

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 27, 2025
Date

Committee on Finance.

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

HB25-1269 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, strike lines 23 through 25 and substitute:
 - 2 "(c) THE COMMISSION ADOPTED RULES ESTABLISHING
 - 3 BENCHMARKING AND PERFORMANCE STANDARDS IN AUGUST 2023 IN
 - 4 ACCORDANCE WITH SUBSECTIONS (8)(a)(II) AND (8)(c)(II) OF THIS
 - 5 SECTION;"
- 6 Amend the Energy and Environment Committee Report, dated March 6,
7 2025, page 1, line 15, strike "18" and substitute "19".
- 8 Page 1 of the report, line 21, strike "1." and substitute "1.
9 (b) NOTWITHSTANDING SUBSECTION (3)(a) OF THIS SECTION,
10 BEGINNING IN 2025 FOR 2024 BENCHMARKING DATA AND FOR EACH
11 SUBSEQUENT YEAR, IF AN".
- 12 Page 5 of the bill, strike line 15 and substitute "in section 25-7-122
13 (1)(i)".
- 14 Page 5 of the bill, line 27, strike "ADOPT RULES TO DEVELOP 2040" and
15 substitute "ADOPT, BY RULE, 2040".
- 16 Page 6 of the bill, strike line 1 and substitute "PERFORMANCE STANDARDS
17 IN ACCORDANCE WITH SECTION 25-7-102 (2)(g)".
- 18 Page 6 of the bill, line 2, strike "MARCH 31," and substitute "JUNE 1,".
- 19 Page 6 of the bill, line 5, strike "(8.5)(d)" and substitute "(8.5)(c)".

1 Page 6 of the bill, strike lines 9 through 13 and substitute:

2 "(b) (I) THE DIVISION, IN PROPOSING 2040 PERFORMANCE
3 STANDARDS, AND THE COMMISSION, IN ADOPTING 2040 PERFORMANCE
4 STANDARDS, SHALL CONSIDER WHETHER TARGETS THAT ARE INCLUDED IN
5 THE 2040 PERFORMANCE STANDARDS TO REDUCE EMISSIONS FROM
6 COVERED BUILDINGS ARE CONSISTENT WITH MEETING THE ECONOMY-WIDE
7 EMISSION REDUCTION GOALS SET FORTH IN SECTION".

8 Page 7 of the bill, line 11, strike "2050".

9 Page 8 of the bill, strike lines 9 through 11 and substitute:

10 "(VIII) ONE MEMBER WHO REPRESENTS PROFESSIONAL ENGINEERS
11 AND WHO HAS EXPERIENCE WORKING ON SYSTEMS FOR BUILDINGS;

12 (IX) ONE MEMBER WHO HAS EXTENSIVE EXPERIENCE AS A
13 BUILDING OPERATING ENGINEER;"

14 Renumber succeeding subparagraphs accordingly.

15 Page 8 of the bill, line 20, strike "THREE" and substitute "TWO".

16 Page 3 of the report, line 8, strike "GEOGRAPHIC REPRESENTATION." and
17 substitute "VARIED GEOGRAPHIC REPRESENTATION.

18 (g) THE TASK FORCE SHALL CONDUCT A COMPREHENSIVE
19 ECONOMIC ANALYSIS OF ITS RECOMMENDATIONS FOR THE 2040
20 PERFORMANCE STANDARDS PRIOR TO PROVIDING THE RECOMMENDATIONS
21 TO THE DIVISION.".

22 Page 3 of the report, line 11, strike "SUBJECT TO CIVIL PENALTIES FOR
23 MISREPRESENTATION,".

24 Page 4 of the report, strike line 1 and substitute "REQUIRED TO REVISE
25 RULES THAT WERE ADOPTED PURSUANT TO THIS SECTION BEFORE JULY 1,
26 2025.".

27 Page 14 of the bill, after line 15 insert:

28 "(c) "BUILDING DECARBONIZATION ENTERPRISE CASH FUND" OR
29 "BUILDING DECARBONIZATION FUND" MEANS THE BUILDING
30 DECARBONIZATION ENTERPRISE CASH FUND CREATED IN SUBSECTION
31 (6)(a) OF THIS SECTION.".

32 Reletter succeeding paragraphs accordingly.

- 1 Page 14 of the bill, strike lines 25 and 26.
- 2 Reletter succeeding paragraphs accordingly.
- 3 Page 16 of the bill, line 7, strike "FEES" and substitute "FEE".
- 4 Page 16 of the bill, line 8, strike "ARE" and substitute "IS".
- 5 Page 16 of the bill, line 11, strike "FEES." and substitute "FEE".
- 6 Page 17 of the bill, line 1, strike "SEVEN" and substitute "NINE".
- 7 Page 17 of the bill, line 2, strike "FOUR" and substitute "SIX".
- 8 Page 17 of the bill, strike lines 4 through 8 and substitute:
 - 9 "(A) A REPRESENTATIVE OF RESIDENTIAL BUILDINGS;
 - 10 (B) TWO REPRESENTATIVES OF COMMERCIAL BUILDINGS, SUCH AS
 - 11 OFFICES, MIXED-USE PROPERTIES, MULTIFAMILY HOMES, OR HOSPITALS;
 - 12 (C) AN EXPERT IN BUILDING ENERGY EFFICIENCY AND
 - 13 DECARBONIZATION;
 - 14 (D) A LOCAL GOVERNMENT REPRESENTATIVE WITH EXPERTISE IN
 - 15 PLANNING, ENERGY CODES, OR BUILDING DECARBONIZATION;"
- 16 Reletter succeeding sub-subparagraph accordingly.
- 17 Page 5 of the report, line 31, strike "SOLE".
- 18 Page 5 of the report, line 32, strike "ENTERPRISE".
- 19 Page 19 of the bill, line 27, strike "INCREASE THE FEE FROM THE PREVIOUS
- 20 YEAR'S FEE," and substitute "INCREASE THE BUILDING DECARBONIZATION
- 21 FEE FROM THE PREVIOUS YEAR'S BUILDING DECARBONIZATION FEE,".
- 22 Page 20 of the bill, line 3, strike "FEE." and substitute "BUILDING
- 23 DECARBONIZATION FEE, IF THE BUILDING DECARBONIZATION FEE HAS BEEN
- 24 ADJUSTED.".
- 25 Page 20 of the bill, line 4, strike "OFFICE" and substitute "ENTERPRISE".
- 26 Page 20 of the bill, line 7, before "FUND." insert "BUILDING
- 27 DECARBONIZATION ENTERPRISE CASH".
- 28 Page 20 of the bill, line 21, strike "AS BUILDING DECARBONIZATION FEES"

1 and substitute "FROM A BUILDING DECARBONIZATION FEE IMPOSED".

2 Page 6 of the report, after line 11 insert:

3 "Page 21, strike line 16 and substitute "(1)(i) as follows:".

4 Page 21, strike lines 22 through 27.

5 Page 22, strike lines 1 through 18 and substitute:

6 "(i) (I) On and after ~~January 1, 2024~~ JULY 1, 2025, and except as
7 provided in subsection (1)(i)(II) of this section, an owner of a covered
8 building that violates section 25-7-142 ~~(3) or (6)~~ OR RULES ADOPTED BY
9 THE COMMISSION TO IMPLEMENT SECTION 25-7-142 is subject to a civil
10 penalty of:

11 (A) Up to ~~five hundred~~ TWO THOUSAND THREE HUNDRED dollars
12 FOR EVERY THIRTY DAYS THAT THE OWNER IS IN VIOLATION for a first
13 violation, ~~and up to two thousand dollars for each subsequent violation.~~
14 ~~As part of the requirement that the commission adopt rules to establish~~
15 ~~performance standards pursuant to section 25-7-142 (8)(c), the~~
16 ~~commission shall establish by rule, with regard to a violation of the~~
17 ~~performance standards, civil penalties in an amount not to exceed two~~
18 ~~thousand dollars for a first violation and five thousand dollars for a~~
19 ~~subsequent violation.~~ WHICH AMOUNT THE COMMISSION SHALL, BY RULE,
20 ANNUALLY ADJUST BASED ON THE ANNUAL PERCENTAGE CHANGE IN THE
21 UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF LABOR STATISTICS
22 CONSUMER PRICE INDEX, OR A SUCCESSOR INDEX, FOR
23 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID FOR BY URBAN
24 CONSUMERS; AND

25 (B) FOR EACH SUBSEQUENT VIOLATION, UP TO FIVE THOUSAND
26 EIGHT HUNDRED DOLLARS FOR EVERY THIRTY DAYS THAT THE OWNER IS
27 IN VIOLATION, WHICH AMOUNT THE COMMISSION MAY, BY RULE,
28 ANNUALLY ADJUST IN ACCORDANCE WITH SUBSECTION (1)(i)(I)(A) OF THIS
29 SECTION."."

30 Page 6 of the report, line 19, strike "SUBSECTIONS (1)(b) AND" and
31 substitute "THIS SUBSECTION (1)(i) AND SUBSECTION".

32 Page 6 of the report, after line 20 insert:

33 "Page 22, line 23, strike "SUBSECTION (1)(b) OF THIS SECTION," and
34 substitute "THIS SUBSECTION (1)(i),".

35 Page 7 of the report, strike lines 7 through 18 and substitute:

1 "Page 24, strike line 10 and substitute:

2 "SECTION 9. Effective date - applicability. (1) This act takes
3 effect upon passage; except that section 4 of this act takes effect only if
4 House Bill 25-1268 does not become law.

5 (2) This act applies to conduct occurring".

6 Strike "BUILDING DECARBONIZATION FEES" and substitute "A BUILDING
7 DECARBONIZATION FEE" on: **Page 12**, line 22; **Page 15**, line 25; and **Page**
8 **21**, line 2.

9 Before "FUND" insert "BUILDING DECARBONIZATION" on: **Page 20**, lines
10 9, 13, 20, and 26; and **Page 21**, lines 2, 6, 11 two times, and 13 two times.

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