

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

PREAMENDED

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

LLS NO. 25-0438.01 Pierce Lively x2059

HOUSE BILL 25-1273

HOUSE SPONSORSHIP

Boesenecker and Woodrow, Lindsay, McCormick, Smith

SENATE SPONSORSHIP

Ball and Hinrichsen,

House Committees

Transportation, Housing & Local Government

Senate Committees

State, Veterans, & Military Affairs

A BILL FOR AN ACT

101 **CONCERNING REQUIRING CERTAIN MUNICIPALITIES TO MODIFY**
102 **BUILDING CODES 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>.)

The bill defines a subject jurisdiction as a municipality with a population of 100,000 or more that is served by a fire protection district or fire department that is or was accredited by a specified organization. On or before December 1, 2027, the bill requires the governing body of a subject jurisdiction to adopt a building code, or amend an existing

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.

HOUSE
3rd Reading Unamended
April 3, 2025

HOUSE
Amended 2nd Reading
April 2, 2025

building code, to allow up to 5 stories of a multifamily residential building that satisfies certain conditions to be served by a single exit. This requirement only applies to the area within a subject jurisdiction that is served by a single fire protection district or fire department.

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 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. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) During the mid-twentieth century, the International Building
5 Code, which many state and local governments in the United States use
6 as the model for their building codes, began requiring buildings over 3
7 stories to have at least 2 separate stairway exits accessible from all points
8 on each floor;

9 (b) Multifamily buildings constructed under the current
10 International Building Code must have 2 stairways, leading to most new
11 multifamily buildings in the United States being constructed with housing
12 units off a single corridor with a stairway at each end. This limits the
13 feasibility of 2 and 3 bedroom units since all units except corner units
14 only have windows on one side, according to "Exit Strategy: The Case for
15 Single-Stair Egress" in the Architectural Record;

16 (c) Multifamily buildings with single stairway exits can dedicate
17 more interior space to create larger family-sized units, with multiple
18 bedrooms and improved ventilation due to enabling most housing units
19 to have windows on multiple sides, according to "The Seattle Special: A
20 US City's Unique Approach to Small Infill Lots" Mercatus Center Policy
21 Brief;

1 (d) Multifamily buildings with 2 stairways typically need more
2 than a quarter of an acre per floor to meet underwriting requirements in
3 North American markets, which is far bigger than many small infill lots
4 in Colorado cities, even before accounting for setbacks, landscaping, and
5 other design criteria that limit the buildable area of a lot;

6 (e) Single stairway designs enable economically feasible
7 construction on small infill sites, whereas buildings constructed under the
8 International Building Code with 2 interior stairways and a corridor take
9 up such a significant portion of the allowable floor space that they are
10 typically not physically or economically viable;

11 (f) On a typical infill lot of 5,000 square feet, a second stairway
12 and the hallway to connect it to the first stairway are estimated to take up
13 about 10% of the potentially rentable or sellable floor space, resulting in
14 an additional 10% of housing cost;

15 (g) The city of Seattle, Washington allowed up to 6 story
16 residential buildings to be constructed with a single stairway in 1977,
17 following the recommendations of a building code advisory board to
18 encourage infill redevelopment;

19 (h) New York City began allowing single stairway buildings up
20 to 6 stories several decades ago, and in 2012, the city of Honolulu
21 adopted nearly identical amendments to its building code with regard to
22 egress as Seattle;

23 (i) Small multifamily buildings enabled by eliminating the
24 requirement for 2 stairways would shorten the distance to an egress
25 compared to large multifamily buildings with housing units on both sides
26 of a long corridor;

27 

1 (j) In Colorado, there are 18 Commission on Fire Accreditation
2 International Accredited agencies that serve 48 local governments.
3 Accredited agencies are community-oriented, data-driven, and
4 outcome-focused and exemplify organizations that are strategic-minded,
5 well-organized, and properly equipped, staffed, and trained.

6 (k) The International Code Council, which crafts the International
7 Building Code relied upon by states and cities in the United States, is in
8 the process of drafting a code to enable more housing options served by
9 a single stairway;

10 (l) Single stair buildings also support quality of life, health, and
11 energy efficiency by enabling cross ventilation in most units, which
12 enables residents to use operable windows to bring in fresh air to improve
13 indoor air quality and draw in cool air in the summer in an
14 energy-efficient way;

15 (m) Larger jurisdictions in Colorado with a population over
16 100,000 are all considered urban by the federal census and have
17 significant opportunities to develop smart stair buildings on smaller lots
18 in infill areas; and

19 (n) Therefore, the general assembly declares that increasing the
20 housing supply through more flexible construction design for small
21 multifamily buildings is a matter of mixed statewide and local concern.

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

24 **31-15-604. Single exit in multifamily residential structure -**
25 **definition.** (1) SUBJECT TO THE CONDITIONS SET FORTH IN SUBSECTIONS
26 (2), (3), AND (4) OF THIS SECTION AND NOTWITHSTANDING ANY OTHER
27 PROVISION OF LAW, ON OR BEFORE DECEMBER 1, 2027, THE GOVERNING

1 BODY OF A SUBJECT JURISDICTION SHALL ADOPT A BUILDING CODE, OR
2 AMEND THE SUBJECT JURISDICTION'S EXISTING BUILDING CODE, TO ALLOW
3 A SINGLE EXIT TO SERVE NO MORE THAN FIVE STORIES INCLUDING ANY
4 OCCUPIABLE ROOF OF A GROUP R-2 OCCUPANCY IN THE SAME BUILDING, SO
5 LONG AS THAT BUILDING:

6 (a) IS CONSTRUCTED OF MATERIALS THAT SATISFY BUILDING CODE
7 TYPE I, TYPE II, OR TYPE IV CONSTRUCTION STANDARDS;

8 (b) IS PROTECTED THROUGHOUT, INCLUDING AT EACH LANDING OF
9 THE EXIT STAIRWAY, WITH AN AUTOMATIC SPRINKLER SYSTEM THAT IS
10 DESIGNED AND INSTALLED IN ACCORDANCE WITH THE BUILDING CODE;

11 (c) HAS NO MORE THAN TWENTY FEET OF TRAVEL TO THE EXIT
12 STAIRWAY FROM THE EXIT OR ENTRY DOOR OF ANY DWELLING UNIT;

13 (d) HAS NO MORE THAN ONE HUNDRED TWENTY-FIVE FEET OF
14 TRAVEL TO THE EXIT STAIRWAY FROM ANY POINT IN A DWELLING UNIT;

15 (e) EXCEPT AS PROVIDED IN SUBSECTION (1)(f) OF THIS SECTION,
16 DOES NOT HAVE A FLOOR WITH A SQUARE FOOTAGE GREATER THAN FOUR
17 THOUSAND FEET AND HAS AN EXIT STAIRWAY THAT IS AT LEAST
18 FORTY-EIGHT INCHES WIDE;

19 (f) DOES NOT HAVE A FLOOR WITH A SQUARE FOOTAGE GREATER
20 THAN SIX THOUSAND FEET AND HAS AN EXIT STAIRWAY WHOSE WIDTH IS
21 EQUAL TO OR GREATER THAN A NUMBER OF INCHES THAT IS IN THE SAME
22 RATIO TO FORTY-EIGHT AS THE SQUARE FOOTAGE OF THE FLOOR IS TO
23 FOUR THOUSAND BUT THAT IS LESS THAN FIFTY-FOUR INCHES;

24 (g) HAS NO MORE THAN FOUR DWELLING UNITS PER STORY;

25 (h) ONLY HAS OPENINGS TO THE EXIT STAIRWAY ENCLOSURE THAT
26 ALLOW EXIT ACCESS FROM NORMALLY OCCUPIED SPACES, EXIT ACCESS
27 FROM THE EXIT STAIRWAY ENCLOSURE TO ANOTHER PROTECTED EXIT

1 COMPONENT, AND ACCESS TO THE EXTERIOR FROM THE EXIT STAIRWAY
2 ENCLOSURE;

3
4 (i) IS FULLY PROTECTED THROUGHOUT ALL COMMON AREAS WITH
5 SMOKE DETECTION IN ACCORDANCE WITH THE NATIONAL FIRE
6 PROTECTION ASSOCIATION'S STANDARD 72, KNOWN AS THE "NATIONAL
7 FIRE ALARM AND SIGNALING CODE", AND THE FIRE CODE;

8 (j) DOES NOT HAVE ELECTRICAL RECEPTACLES IN AN EXIT
9 STAIRWAY ENCLOSURE;

10 (k) DOES NOT HAVE PUBLICLY ACCESSIBLE ELECTRICAL
11 RECEPTACLES IN CORRIDORS BETWEEN DWELLING UNITS AND THE EXIT
12 STAIRWAY;

13 (l) HAS, IN ACCORDANCE WITH THE BUILDING CODE, AN
14 EMERGENCY ESCAPE AND RESCUE OPENING ON EVERY FLOOR;

15 (m) HAS AN EXIT STAIRWAY THAT IS CONSTRUCTED IN
16 ACCORDANCE WITH THE BUILDING CODE;

17 (n) HAS A FIRE-RESISTANT BOX THAT CONTAINS KEYS TO ACCESS
18 THE BUILDING AND THE DWELLING UNITS IN THE BUILDING, IS ACCESSIBLE
19 TO RELEVANT FIREFIGHTERS, AND IS ACCOMPANIED BY A SIGN INDICATING
20 THAT THE BUILDING IS ONLY SERVED BY A SINGLE EXIT STAIRWAY;

21 (o) HAS AN EXIT STAIRWAY THAT IS PROTECTED WITH TWO-HOUR
22 FIRE-RATED STAIR CONSTRUCTION REGARDLESS OF CONSTRUCTION TYPE;

23 (p) HAS AN EXIT STAIRWAY THAT IS WIDE ENOUGH TO ALLOW
24 SIMULTANEOUS INGRESS AND EGRESS; AND

25 (q) HAS PASSIVE AND ACTIVE FIRE PROTECTION FEATURES IN
26 OCCUPIABLE SPACES THROUGHOUT THE BUILDING, INCLUDING INDIVIDUAL
27 DWELLING UNITS, THAT ARE PERIODICALLY INSPECTED AND MAINTAINED

- 1 BY A THIRD-PARTY APPROVED BY THE SUBJECT JURISDICTION;
- 2 (r) HAS CORRIDORS THAT ALL HAVE A MINIMUM OF ONE HOUR OF
- 3 FIRE RESISTANCE, IN ACCORDANCE WITH THE BUILDING CODE;
- 4 (s) HAS ELEVATOR AND EXIT STAIRWAY ENCLOSURES THAT ALL
- 5 HAVE SMOKE CONTROL SYSTEMS, IN ACCORDANCE WITH THE FIRE CODE;
- 6 (t) HAS ELEVATORS THAT ARE ALL WITHIN TWO-HOUR SHAFT
- 7 ENCLOSURES, IN ACCORDANCE WITH THE BUILDING CODE; ==
- 8 (u) DOES NOT ALLOW STORAGE, INCLUDING THE STORAGE OF
- 9 DELIVERIES, TRASH, AND RECYCLING, WITHIN THE SPACE BETWEEN
- 10 DWELLING UNIT DOORS AND THE EXIT STAIRWAY; AND
- 11 (v) HAS NOT MORE THAN ONE STORY BELOW GRADE PLANE.

12 (2) TO SATISFY THE REQUIREMENTS OF SUBSECTION (1) OF THIS

13 SECTION, THE GOVERNING BOARD OF A SUBJECT JURISDICTION MAY

14 INCORPORATE BY REFERENCE, OR ADAPT AND ADOPT INTO THE SUBJECT

15 JURISDICTION'S BUILDING CODE, LANGUAGE FROM A PORTION OF AN

16 EXISTING BUILDING CODE OF ANY OTHER AMERICAN JURISDICTION THAT

17 ALLOWS A SINGLE EXIT TO SERVE NO MORE THAN FIVE STORIES INCLUDING

18 ANY OCCUPIABLE ROOF OF A GROUP R-2 OCCUPANCY IN THE SAME

19 BUILDING, SO LONG AS THE INCORPORATED, ADAPTED, OR ADOPTED

20 LANGUAGE WOULD SATISFY THE REQUIREMENTS OF THIS SECTION.

21 (3) IN ADDITION TO THE REQUIREMENTS DESCRIBED IN SUBSECTION

22 (1) OF THIS SECTION, A SUBJECT JURISDICTION SHALL ONLY ALLOW A

23 SINGLE EXIT IN A BUILDING IN WHICH, IN ADDITION TO THIRD-PARTY

24 INSPECTIONS OF THE BUILDING'S DWELLING UNITS, THE BUILDING'S

25 LANDLORD, MANAGER, OR OWNER CONDUCTS INSPECTIONS OF THE

26 BUILDING'S DWELLING UNITS AND PERMISSION FOR THESE INSPECTIONS IS

27 INCLUDED WITHIN THE LEASE AGREEMENTS OF EVERY ONE OF THE

1 BUILDING'S RESIDENTS.

2 (4) IF A FIRE PROTECTION DISTRICT OR FIRE DEPARTMENT DOES
3 NOT SERVE AN ENTIRE SUBJECT JURISDICTION, THE GOVERNING BOARD OF
4 THAT SUBJECT JURISDICTION MAY SATISFY THE REQUIREMENTS OF
5 SUBSECTION (1) OF THIS SECTION BY ADOPTING OR AMENDING THE
6 SUBJECT JURISDICTION'S EXISTING BUILDING CODE INsofar AS IT APPLIES
7 ONLY TO THE PORTION OF THE SUBJECT JURISDICTION THAT IS SERVED BY
8 A SINGLE FIRE PROTECTION DISTRICT OR FIRE DEPARTMENT.

9 (5) THE ADOPTION OF A BUILDING CODE, OR THE AMENDMENT OF
10 A SUBJECT JURISDICTION'S EXISTING BUILDING CODE, BY THE GOVERNING
11 BODY OF A SUBJECT JURISDICTION TO COMPLY WITH SUBSECTION (1) OF
12 THIS SECTION, IS NOT ADOPTING OR ENFORCING A BUILDING CODE FOR
13 PURPOSES OF DETERMINING WHETHER A GOVERNING BODY OF A
14 MUNICIPALITY IS REQUIRED TO ADOPT AND ENFORCE AN ENERGY CODE
15 PURSUANT TO SECTION 31-15-602.

16 (6) A SUBJECT JURISDICTION SHALL INCLUDE THE LOCAL
17 INTERNATIONAL ASSOCIATION OF FIRE FIGHTER'S AFFILIATE, IF ONE
18 EXISTS, WITHIN THE SUBJECT JURISDICTION'S JURISDICTION AND THE
19 COLORADO PROFESSIONAL FIRE FIGHTERS ASSOCIATION ON THE LIST OF
20 PERSONS TO PROVIDE NOTICE OF MEETINGS PURSUANT TO SECTION
21 24-6-402 (7) WITH RESPECT TO THE DISCUSSION OF ADOPTING OR
22 AMENDING A BUILDING CODE PURSUANT TO SUBSECTION (1) OF THIS
23 SECTION.

24 (7) NOTHING IN THIS SECTION REQUIRES THE GOVERNING BODY OF
25 A SUBJECT JURISDICTION TO AMEND A SUBJECT JURISDICTION'S ZONING
26 CODE WITH RESPECT TO MULTIFAMILY RESIDENTIAL HOUSING.

27 (8) NOTHING IN THIS SECTION PREVENTS THE GOVERNING BODY OF

1 A SUBJECT JURISDICTION FROM APPLYING SECTIONS OF THE BUILDING
2 CODE, THE FIRE CODE, REFERENCED STANDARDS, AND OTHER ORDINANCES
3 OR LAWS NOT SPECIFICALLY REFERENCED HEREIN TO A BUILDING SERVED
4 BY SINGLE EXIT.

5 (9) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
6 REQUIRES:

7 (a) "BUILDING CODE" MEANS THE MOST CURRENT EDITION OF THE
8 INTERNATIONAL BUILDING CODE PUBLISHED BY THE INTERNATIONAL CODE
9 COUNCIL.

10 (b) "DWELLING UNIT" MEANS A SINGLE UNIT PROVIDING
11 COMPLETE, INDEPENDENT LIVING FACILITIES FOR ONE OR MORE PERSONS,
12 INCLUDING PERMANENT PROVISIONS FOR LIVING, SLEEPING, EATING,
13 COOKING, AND SANITATION.

14 (c) "FIRE CODE" MEANS THE MOST CURRENT EDITION OF THE
15 INTERNATIONAL FIRE CODE PUBLISHED BY THE INTERNATIONAL CODE
16 COUNCIL.

17 (d) "GROUP R-2 OCCUPANCY" MEANS A RESIDENTIAL OCCUPANCY
18 CONTAINING SLEEPING UNITS OR MORE THAN TWO DWELLING UNITS WHERE
19 THE OCCUPANTS ARE PRIMARILY PERMANENT IN NATURE.

20 (e) "SUBJECT JURISDICTION" MEANS A MUNICIPALITY:

21 (I) WITH A POPULATION OF ONE HUNDRED THOUSAND OR GREATER;
22 AND

23 (II) THAT IS SERVED BY A FIRE PROTECTION DISTRICT, FIRE
24 DEPARTMENT, OR FIRE AUTHORITY THAT HAS BEEN ACCREDITED BY THE
25 COMMISSION ON FIRE ACCREDITATION INTERNATIONAL, EVEN IF THE FIRE
26 PROTECTION DISTRICT, FIRE DEPARTMENT, OR FIRE AUTHORITY LATER
27 LOSES THAT ACCREDITATION, AND THAT MEETS THE AERIAL APPARATUS

1 REQUIREMENTS FOR THE FIRE PROTECTION DISTRICT'S, FIRE DEPARTMENT'S,
2 OR FIRE AUTHORITY'S INSURANCE SERVICES OFFICE PUBLIC PROTECTION
3 CLASSIFICATION RATING.

4 (f) "Two-hour fire-rated stair construction" means
5 continuous wall, floor, or roof assemblies enclosing a stairway
6 that are designed to restrict the spread of fire, excessive heat,
7 or hot gases, such that the construction continues to perform
8 its structural function for at least two hours as determined by
9 test procedures set forth in American Society for Testing and
10 materials standard E-119, Underwriters Laboratories standard
11 263, or other methods approved by the relevant subject
12 jurisdiction.

13 **SECTION 3. Safety clause.** The general assembly finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety or for appropriations for
16 the support and maintenance of the departments of the state and state
17 institutions.