (III) FOR THE PURPOSES OF THIS SUBSECTION (5)(e), THE OFFICE
17 MAY USE EXISTING MONEY APPROPRIATED FROM THE FUND TO PROVIDE
18 GRANT WRITING SUPPORT, ADMINISTRATIVE SUPPORT, AND PROJECT
19 PLANNING PURSUANT TO SUBSECTION (1)(e)(V) OF THIS SECTION TO
20 REVIEW THE WORK OF APPLICANTS AND TO CONNECT APPLICANTS WITH
21 THIRD PARTIES WITH EXPERTISE PERTAINING TO FEDERAL FUNDING
22 APPLICATION TECHNICAL ASSISTANCE, INCLUDING ASSISTANCE
23 CONCERNING:

- 24 (A) SCHOOL VENTILATION AND ENERGY EFFICIENCY VERIFICATION;
- 25 (B) SUSTAINABILITY PROJECT PLANNING;
- 26 (C) GRANT WRITING;
- 27 (D) TECHNICAL ASSISTANCE, SUCH AS ENGINEERING OR

1 FEASIBILITY STUDIES, NEEDED TO IMPROVE OR MAKE THE CASE FOR A
2 GRANT APPLICATION;

3 (E) COMPLIANCE WITH FEDERAL LABOR STANDARDS;

4 (F) INCENTIVES FOR TAX CREDITS;

5 (G) PROCUREMENT MATERIALS ASSOCIATED WITH THE FEDERAL
6 "BUILD AMERICA, BUY AMERICA ACT", SECTION 70901 ET SEQ., OF THE
7 FEDERAL "INFRASTRUCTURE INVESTMENT AND JOBS ACT", PUB.L. 117-58;

8 (H) PROJECT FINANCING EXPERTISE, SUCH AS CREATING AN
9 ON-BILL FINANCING AND REPAYMENT PROGRAM;

10 (I) COMPLIANCE WITH LABOR STANDARDS OUTLINED IN FEDERAL
11 FUNDING GUIDANCE; AND

12 (J) COMMUNITY BENEFIT PLAN DEVELOPMENT AND COMMUNITY
13 BENEFIT AGREEMENT NEGOTIATION AND IMPLEMENTATION, SUCH AS BEST
14 PRACTICES OR CONSULTANT FUNDS FOR COMMUNITY MEMBERS.

15 (IV) IF THERE ARE APPROVED APPLICATIONS FOR HVAC
16 INFRASTRUCTURE IMPROVEMENT PROJECTS AT SCHOOL PROJECTS AS
17 DESCRIBED IN SECTION 22-32-152, THE OFFICE MAY SEEK A
18 SUPPLEMENTAL APPROPRIATION FROM THE FUND.

19 **SECTION 8. Safety clause.** The general assembly finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety or for appropriations for
22 the support and maintenance of the departments of the state and state
23 institutions.