

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

**INTRODUCED**

LLS NO. 19-0877.01 Duane Gall x4335

**HOUSE BILL 19-1231**

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**HOUSE SPONSORSHIP**

**Froelich and Kipp**, Benavidez, Jaquez Lewis, Melton, Mullica, Titone, Valdez A.

**SENATE SPONSORSHIP**

**(None)**,

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**House Committees**  
Energy & Environment

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING EFFICIENCY STANDARDS FOR EQUIPMENT SOLD IN**  
102              **COLORADO, AND, IN CONNECTION THEREWITH, REQUIRING**  
103              **CERTAIN APPLIANCES, PLUMBING FIXTURES, AND OTHER**  
104              **PRODUCTS SOLD FOR RESIDENTIAL OR COMMERCIAL USE TO**  
105              **MEET ENERGY EFFICIENCY AND WATER EFFICIENCY STANDARDS.**

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**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 updates and adopts standards for water efficiency and energy efficiency that apply to a list of consumer and commercial

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

appliances and other products. The standards are based on state standards, federal Energy Star and WaterSense specifications, and industry standards in most cases or, where a standard is not incorporated by reference, the standard is specified by statute.

The standards apply to new products sold or installed in Colorado and are phased in over a period of 3 years, with general service lamps covered beginning in 2020, air compressors and portable air conditioners covered beginning in 2022, and all other listed products covered beginning in 2021. The bill also keeps in place the water efficiency standards on certain products that were added to the Colorado statutes in 2014. The sale of a noncomplying product after the effective date of the applicable standard is defined as a deceptive trade practice under the "Colorado Consumer Protection Act".

The executive director of the department of public health and environment is directed to collect and publish the standards that are incorporated by reference. The executive director is also authorized, but not required, to adopt rules incorporating more recent versions of standards or test methods in order to maintain or improve consistency with other state or federal agency standards, subject to a one-year grace period between adoption and enforcement of any new or amended standards.

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

2 **SECTION 1.** In Colorado Revised Statutes, 6-1-105, **add** (1)(III)  
3 as follows:

4 **6-1-105. Deceptive trade practices.** (1) A person engages in a  
5 deceptive trade practice when, in the course of the person's business,  
6 vocation, or occupation, the person:

7 (III) SELLS, OFFERS TO SELL, INSTALLS, OR OFFERS TO INSTALL ANY  
8 CONSUMER PRODUCT THAT IS REQUIRED TO MEET A STANDARD  
9 ESTABLISHED IN ARTICLE 7.5 OF THIS TITLE 6 BUT THAT THE PERSON  
10 KNOWS DOES NOT MEET THAT STANDARD.

11 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**  
12 **with amendments,** article 7.5 of title 6 as follows:

13 **ARTICLE 7.5**

1                                   **Water and Energy Efficiency Standards**

2                   **6-7.5-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
3 FINDS AND DETERMINES THAT EFFICIENCY STANDARDS FOR CERTAIN  
4 PRODUCTS SOLD OR INSTALLED IN COLORADO:

5                   (a) ASSURE CONSUMERS AND BUSINESSES THAT SUCH PRODUCTS  
6 MEET MINIMUM EFFICIENCY PERFORMANCE LEVELS, THUS REDUCING  
7 ENERGY AND WATER WASTE AND SAVING CONSUMERS AND BUSINESSES  
8 MONEY ON UTILITY BILLS;

9                   (b) PROTECT CONSUMERS AND BUSINESSES AGAINST  
10 MANUFACTURERS WHO WOULD OTHERWISE SELL, IN COLORADO, LESS  
11 EFFICIENT APPLIANCES THAT THEY CANNOT SELL IN STATES THAT HAVE  
12 HIGHER STANDARDS;

13                   (c) SAVE ENERGY AND THUS REDUCE POLLUTION AND OTHER  
14 ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE PRODUCTION,  
15 DISTRIBUTION, AND USE OF ELECTRICITY, NATURAL GAS, AND OTHER  
16 FUELS;

17                   (d) IMPROVE ELECTRIC SYSTEM RELIABILITY AND POTENTIALLY  
18 REDUCE THE NEED FOR NEW ENERGY AND WATER INFRASTRUCTURE BASED  
19 ON THE RESULTING ENERGY AND WATER SAVINGS;

20                   (e) APPLY TO PRODUCTS AVAILABLE AT A PRICE EQUAL TO OR LESS  
21 THAN NONCOMPLIANT PRODUCTS, OR AVAILABLE AT A MINIMAL COST  
22 PREMIUM;

23                   (f) HAVE SAVED COLORADANS BILLIONS OF GALLONS OF WATER  
24 SINCE 2014, WHEN WATERSENSE STANDARDS WERE ENACTED FOR  
25 PLUMBING FIXTURES, WITHOUT SACRIFICING QUALITY OR PRODUCT  
26 PERFORMANCE; AND

27                   (g) CONTRIBUTE TO THE ECONOMY OF THIS STATE BY HELPING TO

1 BETTER BALANCE SUPPLY AND DEMAND FOR BOTH ENERGY AND WATER,  
2 THUS REDUCING THE UPWARD PRESSURE ON PRICES FOR ELECTRICITY,  
3 NATURAL GAS, AND WATER CAUSED BY INCREASED DEMAND. IN ADDITION,  
4 EFFICIENCY STANDARDS ALLOW CONSUMERS AND BUSINESSES TO USE THE  
5 MONEY THEY SAVE ON UTILITY BILLS TO PURCHASE LOCAL GOODS AND  
6 SERVICES.

7 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE  
8 ADOPTION OF ENERGY AND WATER EFFICIENCY STANDARDS IN  
9 ACCORDANCE WITH THIS ARTICLE 7.5 IS A MATTER OF STATEWIDE  
10 CONCERN AND SERVES THE PUBLIC INTEREST OF THE PEOPLE OF  
11 COLORADO.

12 **6-7.5-102. Definitions.** AS USED IN THIS ARTICLE 7.5, UNLESS THE  
13 CONTEXT OTHERWISE REQUIRES:

14 (1) "AIR COMPRESSOR" MEANS A COMPRESSOR THAT:

15 (a) IS DESIGNED TO COMPRESS AIR;

16 (b) HAS AN INLET THAT IS OPEN TO THE ATMOSPHERE OR OTHER  
17 SOURCE OF AIR; AND

18 (c) CONSISTS OF A COMPRESSION ELEMENT, ALSO KNOWN AS A  
19 BARE COMPRESSOR; ONE OR MORE DRIVERS; MECHANICAL EQUIPMENT TO  
20 DRIVE THE COMPRESSION ELEMENT; AND ANY ANCILLARY EQUIPMENT.

21 (2) "ANSI" MEANS THE AMERICAN NATIONAL STANDARDS  
22 INSTITUTE OR ITS SUCCESSOR ORGANIZATION.

23 (3) "ANSI C79.1-2002" MEANS THE ANSI STANDARD FOR  
24 "ELECTRIC LAMPS - NOMENCLATURE FOR GLASS BULBS INTENDED FOR  
25 USE WITH ELECTRIC LAMPS", APPROVED SEPTEMBER 16, 2002.

26 (4) "APSP" MEANS THE ASSOCIATION OF POOL AND SPA  
27 PROFESSIONALS OR ITS SUCCESSOR ORGANIZATION.

1 (5) "CCR" MEANS THE CALIFORNIA CODE OF REGULATIONS, AS  
2 AMENDED.

3 (6) "COLD-ONLY UNIT" MEANS A WATER COOLER THAT DISPENSES  
4 COLD WATER ONLY.

5 (7) "COMMERCIAL DISHWASHER" MEANS A MACHINE DESIGNED TO  
6 CLEAN AND SANITIZE PLATES, POTS, PANS, GLASSES, CUPS, BOWLS,  
7 UTENSILS, AND TRAYS BY APPLYING SPRAYS OF DETERGENT SOLUTION,  
8 WITH OR WITHOUT BLASTING MEDIA GRANULES, AND A SANITIZING RINSE.

9 (8) "COMMERCIAL FRYER" MEANS AN APPLIANCE, INCLUDING A  
10 COOKING VESSEL, IN WHICH:

11 (a) OIL IS PLACED TO SUCH A DEPTH THAT THE FOOD TO BE COOKED  
12 IS ESSENTIALLY SUPPORTED BY DISPLACEMENT OF THE COOKING FLUID  
13 RATHER THAN BY THE BOTTOM OF THE VESSEL; AND

14 (b) HEAT IS DELIVERED TO THE COOKING FLUID BY MEANS OF  
15 EITHER:

16 (I) AN IMMERSED ELECTRIC ELEMENT OR BAND-WRAPPED VESSEL;  
17 OR

18 (II) HEAT TRANSFER FROM GAS BURNERS THROUGH EITHER THE  
19 WALLS OF THE VESSEL OR TUBES PASSING THROUGH THE COOKING FLUID.

20 (9) "COMMERCIAL HOT FOOD HOLDING CABINET" MEANS A  
21 HEATED, FULLY ENCLOSED COMPARTMENT WITH ONE OR MORE SOLID OR  
22 TRANSPARENT DOORS DESIGNED TO MAINTAIN THE TEMPERATURE OF HOT  
23 FOOD THAT HAS BEEN COOKED USING A SEPARATE APPLIANCE.  
24 "COMMERCIAL HOT FOOD HOLDING CABINET" DOES NOT INCLUDE HEATED  
25 GLASS MERCHANDISING CABINETS, DRAWER WARMERS, OR COOK AND  
26 HOLD APPLIANCES.

27 (10) "COMMERCIAL STEAM COOKER" MEANS A DEVICE WITH ONE

1 OR MORE FOOD-STEAMING COMPARTMENTS IN WHICH THERMAL ENERGY  
2 IS TRANSFERRED FROM THE STEAM TO THE FOOD BY DIRECT CONTACT.  
3 "COMMERCIAL STEAM COOKER" INCLUDES COUNTERTOP MODELS,  
4 WALL-MOUNTED MODELS, AND FLOOR MODELS MOUNTED ON A STAND,  
5 PEDESTAL, OR CABINET-STYLE BASE.

6 (11) "COMPENSATION" MEANS MONEY OR ANY OTHER THING OF  
7 VALUE, REGARDLESS OF FORM, RECEIVED OR TO BE RECEIVED BY A PERSON  
8 FOR GOODS OR SERVICES RENDERED.

9 (12) "COMPRESSOR" MEANS A MACHINE OR APPARATUS THAT  
10 CONVERTS DIFFERENT TYPES OF ENERGY INTO THE POTENTIAL ENERGY OF  
11 GAS PRESSURE FOR DISPLACEMENT AND COMPRESSION OF GASEOUS MEDIA  
12 TO ANY HIGHER PRESSURE VALUES ABOVE ATMOSPHERIC PRESSURE AND  
13 HAS A PRESSURE RATIO AT FULL-LOAD OPERATING PRESSURE GREATER  
14 THAN 1.3 ATMOSPHERES.

15 (13) "COMPUTER" AND "COMPUTER MONITOR" HAVE THE  
16 MEANINGS SET FORTH IN 20 CCR SEC. 1602 (v).

17 (14) "COOK AND COLD UNIT" MEANS A WATER COOLER THAT  
18 DISPENSES BOTH COLD AND ROOM-TEMPERATURE WATER.

19 (15) "ENERGY STAR PROGRAM" MEANS THE FEDERAL PROGRAM  
20 AUTHORIZED BY 42 U.S.C. SEC. 6294a, AS AMENDED.

21 (16) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF  
22 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OR THE  
23 EXECUTIVE DIRECTOR'S DESIGNEE.

24 (17) "FAUCET" MEANS:

25 (a) A LAVATORY FAUCET, KITCHEN FAUCET, METERING FAUCET, OR  
26 PUBLIC LAVATORY FAUCET; AND

27 (b) A REPLACEMENT AERATOR FOR A LAVATORY FAUCET, PUBLIC

1 LAVATORY FAUCET, OR KITCHEN FAUCET.

2 (18) "FLUSHOMETER-VALVE WATER CLOSET" MEANS A TYPE OF  
3 COMMERCIAL TOILET THAT USES A VALVE FOR FLUSHING BY OPERATION OF  
4 A HANDLE THAT DISCHARGES A DEFINITE QUANTITY OF WATER UNDER  
5 PRESSURE DIRECTLY INTO THE FIXTURE.

6 (19) "GENERAL SERVICE LAMP":

7 (a) MEANS A LAMP THAT:

8 (I) HAS A BASE THAT COMPLIES WITH ANSI STANDARDS;

9 (II) IS ABLE TO OPERATE AT A VOLTAGE:

10 (A) OF TWELVE OR TWENTY-FOUR VOLTS;

11 (B) AT OR BETWEEN ONE HUNDRED AND ONE HUNDRED THIRTY  
12 VOLTS;

13 (C) AT OR BETWEEN TWO HUNDRED TWENTY AND TWO HUNDRED  
14 FORTY VOLTS; OR

15 (D) OF TWO HUNDRED SEVENTY-SEVEN VOLTS FOR INTEGRATED  
16 LAMPS OR ANY VOLTAGE FOR NONINTEGRATED LAMPS;

17 (III) HAS AN INITIAL LUMEN OUTPUT GREATER THAN OR EQUAL TO  
18 THREE HUNDRED TEN LUMENS, OR TWO HUNDRED THIRTY-TWO LUMENS  
19 FOR MODIFIED SPECTRUM GENERAL SERVICE INCANDESCENT LAMPS, AND  
20 LESS THAN OR EQUAL TO THREE THOUSAND THREE HUNDRED LUMENS;

21 (IV) IS NOT A LIGHT FIXTURE OR AN LED DOWNLIGHT RETROFIT  
22 KIT; AND

23 (V) IS USED IN GENERAL LIGHTING APPLICATIONS;

24 (b) INCLUDES GENERAL SERVICE INCANDESCENT LAMPS, COMPACT  
25 FLUORESCENT LAMPS, GENERAL SERVICE LED LAMPS, AND GENERAL  
26 SERVICE ORGANIC LED LAMPS;

27 (c) DOES NOT INCLUDE:

- 1 (I) APPLIANCE LAMPS;  
2 (II) BLACK LIGHT LAMPS;  
3 (III) BUG LAMPS;  
4 (IV) COLORED LAMPS;  
5 (V) G-SHAPE LAMPS WITH A DIAMETER OF FIVE INCHES OR MORE  
6 AS DEFINED IN ANSI C79.1-2002;  
7 (VI) GENERAL SERVICE FLUORESCENT LAMPS;  
8 (VII) HIGH-INTENSITY DISCHARGE LAMPS;  
9 (VIII) INFRARED LAMPS;  
10 (IX) J, JC, JCD, JCS, JCV, JCX, JD, JS, AND JT-SHAPE LAMPS  
11 THAT DO NOT HAVE EDISON SCREW BASES;  
12 (X) LAMPS THAT HAVE A WEDGE BASE OR PREFOCUS BASE;  
13 (XI) LEFT-HAND THREAD LAMPS;  
14 (XII) MARINE LAMPS;  
15 (XIII) MARINE SIGNAL SERVICE LAMPS;  
16 (XIV) MINE SERVICE LAMPS;  
17 (XV) MR-SHAPE LAMPS THAT:  
18 (A) HAVE A FIRST NUMBER SYMBOL EQUAL TO SIXTEEN (DIAMETER  
19 EQUAL TO TWO INCHES), AS DEFINED IN ANSI C79.1-2002;  
20 (B) OPERATE AT TWELVE VOLTS; AND  
21 (C) HAVE A LUMEN OUTPUT GREATER THAN OR EQUAL TO EIGHT  
22 HUNDRED;  
23 (XVI) OTHER FLUORESCENT LAMPS NOT DESCRIBED IN  
24 SUBSECTION (19)(b) OF THIS SECTION;  
25 (XVII) PLANT LIGHT LAMPS;  
26 (XVIII) R20 SHORT LAMPS;  
27 (XIX) REFLECTOR LAMPS THAT HAVE A FIRST NUMBER SYMBOL



1 LESS THAN SIXTEEN (DIAMETER LESS THAN TWO INCHES) AS DEFINED IN  
2 ANSI C79.1-2002 AND THAT DO NOT HAVE E26/E24, E26d, E26/50x39,  
3 E26/53x39, E29/28, E29/53x39, E39, E39d, EP39, OR EX39 BASES;

4 (XX) S-SHAPE OR G-SHAPE LAMPS THAT HAVE A FIRST NUMBER  
5 SYMBOL LESS THAN OR EQUAL TO TWELVE AND ONE-HALF (DIAMETER LESS  
6 THAN OR EQUAL TO 1.5625 INCHES) AS DEFINED IN ANSI C79.1-2002;

7 (XXI) SIGN SERVICE LAMPS;

8 (XXII) SILVER BOWL LAMPS;

9 (XXIII) SHOWCASE LAMPS;

10 (XXIV) SPECIALTY MR LAMPS;

11 (XXV) T-SHAPE LAMPS THAT:

12 (A) HAVE A FIRST NUMBER SYMBOL LESS THAN OR EQUAL TO  
13 EIGHT (DIAMETER LESS THAN OR EQUAL TO ONE INCH), AS DEFINED IN  
14 ANSI C79.1-2002;

15 (B) HAVE A NOMINAL OVERALL LENGTH LESS THAN TWELVE  
16 INCHES; AND

17 (C) ARE NOT COMPACT FLUORESCENT LAMPS; OR

18 (XXVI) TRAFFIC SIGNAL LAMPS.

19 (20) "GPM" MEANS GALLONS PER MINUTE.

20 (21) "HIGH COLOR RENDERING INDEX (CRI) FLUORESCENT LAMP"  
21 MEANS A FLUORESCENT LAMP WITH A CRI OF EIGHTY-SEVEN OR GREATER  
22 THAT IS NOT A COMPACT FLUORESCENT LAMP.

23 (22) "HOT AND COLD UNIT" MEANS A WATER COOLER THAT  
24 DISPENSES BOTH HOT AND COLD WATER. IT MAY ALSO DISPENSE  
25 ROOM-TEMPERATURE WATER.

26 (23) "ICC" MEANS THE INTERNATIONAL CODE COUNCIL OR ITS  
27 SUCCESSOR ORGANIZATION.

1           (24) (a) "LAMP" MEANS A DEVICE THAT EMITS LIGHT AND IS USED  
2 TO ILLUMINATE AN INDOOR OR OUTDOOR SPACE.

3           (b) "LAMP" DOES NOT INCLUDE A HEAT LAMP.

4           (25) "LED" MEANS LIGHT-EMITTING DIODE.

5           (26) "LOW-EFFICIENCY PLUMBING FIXTURE" MEANS ANY OF THE  
6 FOLLOWING PLUMBING FIXTURES OR FITTINGS THAT IS NOT A  
7 WATERSENSE-LISTED PLUMBING FIXTURE:

8           (a) A LAVATORY FAUCET;

9           (b) A SHOWER HEAD;

10          (c) A FLUSHING URINAL;

11          (d) A FLUSHOMETER-VALVE WATER CLOSET; OR

12          (e) A TANK-TYPE TOILET OR TANK-TYPE WATER CLOSET.

13          (27) "METERING FAUCET" MEANS A FITTING THAT, WHEN TURNED  
14 ON, WILL GRADUALLY SHUT OFF THE FLOW OF WATER OVER A PERIOD OF  
15 SEVERAL SECONDS.

16          (28) "NEMA" MEANS THE NATIONAL ELECTRICAL  
17 MANUFACTURERS ASSOCIATION OR IT SUCCESSOR ORGANIZATION.

18          (29) "PORTABLE AIR CONDITIONER" MEANS A PORTABLE ENCASED  
19 ASSEMBLY, OTHER THAN A PACKAGED TERMINAL AIR CONDITIONER,  
20 DUCTLESS PORTABLE AIR CONDITIONER, ROOM AIR CONDITIONER, OR  
21 DEHUMIDIFIER, THAT:

22          (a) DELIVERS COOLED, CONDITIONED AIR TO AN ENCLOSED SPACE;

23          (b) IS POWERED BY SINGLE-PHASE ELECTRIC CURRENT;

24          (c) INCLUDES A SOURCE OF REFRIGERATION;

25          (d) MAY BE A SINGLE-DUCT OR DUAL-DUCT PORTABLE AIR  
26 CONDITIONER; AND

27          (e) MAY INCLUDE ADDITIONAL MEANS FOR AIR CIRCULATION AND

1 HEATING.

2 (30) "PORTABLE ELECTRIC SPA" MEANS A FACTORY-BUILT  
3 ELECTRIC SPA OR HOT TUB THAT IS PORTABLE. IT MAY OR MAY NOT  
4 INCLUDE ANY COMBINATION OF INTEGRAL CONTROLS, WATER HEATING,  
5 AND WATER CIRCULATING EQUIPMENT.

6 (31) "PRESSURE REGULATOR" MEANS A DEVICE THAT MAINTAINS  
7 CONSTANT OPERATING PRESSURE IMMEDIATELY DOWNSTREAM FROM A  
8 SPRAY SPRINKLER BODY, GIVEN HIGHER PRESSURE UPSTREAM OF THE  
9 DEVICE.

10 (32) "PSI" MEANS POUNDS PER SQUARE INCH.

11 (33) "PUBLIC LAVATORY FAUCET" MEANS A FITTING DESIGNED AND  
12 MARKETED FOR INSTALLATION IN A NONRESIDENTIAL BATHROOM, WHICH  
13 BATHROOM IS EXPOSED TO WALK-IN TRAFFIC.

14 (34) "REPLACEMENT AERATOR" MEANS AN AERATOR SOLD AS A  
15 REPLACEMENT, SEPARATE FROM THE FAUCET TO WHICH IT IS INTENDED TO  
16 BE ATTACHED.

17 (35) "RESIDENTIAL VENTILATING FAN" MEANS AN INLINE FAN  
18 DESIGNED TO BE USED IN A BATHROOM OR UTILITY ROOM AND WHOSE  
19 PURPOSE IS TO MOVE AIR FROM INSIDE THE BUILDING TO THE OUTDOORS.  
20 IT MAY BE CEILING-MOUNTED, WALL-MOUNTED, OR REMOTELY MOUNTED.

21 (36) "SPRAY SPRINKLER BODY" MEANS THE EXTERIOR CASE OR  
22 SHELL OF A SPRINKLER, WHICH CASE OR SHELL:

23 (a) INCORPORATES A MEANS OF CONNECTION TO THE PIPING  
24 SYSTEM; AND

25 (b) IS DESIGNED TO CONVEY WATER TO A NOZZLE OR ORIFICE.

26 (37) "UNINTERRUPTIBLE POWER SUPPLY" MEANS A POWER SYSTEM  
27 FOR MAINTAINING CONTINUITY OF LOAD POWER IN CASE OF INPUT POWER

1 FAILURE. IT MAY CONSIST OF A COMBINATION OF ONE OR MORE BATTERY  
2 CHARGERS, CONVERTORS, SWITCHES, AND BATTERIES OR OTHER ENERGY  
3 STORAGE DEVICES.

4 (38) "WATER COOLER" MEANS A FREESTANDING DEVICE THAT  
5 CONSUMES ENERGY TO COOL OR HEAT, OR BOTH COOL AND HEAT, POTABLE  
6 WATER.

7 (39) "WATERSENSE-LISTED PLUMBING FIXTURE" MEANS A  
8 PLUMBING FIXTURE OR PLUMBING FIXTURE FITTING THAT HAS BEEN:

9 (a) TESTED BY AN ACCREDITED THIRD-PARTY CERTIFYING BODY OR  
10 LABORATORY IN ACCORDANCE WITH THE FEDERAL ENVIRONMENTAL  
11 PROTECTION AGENCY'S WATERSENSE PROGRAM OR A SUCCESSOR  
12 PROGRAM;

13 (b) CERTIFIED BY THE BODY OR LABORATORY AS MEETING THE  
14 PERFORMANCE AND EFFICIENCY REQUIREMENTS OF THE WATERSENSE  
15 PROGRAM; AND

16 (c) AUTHORIZED BY THE WATERSENSE PROGRAM TO USE ITS  
17 LABEL.

18 (40) "WATERSENSE PROGRAM" MEANS THE FEDERAL PROGRAM  
19 AUTHORIZED BY 42 U.S.C. SEC. 6294b.

20 **6-7.5-103. Low-efficiency plumbing fixtures.** (1) (a) EFFECTIVE  
21 SEPTEMBER 1, 2019, A PERSON SHALL NOT SELL OR INSTALL A NEW  
22 LOW-EFFICIENCY PLUMBING FIXTURE, OTHER THAN A  
23 FLUSHOMETER-VALVE WATER CLOSET, IN COLORADO.

24 (b) EFFECTIVE JANUARY 1, 2021, A PERSON SHALL NOT SELL OR  
25 INSTALL A NEW LOW-EFFICIENCY FLUSHOMETER-VALVE WATER CLOSET IN  
26 COLORADO.

27 (2) THIS SECTION DOES NOT PREEMPT ANY ACTION OF A

1 MUNICIPALITY, COUNTY, OR CITY AND COUNTY THAT PRESCRIBES  
2 ADDITIONAL OR MORE RESTRICTIVE WATER CONSERVATION OR ENERGY  
3 EFFICIENCY REQUIREMENTS AFFECTING THE SALE, INSTALLATION, OR USE  
4 OF PLUMBING FIXTURES, APPLIANCES, OR OTHER PRODUCTS IF THE  
5 REQUIREMENTS COMPLY WITH THE STANDARD SPECIFIED IN SUBSECTION  
6 (1) OF THIS SECTION.

7 **6-7.5-104. Scope and applicability.** (1) SUBJECT TO SUBSECTION  
8 (2) OF THIS SECTION AND AS FURTHER SPECIFIED IN SECTION 6-7.5-105,  
9 THIS ARTICLE 7.5 APPLIES TO THE FOLLOWING PRODUCTS SOLD AS NEW OR  
10 INSTALLED IN COLORADO:

- 11 (a) AIR COMPRESSORS;
- 12 (b) COMMERCIAL DISHWASHERS;
- 13 (c) COMMERCIAL FRYERS;
- 14 (d) COMMERCIAL HOT FOOD HOLDING CABINETS;
- 15 (e) COMMERCIAL STEAM COOKERS;
- 16 (f) COMPUTERS AND COMPUTER MONITORS;
- 17 (g) FAUCETS;
- 18 (h) FLUSHOMETER-VALVE WATER CLOSETS;
- 19 (i) GENERAL SERVICE LAMPS;
- 20 (j) HIGH CRI FLUORESCENT LAMPS;
- 21 (k) PORTABLE AIR CONDITIONERS;
- 22 (l) PORTABLE ELECTRIC SPAS;
- 23 (m) RESIDENTIAL VENTILATING FANS;
- 24 (n) SPRAY SPRINKLER BODIES;
- 25 (o) UNINTERRUPTIBLE POWER SUPPLIES; AND
- 26 (p) WATER COOLERS.
- 27 (2) THIS ARTICLE 7.5 DOES NOT APPLY TO:

1 (a) NEW PRODUCTS MANUFACTURED IN COLORADO AND SOLD  
2 OUTSIDE COLORADO;

3 (b) NEW PRODUCTS MANUFACTURED OUTSIDE COLORADO AND  
4 SOLD AT WHOLESALE INSIDE COLORADO FOR FINAL RETAIL SALE AND  
5 INSTALLATION OUTSIDE COLORADO;

6 (c) PRODUCTS INSTALLED IN MOBILE MANUFACTURED HOMES AT  
7 THE TIME OF CONSTRUCTION; OR

8 (d) PRODUCTS DESIGNED EXPRESSLY FOR INSTALLATION AND USE  
9 IN RECREATIONAL VEHICLES.

10 **6-7.5-105. Standards - effective dates - publication of material**  
11 **incorporated by reference.** (1) THE EXECUTIVE DIRECTOR NEED NOT  
12 ADOPT BY RULE, BUT SHALL COLLECT AND MAKE PUBLICLY AVAILABLE IN  
13 HARD COPY, THROUGH A WEBSITE, OR BOTH, THE FEDERAL RULES AND  
14 OTHER RULES AND STANDARDS REFERRED TO IN THIS SECTION. THE  
15 REFERENCES IN THIS SECTION ARE TO THE RULES AND STANDARDS AS THEY  
16 EXISTED ON THE DATES SPECIFIED OR, IF NOT SO SPECIFIED, AS THEY  
17 EXISTED ON AUGUST 2, 2019, AND DO NOT INCLUDE LATER EDITIONS OR  
18 REVISIONS.

19 (2) ON OR AFTER JANUARY 1, 2020, A PERSON SHALL NOT SELL OR  
20 OFFER FOR SALE IN COLORADO A GENERAL SERVICE LAMP UNLESS IT  
21 EITHER:

22 (a) IS SUBJECT TO FEDERAL PREEMPTION; OR

23 (b) MEETS OR EXCEEDS A LAMP EFFICACY OF FORTY-FIVE LUMENS  
24 PER WATT, WHEN TESTED IN ACCORDANCE WITH THE APPLICABLE FEDERAL  
25 TEST PROCEDURES FOR GENERAL SERVICE LAMPS PRESCRIBED IN 10 CFR  
26 430.23 (gg), AS IN EFFECT ON JANUARY 3, 2017.

27 (3) ON OR AFTER JANUARY 1, 2021, THE FOLLOWING NEW

1 PRODUCTS SHALL NOT BE SOLD, LEASED, OR RENTED IN COLORADO UNLESS  
2 THE EFFICIENCY OF THE NEW PRODUCT MEETS OR EXCEEDS THE  
3 FOLLOWING EFFICIENCY STANDARDS, AS APPLICABLE:

4 (a) COMMERCIAL DISHWASHERS INCLUDED IN THE SCOPE OF THE  
5 ENERGY STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION FOR  
6 COMMERCIAL DISHWASHERS, VERSION 2.0, MUST MEET THE QUALIFICATION  
7 CRITERIA OF THAT SPECIFICATION.

8 (b) COMMERCIAL FRYERS INCLUDED IN THE SCOPE OF THE ENERGY  
9 STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION FOR  
10 COMMERCIAL FRYERS, VERSION 2.0, MUST MEET THE QUALIFICATION  
11 CRITERIA OF THAT SPECIFICATION.

12 (c) COMMERCIAL HOT FOOD HOLDING CABINETS MUST HAVE A  
13 MAXIMUM IDLE ENERGY RATE OF FORTY WATTS PER CUBIC FOOT OF  
14 INTERIOR VOLUME, AS DETERMINED BY THE "IDLE ENERGY RATE-DRY  
15 TEST" IN ASTM STANDARD F2140-11, "TEST METHOD FOR THE  
16 PERFORMANCE OF HOT FOOD HOLDING CABINETS", PUBLISHED BY ASTM  
17 INTERNATIONAL, FORMERLY KNOWN AS THE AMERICAN SOCIETY FOR  
18 TESTING AND MATERIALS. INTERIOR VOLUME MUST BE MEASURED AS  
19 PRESCRIBED IN THE ENERGY STAR PROGRAM REQUIREMENTS PRODUCT  
20 SPECIFICATION FOR COMMERCIAL HOT FOOD HOLDING CABINETS, VERSION  
21 2.0.

22 (d) COMMERCIAL STEAM COOKERS MUST MEET THE REQUIREMENTS  
23 OF THE ENERGY STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION  
24 FOR COMMERCIAL STEAM COOKERS, VERSION 1.2.

25 (e) COMPUTERS AND COMPUTER MONITORS MUST MEET THE  
26 REQUIREMENTS OF SECTION 1605.3 (v) OF TITLE 20 OF THE CCR, AND  
27 COMPLIANCE WITH THOSE REQUIREMENTS MUST BE AS MEASURED IN

1 ACCORDANCE WITH TEST METHODS PRESCRIBED IN SECTION 1604 (v) OF  
2 THOSE REGULATIONS.

3 (f) FAUCETS, EXCEPT FOR METERING FAUCETS, MUST MEET THE  
4 FOLLOWING STANDARDS WHEN TESTED IN ACCORDANCE WITH 10 CFR 430,  
5 SUBPART B, APPENDIX S, AND COMPLIANCE WITH THOSE STANDARDS MUST  
6 BE ESTABLISHED USING THE "UNIFORM TEST METHOD FOR MEASURING  
7 THE WATER CONSUMPTION OF FAUCETS AND SHOWERHEADS", AS IN  
8 EFFECT ON JANUARY 3, 2017:

9 (I) RESIDENTIAL KITCHEN FAUCETS AND REPLACEMENT AERATORS  
10 MUST NOT EXCEED A MAXIMUM FLOW RATE OF 1.8 GPM AT SIXTY PSI,  
11 WITH OPTIONAL TEMPORARY FLOW OF 2.2 GPM, PROVIDED THEY DEFAULT  
12 TO A MAXIMUM FLOW RATE OF 1.8 GPM AT SIXTY PSI AFTER EACH USE.

13 (II) PUBLIC LAVATORY FAUCETS AND REPLACEMENT AERATORS  
14 MUST NOT EXCEED A MAXIMUM FLOW RATE OF 0.5 GPM AT SIXTY PSI.

15 (g) FLUSHOMETER-VALVE WATER CLOSETS INCLUDED WITHIN THE  
16 SCOPE OF THE WATERSENSE SPECIFICATION FOR FLUSHOMETER-VALVE  
17 WATER CLOSETS, VERSION 1.0, MUST MEET THE WATER EFFICIENCY AND  
18 PERFORMANCE CRITERIA AND OTHER REQUIREMENTS OF THAT  
19 SPECIFICATION.

20 (h) HIGH CRI FLUORESCENT LAMPS MUST MEET THE MINIMUM  
21 EFFICACY REQUIREMENTS CONTAINED IN 10 CFR 430.32 (n)(4) AS IN  
22 EFFECT ON JANUARY 3, 2017, AS MEASURED IN ACCORDANCE WITH 10 CFR  
23 430, SUBPART B, APPENDIX R, "UNIFORM TEST METHOD FOR MEASURING  
24 AVERAGE LAMP EFFICACY (LE), COLOR RENDERING INDEX (CRI), AND  
25 CORRELATED COLOR TEMPERATURE (CCT) OF ELECTRIC LAMPS", AS IN  
26 EFFECT ON JANUARY 3, 2017.

27 (i) PORTABLE ELECTRIC SPAS MUST MEET THE REQUIREMENTS OF



1 THE "AMERICAN NATIONAL STANDARD FOR PORTABLE ELECTRIC SPA  
2 ENERGY EFFICIENCY" (ANSI/APSP/ICC-14).

3 (j) RESIDENTIAL VENTILATING FANS MUST MEET THE  
4 QUALIFICATION CRITERIA OF THE ENERGY STAR PROGRAM REQUIREMENTS  
5 PRODUCT SPECIFICATION FOR RESIDENTIAL VENTILATING FANS, VERSION  
6 3.2.

7 (k) SPRAY SPRINKLER BODIES THAT ARE NOT SPECIFICALLY  
8 EXCLUDED FROM THE SCOPE OF THE WATERSENSE SPECIFICATION FOR  
9 SPRAY SPRINKLER BODIES, VERSION 1.0, MUST INCLUDE AN INTEGRAL  
10 PRESSURE REGULATOR AND MUST MEET THE WATER EFFICIENCY AND  
11 PERFORMANCE CRITERIA AND OTHER REQUIREMENTS OF THAT  
12 SPECIFICATION.

13 (l) UNINTERRUPTIBLE POWER SUPPLIES THAT UTILIZE A NEMA  
14 1-15P OR 5-15P INPUT PLUG AND HAVE AN ALTERNATING CURRENT  
15 OUTPUT MUST HAVE AN AVERAGE LOAD-ADJUSTED EFFICIENCY THAT  
16 MEETS OR EXCEEDS THE VALUES SHOWN ON PAGE 193 OF THE  
17 PREPUBLICATION FINAL RULE "ENERGY CONSERVATION PROGRAM:  
18 ENERGY CONSERVATION STANDARDS FOR UNINTERRUPTIBLE POWER  
19 SUPPLIES" ISSUED BY THE UNITED STATES DEPARTMENT OF ENERGY ON  
20 DECEMBER 28, 2016, AS MEASURED IN ACCORDANCE WITH TEST  
21 PROCEDURES PRESCRIBED IN 10 CFR 430, SUBPART B, APPENDIX Y,  
22 "UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION  
23 OF BATTERY CHARGERS", AS IN EFFECT ON JANUARY 11, 2017.

24 (m) WATER COOLERS INCLUDED IN THE SCOPE OF THE ENERGY  
25 STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION FOR WATER  
26 COOLERS, VERSION 2.0, MUST HAVE AN "ON" MODE WITH NO-WATER-DRAW  
27 ENERGY CONSUMPTION LESS THAN OR EQUAL TO THE FOLLOWING VALUES

1 AS MEASURED IN ACCORDANCE WITH THE TEST REQUIREMENTS OF THAT  
2 PROGRAM:

3 (I) 0.16 KILOWATT-HOURS PER DAY FOR COLD-ONLY UNITS AND  
4 COOK AND COLD UNITS;

5 (II) 0.87 KILOWATT-HOURS PER DAY FOR STORAGE-TYPE HOT AND  
6 COLD UNITS; AND

7 (III) 0.18 KILOWATT-HOURS PER DAY FOR ON-DEMAND HOT AND  
8 COLD UNITS.

9 (4) ON OR AFTER FEBRUARY 1, 2022, THE FOLLOWING NEW  
10 PRODUCTS SHALL NOT BE SOLD, LEASED, OR RENTED IN COLORADO UNLESS  
11 THE EFFICIENCY OF THE NEW PRODUCT MEETS OR EXCEEDS THE  
12 FOLLOWING EFFICIENCY STANDARDS, AS APPLICABLE:

13 (a) AIR COMPRESSORS THAT MEET THE TWELVE CRITERIA LISTED  
14 ON PAGE 350 TO 351 OF THE "ENERGY CONSERVATION STANDARDS FOR  
15 AIR COMPRESSORS" FINAL RULE ISSUED BY THE UNITED STATES  
16 DEPARTMENT OF ENERGY ON DECEMBER 5, 2016, MUST MEET THE  
17 REQUIREMENTS IN TABLE 1 ON PAGE 352 FOLLOWING THE INSTRUCTIONS  
18 ON PAGE 353 AND AS MEASURED IN ACCORDANCE WITH 10 CFR 431,  
19 SUBPART T, APPENDIX A, "UNIFORM TEST METHOD FOR CERTAIN AIR  
20 COMPRESSORS", AS IN EFFECT ON JULY 3, 2017.

21 (b) PORTABLE AIR CONDITIONERS MUST HAVE A COMBINED  
22 ENERGY EFFICIENCY RATIO (CEER), AS MEASURED IN ACCORDANCE WITH  
23 10 CFR 430, SUBPART B, APPENDIX CC, "UNIFORM TEST METHOD FOR  
24 MEASURING THE ENERGY CONSUMPTION OF PORTABLE AIR  
25 CONDITIONERS", AS IN EFFECT ON JANUARY 3, 2017, THAT IS GREATER  
26 THAN OR EQUAL TO:

27  $1.04 \times \text{SACC} / (3.7117 \times \text{SACC}^{0.6384})$

1 WHERE SACC IS THE SEASONALLY ADJUSTED COOLING CAPACITY IN  
2 BRITISH THERMAL UNITS PER HOUR.

3 (5) ON OR AFTER THE FIRST ANNIVERSARY OF THE DATE UPON  
4 WHICH THE SALE OR OFFERING FOR SALE OF A CERTAIN PRODUCT IS  
5 PROHIBITED BY SUBSECTION (2), (3), OR (4) OF THIS SECTION, AS  
6 APPLICABLE, A PERSON SHALL NOT INSTALL SUCH PRODUCT FOR  
7 COMPENSATION IN COLORADO.

8 **6-7.5-106. New and revised standards - rules.** THE EXECUTIVE  
9 DIRECTOR MAY ADOPT BY RULE A MORE RECENT VERSION OF ANY  
10 STANDARD OR TEST METHOD ESTABLISHED IN SECTION 6-7.5-105,  
11 INCLUDING ANY PRODUCT DEFINITION ASSOCIATED WITH THE STANDARD  
12 OR TEST METHOD, IN ORDER TO MAINTAIN OR IMPROVE CONSISTENCY WITH  
13 OTHER COMPARABLE STANDARDS IN OTHER STATES, SO LONG AS THE  
14 RESULTING EFFICIENCY IS EQUAL TO OR GREATER THAN THE EFFICIENCY  
15 ACHIEVED USING THE PRIOR STANDARD OR TEST METHOD. THE EXECUTIVE  
16 DIRECTOR SHALL ALLOW AT LEAST A ONE-YEAR DELAY BETWEEN THE  
17 ADOPTION BY RULE AND THE ENFORCEMENT OF ANY NEW STANDARD OR  
18 TEST METHOD.

19 **6-7.5-107. Protection against repeal of federal standards.**  
20 (1) IF ANY OF THE ENERGY OR WATER CONSERVATION STANDARDS ISSUED  
21 OR APPROVED FOR PUBLICATION BY THE OFFICE OF THE UNITED STATES  
22 SECRETARY OF ENERGY AS OF JANUARY 1, 2018, AS SET FORTH IN 10 CFR  
23 430-431 AND PROMULGATED PURSUANT TO THE "ENERGY POLICY AND  
24 CONSERVATION ACT", PUB.L. 94-163, ARE WITHDRAWN, REPEALED, OR  
25 OTHERWISE VOIDED, THE MINIMUM ENERGY OR WATER EFFICIENCY LEVEL  
26 PERMITTED FOR PRODUCTS PREVIOUSLY SUBJECT TO FEDERAL ENERGY OR  
27 WATER CONSERVATION STANDARDS MUST BE THE PREVIOUSLY APPLICABLE

1 FEDERAL STANDARDS, AND NO SUCH NEW PRODUCT MAY BE SOLD OR  
2 OFFERED FOR SALE, LEASE, RENTAL, OR INSTALLATION IN COLORADO  
3 UNLESS IT MEETS OR EXCEEDS SUCH STANDARDS.

4 (2) THIS SECTION DOES NOT APPLY TO A FEDERAL ENERGY OR  
5 WATER CONSERVATION STANDARD SET ASIDE BY A COURT UPON THE  
6 PETITION OF A PERSON THAT WILL BE ADVERSELY AFFECTED BY THE  
7 STANDARD, AS PROVIDED IN 42 U.S.C. SEC. 6306 (b).

8 **6-7.5-108. Utility programs during transition period.**

9 (1) SHOULD ONE OR MORE PRODUCTS DESCRIBED IN THIS ARTICLE 7.5 BE  
10 SUBJECT TO WITHDRAWAL, REPEAL, OR OTHER ACTIONS THAT DECLARE A  
11 FEDERAL STANDARD INVALID AS DESCRIBED IN SECTION 6-7.5-107, THE  
12 PUBLIC UTILITIES COMMISSION SHALL PERMIT A THREE-YEAR PHASEOUT  
13 FOR A UTILITY OPERATING ENERGY EFFICIENCY PROGRAMS THAT CREATE  
14 INCENTIVES FOR OR OTHERWISE ENCOURAGE THE USE OF HIGH-EFFICIENCY  
15 VERSIONS OF THE AFFECTED PRODUCTS. THIS PHASEOUT SHALL COMMENCE  
16 ON OR AFTER THE DATE SPECIFIED IN SECTION 6-7.5-105; SHALL APPLY  
17 ONLY TO ENERGY SAVINGS THAT WILL BE MANDATED UNDER THIS ARTICLE  
18 7.5; SHALL OCCUR IN EQUAL REDUCTIONS FOR EACH TRANSITION YEAR;  
19 AND MUST PERMIT AN ORDERLY ADJUSTMENT OF THE APPLIANCE OR  
20 LIGHTING MARKET TO ENSURE THAT RESIDENTS AND BUSINESSES IN  
21 COLORADO ARE NOT NEGATIVELY AFFECTED BY CHANGES IN PRODUCT  
22 SELECTION, BUSINESS PRACTICES, AND ENERGY EFFICIENCY PROGRAM  
23 OPPORTUNITIES RELATED TO THE AFFECTED APPLIANCES OR LIGHTING  
24 PRODUCTS.

25 (2) FOR PRODUCTS LISTED IN THIS ARTICLE 7.5 THAT ARE NOT  
26 SUBJECT TO WITHDRAWAL OR REPEAL, THE PUBLIC UTILITIES COMMISSION  
27 SHALL ALLOW AT LEAST A ONE-YEAR TRANSITION FOR UTILITY-SPONSORED

1 ENERGY EFFICIENCY PROGRAMS STARTING ON OR AFTER THE DATE  
2 SPECIFIED IN SECTION 6-7.5-105.

3 **6-7.5-109. Testing, certification, labeling, and enforcement -**  
4 **rules.** (1) UNLESS A PRODUCT APPEARS IN A PUBLIC DATABASE OF  
5 COMPLIANT PRODUCTS MAINTAINED BY OTHER STATES OR FEDERAL  
6 AGENCIES WITH EQUIVALENT OR MORE STRINGENT EFFICIENCY  
7 STANDARDS, THE MANUFACTURERS OF PRODUCTS COVERED BY THIS  
8 ARTICLE 7.5 SHALL DEMONSTRATE THAT THE PRODUCTS COMPLY WITH  
9 THIS ARTICLE 7.5 BY DOING ANY ONE OR MORE OF THE FOLLOWING:

10 (a) SUBMITTING TEST SAMPLE RESULTS TO THE EXECUTIVE  
11 DIRECTOR, USING TEST METHODS AND PROCEDURES ADOPTED PURSUANT  
12 TO THIS ARTICLE 7.5;

13 (b) AFFIXING A MARK, LABEL, OR TAG TO THE PRODUCT AND  
14 PACKAGING AT THE TIME OF SALE OR INSTALLATION THAT DEMONSTRATES  
15 COMPLIANCE WITH OTHER STATE OR FEDERAL AGENCIES THAT HAVE  
16 EQUIVALENT OR MORE STRINGENT EFFICIENCY STANDARDS; OR

17 (c) SUBMITTING SUCH OTHER PROOF AS THE EXECUTIVE DIRECTOR  
18 MAY DEEM APPROPRIATE TO SHOW THAT THE PRODUCT COMPLIES WITH  
19 EQUIVALENT OR MORE STRINGENT EFFICIENCY STANDARDS ADOPTED BY  
20 OTHER STATES OR FEDERAL AGENCIES.

21 (2) THE EXECUTIVE DIRECTOR MAY ADOPT RULES AS NECESSARY  
22 TO ENSURE THE PROPER IMPLEMENTATION AND ENFORCEMENT OF THIS  
23 ARTICLE 7.5.

24 **SECTION 3. Act subject to petition - effective date.** This act  
25 takes effect at 12:01 a.m. on the day following the expiration of the  
26 ninety-day period after final adjournment of the general assembly (August  
27 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the  
2 state constitution against this act or an item, section, or part of this act  
3 within such period, then the act, item, section, or part will not take effect  
4 unless approved by the people at the general election to be held in  
5 November 2020 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.