

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 6, 2025
Date

Committee on Local Government & Housing.

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

SB25-002 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 4, line 25, after "of" insert "factory-built
2 housing".

3 Page 5, line 4, after "(6)" insert "(a)".

4 Page 5, after line 10 insert:

5
6 (b) PLUMBING INSTALLATIONS THAT CONNECT THESE
7 STRUCTURES TO EXTERNAL UTILITY SOURCES AND THAT ARE NOT
8 CONSIDERED ACTIONS TO COMPLETE THE INSTALLATION OF A
9 FACTORY-BUILT STRUCTURE AS REQUIRED BY A REGISTERED INSTALLER
10 MUST BE COMPLETED BY A LICENSED PLUMBER UNDER A REGISTERED
11 PLUMBING CONTRACTOR.

12 (c) THE INSTALLATION OF GAS PIPING ON THE SERVICE SIDE MUST
13 BE COMPLETED BY A QUALIFIED GAS PIPING INSTALLER.

14 (d) THE INSPECTION AND INSPECTORS OF THESE INSTALLATIONS,
15 OTHER THAN THOSE AUTHORIZED TO BE PERFORMED BY A REGISTERED
16 INSTALLER, ARE REGULATED IN ARTICLE 155 OF TITLE 12 AND MUST BE
17 PERFORMED BY LICENSED PLUMBING INSPECTORS."

18 Page 5, line 14, after "(5)" insert "(a)".

19 Page 5, after line 20 insert:

20 (b) ELECTRICAL INSTALLATIONS THAT CONNECT THESE
21 STRUCTURES TO EXTERNAL UTILITY SOURCES AND THAT ARE NOT
22 CONSIDERED ACTIONS TO COMPLETE THE INSTALLATION OF A
23 FACTORY-BUILT STRUCTURE AS REQUIRED BY A REGISTERED INSTALLER

1 MUST BE COMPLETED BY A LICENSED ELECTRICIAN UNDER A REGISTERED
2 ELECTRICAL CONTRACTOR.

3 (c) THE INSPECTION AND INSPECTORS OF THESE INSTALLATIONS,
4 OTHER THAN THOSE AUTHORIZED TO BE PERFORMED BY A REGISTERED
5 INSTALLER, ARE REGULATED IN ARTICLE 115 OF TITLE 12 AND MUST BE
6 PERFORMED BY LICENSED ELECTRICAL INSPECTORS."

7 Page 6, strike line 15 and substitute:

8 "(I) ESTABLISHING REGIONAL BUILDING CODE STANDARDS".

9 Page 6, line 16, strike "CONDITIONS" and substitute "CONDITIONS, AND
10 FIRE PROTECTION AND SUPPRESSION ACTIVITIES".

11 Page 6, strike line 22 and substitute:

12 "(II) IMPLEMENTING THE RECOMMENDED REQUIREMENTS
13 DEVELOPED".

14 Page 6, line 24, strike "AUTHORIZING" and substitute "THE CONTINUED
15 AUTHORIZATION OF".

16 Page 6, line 26, strike "DIVISION," and substitute "DIVISION;".

17 Page 7, strike line 5.

18 Page 7, line 6, strike "ACTIVITY" and substitute "(III) COVERING
19 ELECTRICAL OR PLUMBING CODES".

20 Page 7, strike line 17 and substitute "PLANS, ON A THIRD PARTY THAT
21 CONDUCTS INSPECTIONS ON ITS BEHALF, OF CONTRACTS OF SELLERS TO
22 VERIFY COMPLIANCE, AND TO ENSURE PROTECTION OF DOWN PAYMENTS
23 MADE BY PURCHASERS THAT ARE RETAINED BY THE SELLER OR
24 MANUFACTURER."

25 Page 7, strike lines 18 and 19 and substitute:

26 **"SECTION 6.** In Colorado Revised Statutes, 24-32-3305, **amend**
27 (3)(a) introductory portion, (3)(a)(III), (3)(a)(IV), (3)(a)(V), (3)(a)(VI),
28 (3)(a)(VII), (3)(a)(VIII), (3)(a)(IX), and (3)(a)(X); **add** (3)(a)(XII),
29 (3)(a)(XIII), (3)(a)(IV), (3)(a)(XV), (3)(c), (3)(d), (3)(e), (3)(f), (3)(g) and
30 (4); and **repeal** (3.3) as follows:"

1 Page 7, strike lines 21 and 22 and substitute "**regional building codes -**
2 **study.** (3) (a) Except when adopting an energy code pursuant to
3 subsection (3.5) of this section, the board must consult with and obtain
4 the advice of an advisory committee on factory-built structures and tiny
5 homes in the drafting and promulgation of rules. The committee consists
6 of ~~fifteen~~ NINETEEN members appointed by the division from the
7 following professional and technical disciplines:
8 (III) Three from building code enforcement, REPRESENTING THE
9 FOLLOWING COUNTY OR MUNICIPAL CLASSIFICATIONS AS DESIGNATED BY
10 THE DIVISION PURSUANT TO SECTION 29-4-1107 (1)(d):
11 (A) ONE FROM RURAL;
12 (B) ONE FROM RURAL RESORT; AND
13 (C) ONE FROM URBAN;
14 (IV) One from ~~mechanical engineering or contracting~~ THE
15 DEPARTMENT OF REGULATORY AGENCIES;
16 (V) One ~~from electrical engineering or contracting~~ LICENSED
17 ELECTRICIAN;
18 (VI) One ~~from the plumbing industry~~ LICENSED PLUMBER;
19 (VII) One from the ~~construction design or producer industry~~
20 DIVISION OF FIRE PREVENTION AND CONTROL;
21 (VIII) ~~Two~~ THREE from ~~manufactured housing~~ FACTORY-BUILT
22 STRUCTURE CONSTRUCTION REPRESENTING THE FOLLOWING OCCUPANCY
23 CLASSIFICATIONS:
24 (A) ONE FROM THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-
25 AND TWO-FAMILY DWELLINGS;
26 (B) ONE FROM THE INTERNATIONAL BUILDING CODE FOR
27 RESIDENTIAL STRUCTURES; AND
28 (C) ONE FROM THE INTERNATIONAL BUILDING CODE FOR FACTORY
29 AND INDUSTRIAL STRUCTURES;
30 (IX) ~~Two~~ ONE from the tiny home industry;
31 (X) One from energy conservation; ~~and~~
32 (XI) One from organized labor;
33 (XII) ONE DEVELOPER SPECIALIZING IN THE USE OF
34 FACTORY-BUILT STRUCTURES IN PROJECTS;
35 (XIII) ONE FROM CLIMATE RESILIENCY;
36 (XIV) ONE REGISTERED INSTALLER; AND
37 (XV) ONE REGISTERED SELLER.
38 (c) THE ADVISORY COMMITTEE SHALL DEVELOP REGIONAL
39 BUILDING CODES".

40 Page 7, line 23, strike "FOR" and substitute "ACCOUNTING FOR LOCAL
41 CLIMACTIC AND GEOGRAPHIC CONDITIONS AND FIRE SUPPRESSION
42 ACTIVITIES FOR THE CONSTRUCTION AND INSTALLATION OF".

1 Page 7, line 27, strike "ON OR BEFORE JULY 1, 2026, THE" and substitute
2 "THE".

3 Page 8, line 3, strike "HOUSING," and substitute "HOUSING;"

4 Page 8, after line 11 insert:

5 (e) THE ADVISORY COMMITTEE SHALL DEVELOP ELECTRICAL OR
6 PLUMBING CODE COMPLIANCE REQUIRED TO UNDERTAKE OR COMPLETE
7 THE CONSTRUCTION OR INSTALLATION OF A FACTORY-BUILT STRUCTURE.

8 (f) ANY FUTURE RENOVATION, ALTERATION, OR REPAIR OF THE
9 FACTORY-BUILT STRUCTURE, INCLUDING ELECTRICAL AND PLUMBING,
10 THAT IS PROPOSED FOLLOWING THE INSTALLATION AT THE SITE IS SUBJECT
11 TO ALL CODES AND RULES OF THE APPROPRIATE GOVERNMENTAL
12 AGENCIES HAVING JURISDICTION OVER THE STRUCTURE AND IS SUBJECT TO
13 THE JURISDICTION OF THE STATE ELECTRICAL BOARD OR STATE PLUMBING
14 BOARD AND THE CORRESPONDING PROFESSIONAL PRACTICE ACTS OF THOSE
15 LICENSED PROFESSIONS."

16 Reletter succeeding paragraph accordingly.

17 Page 8, line 17, strike "NON-FACTORY-BUILT" and substitute
18 "ABOVE-GRADE SITE-BUILT".

19 Page 8, after line 20 insert:

20 ~~"(3.3) The department shall create for factory-built structures,
21 including those that would be considered accessory dwelling units, model
22 public safety code requirements related to geographic or climatic
23 conditions, such as weight restrictions for roof snow loads, wind shear
24 factors, or wildfire risk, for local governments to consider and adopt
25 pursuant to section 24-32-3318 (2)(a).~~

26 (4) ANY FUTURE STATEWIDE ADOPTED CODES CONTEMPLATED IN
27 STATUTE MUST BE VETTED THROUGH THE ADVISORY COMMITTEE FOR
28 CONSIDERATION FOR ADOPTION BY THE BOARD."

29 Page 12, strike lines 13 through 18 and substitute "behalf. A municipality
30 must comply with section 24-32-3318 when enacting building code
31 provisions for a manufactured home as defined in section 24-32-3302
32 (20) REGULATED BY THE UNITED STATES DEPARTMENT OF HOUSING AND
33 URBAN DEVELOPMENT, AND IT MUST ALSO COMPLY WITH THE
34 REQUIREMENTS ESTABLISHED BY THE DIVISION OF HOUSING FOR
35 FACTORY-BUILT STRUCTURES."

1 Page 13, after line 9 insert:

2 "SECTION 10. In Colorado Revised Statutes, **repeal** 24-32-3310
3 as follows:

4 **24-32-3310. Local enforcement.** ~~Nothing in this part 33 may~~
5 ~~interfere with the right of local governments to enforce local rules~~
6 ~~governing the installation of factory-built housing pursuant to section~~
7 ~~24-32-3318 that bear the insignia of approval issued by the division~~
8 ~~pursuant to section 24-32-3311 (1)(a) if the local rules are not~~
9 ~~inconsistent with state rules adopted pursuant to section 24-32-3305.~~

10 **SECTION 11.** In Colorado Revised Statutes, 24-32-3311, **amend**
11 (4) as follows:

12 **24-32-3311. Certification of factory-built structures - rules.**

13 (4) A factory-built structure bearing an insignia of approval issued by the
14 division and affixed by the division or an authorized quality assurance
15 representative pursuant to this part 33 is deemed to be designed and
16 constructed in compliance with the requirements of all codes and
17 standards enacted or adopted by the state ~~and accounting for any local~~
18 ~~government installation requirements adopted in compliance with sections~~
19 ~~24-32-3310 and 24-32-3318~~ that are applicable to the construction of
20 factory-built structures, to the extent that the design and construction
21 relates to work performed in a factory or work on a factory-built structure
22 that is completed at the installation site as reflected in the approved plans
23 for the factory-built structure. The determination by the division of the
24 scope of such approval is final. An insignia of approval affixed to the
25 factory-built structure does not expire unless the design and construction
26 of the factory-built structure has been modified from approved plans.

27 **SECTION 12.** In Colorado Revised Statutes, 24-32-3318, **amend**
28 (2)(a); and **repeal** (1) as follows:

29 **24-32-3318. Local installation standards preempted.**

30 (1) ~~Except as authorized in section 24-32-3329, a local government shall~~
31 ~~not adopt less stringent standards for an installation than those~~
32 ~~promulgated by the division. A local government shall not, without~~
33 ~~express consent by the division, adopt different standards than the~~
34 ~~standards for an installation promulgated by the division.~~

35 (2) (a) Nothing in this section prohibits a local government from
36 enacting standards for ~~tiny homes, mobile homes or modular homes~~
37 concerning unique public safety requirements related to geographic or
38 climatic conditions, such as weight restrictions for roof snow loads, wind
39 shear factors, or wildfire risk, as otherwise permitted by law.

40 **SECTION 13.** In Colorado Revised Statutes, 24-75-402, **add**
41 (5)(III) as follows:

42 **24-75-402. Cash funds - limit on uncommitted reserves -**

1 **reduction in the amount of fees - exclusions - definitions.**
2 Notwithstanding any provision of this section to the contrary, the
3 following cash funds are excluded from the limitations in this section:
4 (III) THE BUILDING REGULATION FUND CREATED IN SECTION
5 24-32-3309 (1)(a)(III)."

6 Renumber succeeding section accordingly.

7 After "DESIGN" insert "AND CONSTRUCTION" on: **Page 7**, lines 9, 13, and
8 16.

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