

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

March 29, 2023  
Date

Committee on Energy & Environment.

After consideration on the merits, the Committee recommends the following:

HB23-1233 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 3, after line 3 insert:

2 "(a) Colorado has adopted economy-wide greenhouse gas  
3 emission goals of, at minimum, a 26% reduction by 2025, a 50%  
4 reduction by 2030, and a 90% reduction by 2050;

5 (b) The governor's "Colorado Greenhouse Gas Pollution  
6 Reduction Roadmap", released on January 14, 2021, identified  
7 transportation as a leading source of greenhouse gas pollution and  
8 identified vehicle electrification as a key strategy for reducing greenhouse  
9 gas pollution from the transportation sector;

10 (c) The general assembly has already declared, in SB19-077, that  
11 widespread adoption of electric vehicles should provide consumers with  
12 fuel cost savings and electric utility customers with potential cost-savings  
13 benefits;"

14 Reletter succeeding paragraphs accordingly.

15 Page 4, line 19, strike "JANUARY" and substitute "MARCH".

16 Page 4, strike lines 20 through 27.

17 Page 5, strike line 1 and substitute "APPLICANT MUST COMPLY WITH THE  
18 EV POWER TRANSFER INFRASTRUCTURE REQUIREMENTS FOR MULTIFAMILY  
19 BUILDINGS IN THE MODEL ELECTRIC READY AND SOLAR READY CODE.

20 (b) (I) IF THE RULES ADOPTED IN ACCORDANCE WITH THIS  
21 SUBSECTION (3) CONFLICT WITH A PROVISION OF THE BUILDING OR ZONING  
22 CODE, THE RULES PREVAIL UNLESS THE PROVISION PROVIDES FOR GREATER  
23 ACCESS TO PARKING SUPPLIED BY EV POWER TRANSFER INFRASTRUCTURE

1 THAN IS REQUIRED BY THE RULES.

2 (II) IF A PROVISION OF A LOCAL BUILDING OR ZONING CODE  
3 PREVENTS A PROJECT OR DEVELOPMENT FROM COMPLYING WITH THE  
4 RULES ADOPTED IN ACCORDANCE WITH THIS SUBSECTION (3), THEN THE  
5 RULES PREVAIL."

6 Page 5, strike lines 4 through 6 and substitute "BUILDINGS THAT MUST  
7 COMPLY WITH THE EV POWER TRANSFER INFRASTRUCTURE REQUIREMENTS  
8 OF THE MODEL ELECTRIC READY AND SOLAR READY CODE."

9 Page 5, line 9, strike "JANUARY" and substitute "MARCH".

10 Page 5, after line 9 insert:

11 (III) IF AN ELECTRICAL PERMIT APPLICATION IS SUBMITTED TO A  
12 LOCAL ELECTRICAL INSPECTION AUTHORITY BEFORE THE ENFORCEMENT  
13 DATE IN SUBSECTION (3)(c)(II) OF THIS SECTION BUT AN ELECTRICAL  
14 PERMIT HAS NOT YET BEEN ISSUED, THE LOCAL ELECTRICAL INSPECTION  
15 AUTHORITY MAY DETERMINE HOW TO APPLY THE REQUIREMENTS OF THE  
16 RULES DEVELOPED IN ACCORDANCE WITH SUBSECTION (3)(a) OF THIS  
17 SECTION."

18 Page 5, strike lines 14 through 19 and substitute:

19 "(II) "EV POWER TRANSFER INFRASTRUCTURE" MEANS ANY  
20 SYSTEM THAT IS USED TO CHARGE ELECTRIC VEHICLES AND THAT IS  
21 ADDRESSED IN OR REQUIRED BY THE MODEL ELECTRIC READY AND SOLAR  
22 READY CODE.

23 (III) "MAJOR RENOVATIONS" MEANS RENOVATIONS THAT CHANGE  
24 A MINIMUM OF FIFTY PERCENT OR MORE OF THE PARKING AREA."

25 Renumber succeeding subparagraph accordingly.

26 Page 8, after line 22 insert:

27 "(I) COLORADO HAS ADOPTED ECONOMY-WIDE GREENHOUSE GAS  
28 EMISSION GOALS OF, AT MINIMUM, A TWENTY-SIX PERCENT REDUCTION BY  
29 2025, A FIFTY PERCENT REDUCTION BY 2030, AND A NINETY PERCENT  
30 REDUCTION BY 2050;

31 (II) THE GOVERNOR'S "COLORADO GREENHOUSE GAS POLLUTION  
32 REDUCTION ROADMAP", RELEASED ON JANUARY 14, 2021, IDENTIFIED  
33 TRANSPORTATION AS A LEADING SOURCE OF GREENHOUSE GAS POLLUTION  
34 AND IDENTIFIED VEHICLE ELECTRIFICATION AS A KEY STRATEGY FOR

1 REDUCING GREENHOUSE GAS POLLUTION FROM THE TRANSPORTATION  
2 SECTOR;".

3 Renumber succeeding subparagraphs accordingly.

4 Page 8, line 23, strike "POLLUTION" and substitute "POLLUTION,  
5 INCLUDING GREENHOUSE GAS EMISSIONS,".

6 Page 9, after line 2 insert:

7           "(V) SALES OF ELECTRIC VEHICLES CURRENTLY ACCOUNT FOR  
8 MORE THAN TEN PERCENT OF ALL NEW VEHICLE SALES IN COLORADO, AND  
9 THIS MARKET SHARE IS PROJECTED TO INCREASE TO MORE THAN EIGHTY  
10 PERCENT BY 2032;

11           (VI) BUILDINGS CONSTRUCTED TODAY WILL NEED TO  
12 ACCOMMODATE HIGHER NUMBERS OF ELECTRIC VEHICLES WITHIN THE  
13 LIFETIME OF THESE BUILDINGS;".

14 Renumber succeeding subparagraphs accordingly.

15 Page 10, after line 7 insert:

16           "(3) THIS SECTION DOES NOT LOWER THE PROTECTIONS PROVIDED  
17 FOR PEOPLE WITH DISABILITIES, INCLUDING THE NUMBER OF PARKING  
18 SPACES FOR PEOPLE THAT ARE MOBILITY IMPAIRED, THAN THE  
19 PROTECTIONS PROVIDED BY THE FEDERAL "AMERICANS WITH DISABILITIES  
20 ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AND PARTS 6 AND 8 OF  
21 ARTICLE 34 OF TITLE 24."

22 Page 10, after line 12 insert:

23           "(I) COLORADO HAS ADOPTED ECONOMY-WIDE GREENHOUSE GAS  
24 EMISSION GOALS OF, AT MINIMUM, A TWENTY-SIX PERCENT REDUCTION BY  
25 2025, A FIFTY PERCENT REDUCTION BY 2030, AND A NINETY PERCENT  
26 REDUCTION BY 2050;

27           (II) THE GOVERNOR'S "COLORADO GREENHOUSE GAS POLLUTION  
28 REDUCTION ROADMAP", RELEASED ON JANUARY 14, 2021, IDENTIFIED  
29 TRANSPORTATION AS A LEADING SOURCE OF GREENHOUSE GAS POLLUTION  
30 AND IDENTIFIED VEHICLE ELECTRIFICATION AS A KEY STRATEGY FOR  
31 REDUCING GREENHOUSE GAS POLLUTION FROM THE TRANSPORTATION  
32 SECTOR;".

33 Renumber succeeding subparagraphs accordingly.

1 Page 10, line 13, strike "POLLUTION" and substitute "POLLUTION,  
2 INCLUDING GREENHOUSE GAS EMISSIONS,".

3 Page 10, after line 19 insert:

4 "(V) SALES OF ELECTRIC VEHICLES CURRENTLY ACCOUNT FOR  
5 MORE THAN TEN PERCENT OF ALL NEW VEHICLE SALES IN COLORADO, AND  
6 THIS MARKET SHARE IS PROJECTED TO INCREASE TO MORE THAN EIGHTY  
7 PERCENT BY 2032;

8 (VI) BUILDINGS CONSTRUCTED TODAY WILL NEED TO  
9 ACCOMMODATE HIGHER NUMBERS OF ELECTRIC VEHICLES WITHIN THE  
10 LIFETIME OF THESE BUILDINGS,".

11 Renumber succeeding subparagraphs accordingly.

12 Page 11, line 25, after "(3)" insert "(a)".

13 Page 12, after line 1 insert:

14 "(b) THIS SECTION DOES NOT LOWER THE PROTECTIONS PROVIDED  
15 FOR PEOPLE WITH DISABILITIES, INCLUDING THE NUMBER OF PARKING  
16 SPACES FOR PEOPLE THAT ARE MOBILITY IMPAIRED, THAN THE  
17 PROTECTIONS PROVIDED BY THE FEDERAL "AMERICANS WITH DISABILITIES  
18 ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AND PARTS 6 AND 8 OF  
19 ARTICLE 34 OF TITLE 24."

20 Page 12, line 10, after the period add "THE BOARD SHALL NOT RESTRICT  
21 PARKING BASED ON A VEHICLE BEING A PLUG-IN HYBRID VEHICLE OR  
22 PLUG-IN ELECTRIC VEHICLE."

23 Page 12, line 12, strike "STATION" and substitute "STATION, OR RESTRICT  
24 PARKING BASED ON A VEHICLE BEING A PLUG-IN HYBRID VEHICLE OR  
25 PLUG-IN ELECTRIC VEHICLE,".

26 Page 12, line 16, strike "STATIONS" and substitute "STATIONS, OR THAT  
27 RESTRICTS PARKING BASED ON A VEHICLE BEING A PLUG-IN HYBRID  
28 VEHICLE OR PLUG-IN ELECTRIC VEHICLE,".

29 Page 12, line 27, after the period add "THE GOVERNING BODY OF THE  
30 MUNICIPALITY SHALL NOT RESTRICT PARKING BASED ON A VEHICLE BEING  
31 A PLUG-IN HYBRID VEHICLE OR PLUG-IN ELECTRIC VEHICLE."

32 Page 13, line 2, strike "STATION" and substitute "STATION, OR RESTRICT

1 PARKING BASED ON A VEHICLE BEING A PLUG-IN HYBRID VEHICLE OR  
2 PLUG-IN ELECTRIC VEHICLE,".

3 Page 13, line 6, strike "STATIONS" and substitute "STATIONS, OR THAT  
4 RESTRICTS PARKING BASED ON A VEHICLE BEING A PLUG-IN HYBRID  
5 VEHICLE OR PLUG-IN ELECTRIC VEHICLE,".

6 Page 13, after line 8 insert:

7 "SECTION 10. In Colorado Revised Statutes, 30-28-211, add  
8 (2)(a.5), (2)(b.8), (3.5)(e), and (3.5)(f) as follows:

9 **30-28-211. Energy efficient building codes - legislative**  
10 **declaration - definitions.** (2) As used in this section, unless the context  
11 otherwise requires:

12 (a.5) "COLORADO PLUMBING CODE" HAS THE MEANING SET FORTH  
13 IN SECTION 12-155-103 (5).

14 (b.8) "NATIONAL ELECTRICAL CODE" HAS THE MEANING SET FORTH  
15 IN SECTION 12-115-103 (8).

16 (3.5) (e) NOTWITHSTANDING THE TIMING REQUIREMENT OF  
17 SUBSECTION (3.5)(a) OF THIS SECTION, A BOARD OF COUNTY  
18 COMMISSIONERS MAY COMPLY WITH SUBSECTION (3.5)(a) OF THIS SECTION  
19 WHEN THE BOARD ADOPTS ONE OR MORE BUILDING CODES OTHER THAN  
20 THE NATIONAL ELECTRICAL CODE AND THE COLORADO PLUMBING CODE,  
21 OR BY JUNE 30, 2026, WHICHEVER IS EARLIER, IF:

22 (I) THE BOARD OF COUNTY COMMISSIONERS ADOPTS OR UPDATES:

23 (A) THE NATIONAL ELECTRICAL CODE BY REFERENCE WHEN  
24 ADOPTED OR UPDATED BY THE STATE ELECTRICAL BOARD; OR

25 (B) THE COLORADO PLUMBING CODE BY REFERENCE WHEN  
26 ADOPTED OR UPDATED BY THE STATE PLUMBING BOARD; AND

27 (II) THE ADOPTION OR UPDATE OF THE NATIONAL ELECTRICAL  
28 CODE OR THE COLORADO PLUMBING CODE OCCURS ON A TIMING CYCLE  
29 DIFFERENT FROM THE SCHEDULED ADOPTION OR UPDATE OF ONE OR MORE  
30 BUILDING CODES OTHER THAN THE NATIONAL ELECTRICAL CODE OR THE  
31 COLORADO PLUMBING CODE.

32 (f) NOTWITHSTANDING THE TIMING REQUIREMENT OF SUBSECTION  
33 (3.5)(b) OF THIS SECTION, A BOARD OF COUNTY COMMISSIONERS MAY  
34 COMPLY WITH SUBSECTION (3.5)(b) OF THIS SECTION WHEN THE BOARD  
35 ADOPTS ONE OR MORE BUILDING CODES OTHER THAN THE NATIONAL  
36 ELECTRICAL CODE AND THE COLORADO PLUMBING CODE, OR BY JUNE 30,  
37 2030, WHICHEVER IS EARLIER, IF:

38 (I) THE BOARD OF COUNTY COMMISSIONERS ADOPTS OR UPDATES:

39 (A) THE NATIONAL ELECTRICAL CODE BY REFERENCE WHEN  
40 ADOPTED OR UPDATED BY THE STATE ELECTRICAL BOARD; OR

1 (B) THE COLORADO PLUMBING CODE BY REFERENCE WHEN  
2 ADOPTED OR UPDATED BY THE STATE PLUMBING BOARD; AND  
3 (II) THE ADOPTION OR UPDATE OF THE NATIONAL ELECTRICAL  
4 CODE OR THE COLORADO PLUMBING CODE OCCURS ON A TIMING CYCLE  
5 DIFFERENT FROM THE SCHEDULED ADOPTION OR UPDATE OF ONE OR MORE  
6 BUILDING CODES OTHER THAN THE NATIONAL ELECTRICAL CODE OR THE  
7 COLORADO PLUMBING CODE.  
8 **SECTION 11.** In Colorado Revised Statutes, 31-15-602, **add**  
9 **(2)(a.5), (2)(b.8), (3.5)(d), and (3.5)(e)** as follows:  
10 **31-15-602. Energy efficient building codes - legislative**  
11 **declaration - definitions - repeal.** (2) As used in this section, unless the  
12 context otherwise requires:  
13 (a.5) "COLORADO PLUMBING CODE" HAS THE MEANING SET FORTH  
14 IN SECTION 12-155-103 (5).  
15 (b.8) "NATIONAL ELECTRICAL CODE" HAS THE MEANING SET FORTH  
16 IN SECTION 12-115-103 (8).  
17 (3.5) (d) NOTWITHSTANDING THE TIMING REQUIREMENT OF  
18 SUBSECTION (3.5)(a) OF THIS SECTION, A GOVERNING BODY OF A  
19 MUNICIPALITY MAY COMPLY WITH SUBSECTION (3.5)(a) OF THIS SECTION  
20 WHEN THE BODY ADOPTS ONE OR MORE BUILDING CODES OTHER THAN THE  
21 NATIONAL ELECTRICAL CODE AND THE COLORADO PLUMBING CODE, OR BY  
22 JUNE 30, 2026, WHICHEVER IS EARLIER, IF:  
23 (I) THE GOVERNING BODY OF THE MUNICIPALITY ADOPTS OR  
24 UPDATES:  
25 (A) THE NATIONAL ELECTRICAL CODE BY REFERENCE WHEN  
26 ADOPTED OR UPDATED BY THE STATE ELECTRICAL BOARD; OR  
27 (B) THE COLORADO PLUMBING CODE BY REFERENCE WHEN  
28 ADOPTED OR UPDATED BY THE STATE PLUMBING BOARD; AND  
29 (II) THE ADOPTION OR UPDATE OF THE NATIONAL ELECTRICAL  
30 CODE OR THE COLORADO PLUMBING CODE OCCURS ON A TIMING CYCLE  
31 DIFFERENT FROM THE SCHEDULED ADOPTION OR UPDATE OF ONE OR MORE  
32 BUILDING CODES OTHER THAN THE NATIONAL ELECTRICAL CODE OR THE  
33 COLORADO PLUMBING CODE.  
34 (e) NOTWITHSTANDING THE TIMING REQUIREMENT OF SUBSECTION  
35 (3.5)(b) OF THIS SECTION, A GOVERNING BODY OF A MUNICIPALITY MAY  
36 COMPLY WITH SUBSECTION (3.5)(b) OF THIS SECTION WHEN THE BODY  
37 ADOPTS ONE OR MORE BUILDING CODES OTHER THAN THE NATIONAL  
38 ELECTRICAL CODE AND THE COLORADO PLUMBING CODE, OR BY JUNE 30,  
39 2030, WHICHEVER IS EARLIER, IF:  
40 (I) THE GOVERNING BODY OF A MUNICIPALITY ADOPTS OR  
41 UPDATES:  
42 (A) THE NATIONAL ELECTRICAL CODE BY REFERENCE WHEN  
43 ADOPTED OR UPDATED BY THE STATE ELECTRICAL BOARD; OR

1 (B) THE COLORADO PLUMBING CODE BY REFERENCE WHEN  
2 ADOPTED OR UPDATED BY THE STATE PLUMBING BOARD; AND

3 (II) THE ADOPTION OR UPDATE OF THE NATIONAL ELECTRICAL  
4 CODE OR THE COLORADO PLUMBING CODE OCCURS ON A TIMING CYCLE  
5 DIFFERENT FROM THE SCHEDULED ADOPTION OR UPDATE OF ONE OR MORE  
6 BUILDING CODES OTHER THAN THE NATIONAL ELECTRICAL CODE OR THE  
7 COLORADO PLUMBING CODE."

8 Renumber succeeding sections accordingly.

9 Page 14, after line 17 insert:

10 "(c) THE DEPARTMENT OF TRANSPORTATION MAY COLLABORATE  
11 WITH PUBLIC OR PRIVATE ENTITIES TO DEVELOP PROJECTS FOR THE  
12 CONSTRUCTION OF ELECTRIC VEHICLE CHARGING SYSTEMS ALONG STATE  
13 HIGHWAY RIGHTS-OF-WAY, INCLUDING REST AREAS, AS PRIORITIZED BY  
14 THE DEPARTMENT."

15 Reletter succeeding paragraph accordingly.

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