

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 19-0875.01 Pierce Lively x2059

HOUSE BILL 19-1260

HOUSE SPONSORSHIP

Kipp and Valdez A., Cutter, Duran, Froelich, Hooton, Jaquez Lewis, Sirota, Weissman, Arndt, Becker, Bird, Buentello, Hansen, Jackson, Michaelson Jenet, Roberts, Tipper, Titone

SENATE SPONSORSHIP

Winter and Priola, Lee, Moreno, Tate

House Committees
Energy & Environment

Senate Committees
Transportation & Energy

A BILL FOR AN ACT

101 **CONCERNING AN UPDATE TO THE MINIMUM ENERGY CODE FOR THE**
102 **CONSTRUCTION OF BUILDINGS.**

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 requires local jurisdictions to adopt one of the 3 most recent versions of the international energy conservation code at a minimum, upon updating any other building code, and encourages local jurisdictions to update the Colorado energy office on any changes to the jurisdictions' building and energy codes.

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.

SENATE
3rd Reading Unamended
April 27, 2019

SENATE
2nd Reading Unamended
April 26, 2019

HOUSE
3rd Reading Unamended
April 17, 2019

HOUSE
2nd Reading Unamended
April 16, 2019

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

2 **SECTION 1.** In Colorado Revised Statutes, 30-28-201, **amend**
3 (3); and **add** (4) as follows:

4 **30-28-201. Commissioners may adopt - emission performance**
5 **standards required - reporting.** (3) ~~By the date established in section~~
6 ~~30-28-211, Every board of county commissioners, of a county that has~~
7 ~~enacted a building code, and thereafter every board that enacts a~~ WHEN
8 ADOPTING OR UPDATING ANY building code, shall adopt and enforce a
9 building energy code that meets or exceeds the standards in ~~the 2003~~
10 ~~version~~ ONE OF THE THREE MOST RECENT VERSIONS of the international
11 energy conservation code pursuant to section 30-28-211.

12 (4) BY JANUARY 1, 2020, EVERY BOARD OF COUNTY
13 COMMISSIONERS OF A COUNTY WHICH HAS ENACTED A BUILDING CODE
14 AND AN ENERGY CODE SHALL REPORT THE CURRENT VERSION OF THEIR
15 COUNTY'S BUILDING AND ENERGY CODES TO THE COLORADO ENERGY
16 OFFICE. THEREAFTER, EVERY BOARD OF COUNTY COMMISSIONERS IS
17 ENCOURAGED TO REPORT ANY CHANGE IN THEIR COUNTY'S BUILDING AND
18 ENERGY CODE TO THE COLORADO ENERGY OFFICE WITHIN A MONTH OF
19 CHANGING THEIR COUNTY'S BUILDING AND ENERGY CODES.

20 **SECTION 2.** In Colorado Revised Statutes, 30-28-211, **amend**
21 (1)(e), (2)(b), (3), (5) introductory portion, and (6); and **add** (1)(f), (1)(g),
22 and (1)(h) as follows:

23 **30-28-211. Energy efficient building codes - legislative**
24 **declaration - definitions.** (1) The general assembly hereby finds and
25 declares that there is statewide interest in requiring an effective energy
26 efficient building code for the following reasons:

1 (e) Controlling energy costs for residents and businesses furthers
2 a statewide interest in a strong economy and reducing the TOTAL cost of
3 housing in Colorado.

4 (f) MORE RECENT ENERGY CODES ARE MORE EFFECTIVE AT
5 ENSURING BUILDING DURABILITY AND STRUCTURAL INTEGRITY AND
6 PROTECTING PUBLIC HEALTH AND SAFETY THROUGH BETTER:

7 (I) MOISTURE MANAGEMENT TO PREVENT MOLD, MILDEW, AND
8 ROT;

9 (II) AIRFLOW MANAGEMENT; AND

10 (III) PROTECTION DURING SEVERE WEATHER.

11 (g) MORE RECENT ENERGY CODES INCORPORATE NEWER BUILDING
12 TECHNOLOGIES, TECHNIQUES, AND MATERIALS AND OFFER MORE OPTIONS
13 FOR BUILDERS.

14 (h) BUSINESSES AND RESIDENTS IN LOW-INCOME COMMUNITIES
15 AND RURAL AREAS OF THE STATE DESERVE AT LEAST THE SAME
16 DURABILITY, HEALTH AND SAFETY, AND ENERGY COST SAVINGS FROM
17 ENERGY EFFICIENT BUILDINGS AS THOSE IN WEALTHIER, URBAN, AND
18 SUBURBAN AREAS OF THE STATE.

19 (2) As used in this section, unless the context otherwise requires:

20 (b) "Energy code" means, at a minimum, ~~the 2003~~ ONE OF THE
21 THREE most recent versions of the international energy conservation code
22 ~~or any successor edition,~~ published by the international code council. ~~or~~
23 ~~any other code determined by the Colorado energy office created in~~
24 ~~section 24-38.5-101 C.R.S., to be more appropriate for local conditions.~~

25 (3) ~~Within one year of July 1, 2007,~~ Every board of county
26 commissioners, ~~that has enacted~~ WHEN ADOPTING OR UPDATING a building
27 code pursuant to section 30-28-201 , shall adopt AND ENFORCE an energy

1 code that ~~shall apply~~ APPLIES to the construction of, and renovations and
2 additions to, all commercial and residential buildings in the county to
3 which the building code applies.

4 (5) The following buildings are exempt from ~~the provisions of~~
5 ~~subsection~~ SUBSECTIONS (3) AND (4) of this section:

6 (6) Notwithstanding any other provision of this section, the board
7 of county commissioners of a county that is required to adopt OR UPDATE
8 an energy code may make any amendments to the energy code that the
9 board deems appropriate for local conditions, so long as the amendments
10 do not decrease the effectiveness OR ENERGY EFFICIENCY of the energy
11 code.

12 **SECTION 3.** In Colorado Revised Statutes, 31-15-601, **add** (3)
13 as follows:

14 **31-15-601. Building and fire regulations - emission**
15 **performance standards required - reporting.** (3) BY JANUARY 1, 2020,
16 EVERY GOVERNING BODY OF A MUNICIPALITY WHICH HAS ENACTED A
17 BUILDING CODE AND AN ENERGY CODE SHALL REPORT THE CURRENT
18 VERSION OF THEIR MUNICIPALITY'S BUILDING AND ENERGY CODES TO THE
19 COLORADO ENERGY OFFICE. THEREAFTER, EVERY GOVERNING BODY OF A
20 MUNICIPALITY IS ENCOURAGED TO REPORT ANY CHANGE IN THEIR
21 MUNICIPALITY'S BUILDING AND ENERGY CODE TO THE COLORADO ENERGY
22 OFFICE WITHIN A MONTH OF CHANGING THEIR MUNICIPALITY'S BUILDING
23 AND ENERGY CODES.

24 **SECTION 4.** In Colorado Revised Statutes, 31-15-602, **amend**
25 (2)(b), (3), and (5) introductory portion; and **add** (1)(f), (1)(g), and (1)(h)
26 as follows:

27 **31-15-602. Energy efficient building codes - legislative**

1 **declaration - definitions - repeal.** (1) The general assembly hereby finds
2 and declares that there is statewide interest in requiring an effective
3 energy efficient building code for the following reasons:

4 (f) MORE RECENT ENERGY CODES ARE MORE EFFECTIVE AT
5 ENSURING BUILDING DURABILITY AND STRUCTURAL INTEGRITY AND
6 PROTECTING PUBLIC HEALTH AND SAFETY THROUGH BETTER:

7 (I) MOISTURE MANAGEMENT TO PREVENT MOLD, MILDEW, AND
8 ROT;

9 (II) AIRFLOW MANAGEMENT; AND

10 (III) PROTECTION DURING SEVERE WEATHER.

11 (g) MORE RECENT ENERGY CODES INCORPORATE NEWER BUILDING
12 TECHNOLOGIES, TECHNIQUES, AND MATERIALS AND OFFER MORE OPTIONS
13 FOR BUILDERS.

14 (h) BUSINESSES AND RESIDENTS IN LOW-INCOME COMMUNITIES
15 AND RURAL AREAS OF THE STATE DESERVE AT LEAST THE SAME
16 DURABILITY, HEALTH AND SAFETY, AND ENERGY COST SAVINGS FROM
17 ENERGY EFFICIENT BUILDINGS AS THOSE IN WEALTHIER, URBAN, AND
18 SUBURBAN AREAS OF THE STATE.

19 (2) As used in this section, unless the context otherwise requires:

20 (b) "Energy code" means, at a minimum, ~~the 2003~~ ONE OF THE
21 THREE MOST RECENT VERSIONS OF THE international energy conservation
22 code ~~or any successor edition~~, published by the international code council.
23 ~~or any other code determined by the Colorado energy office created in~~
24 ~~section 24-38.5-101 C.R.S., to be more appropriate for local conditions.~~

25 (3) ~~Within one year of July 1, 2007,~~ The governing body of any
26 municipality, ~~that has enacted a building code~~ WHEN ADOPTING OR
27 UPDATING ANY OTHER BUILDING CODES, shall adopt AND ENFORCE an

1 energy code that ~~shall apply~~ APPLIES to the construction of, and
2 renovations and additions to, all commercial and residential buildings in
3 the municipality TO WHICH THE BUILDING CODE APPLIES.

4 (5) The following buildings are exempt from ~~the provisions of~~
5 ~~subsection~~ SUBSECTIONS (3) AND (4) of this section:

6 **SECTION 5. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2020 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.