A BILL FOR AN ACT

CONCERNING REQUIRING A LOCAL GOVERNMENT TO MODIFY A BUILDING CODE TO ALLOW FIVE STORIES OF A MULTIFAMILY RESIDENTIAL BUILDING TO BE SERVED BY A SINGLE EXIT.

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.)

On or before December 1, 2026, the bill requires a board of county commissioners or the governing body of a municipality to adopt a building code, or amend an existing building code, to allow up to 5 stories of a multifamily residential building to be served by a single exit. To satisfy this requirement, a local government shall incorporate by reference
and adopt or adapt and adopt language from a portion of an existing building code that allows a single exit to serve no more than 5 stories of a group r-2 occupancy in the same building. If a local government so requests, the department of local affairs shall provide technical assistance to the local government in satisfying this requirement.

The bill also clarifies that the adoption or amendment of a building code to satisfy the requirements of the bill does not qualify as adopting or enforcing a building code for the purpose of determining whether a board of county commissioners or the governing body of a municipality is required to adopt an energy code.

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

SECTION 1. In Colorado Revised Statutes, add 30-28-213 as follows:

30-28-213. Single exit in multifamily residential structure - technical assistance - definition. (1) Subject to the conditions set forth in subsection (2) of this section and notwithstanding any other provision of law, on or before December 1, 2026, a board of county commissioners shall adopt a building code, or amend its existing building code, to allow a single exit to serve no more than five stories of a group r-2 occupancy in the same building.

(2) To satisfy the requirements of subsection (1) of this section, a board of county commissioners shall incorporate by reference into its new or existing building code and adopt or adapt and adopt language from a portion of an existing building code of any other American jurisdiction that allows a single exit to serve no more than five stories of a group r-2 occupancy in the same building.

(3) The adoption of a building code, or the amendment of an existing building code, by a board of county commissioners to comply with subsection (1) of this section, is not adopting or
ENFORCING A BUILDING CODE FOR PURPOSES OF DETERMINING WHETHER
A BOARD OF COUNTY COMMISSIONERS IS REQUIRED TO ADOPT AND
ENFORCE AN ENERGY CODE PURSUANT TO SECTION 30-28-211.

(4) UPON THE REQUEST OF A COUNTY OFFICIAL OR EMPLOYEE, THE
DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE TECHNICAL ASSISTANCE
IN ADOPTING A BUILDING CODE OR AMENDING AN EXISTING BUILDING CODE
PURSUANT TO SUBSECTION (1) OF THIS SECTION.

(5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
REQUIRES, "GROUP R-2 OCCUPANCY" MEANS A RESIDENTIAL OCCUPANCY
CONTAINING SLEEPING UNITS OR MORE THAN TWO DWELLING UNITS WHERE
THE OCCUPANTS ARE PRIMARILY PERMANENT IN NATURE.

SECTION 2. In Colorado Revised Statutes, add 31-15-604 as
follows:

31-15-604. Single exit in multifamily residential structure -
technical assistance - definition. (1) SUBJECT TO THE CONDITIONS SET
FORTH IN SUBSECTION (2) OF THIS SECTION AND NOTWITHSTANDING ANY
OTHER PROVISION OF LAW, ON OR BEFORE DECEMBER 1, 2026, THE
GOVERNING BODY OF ANY MUNICIPALITY SHALL ADOPT A BUILDING CODE,
OR AMEND ITS EXISTING BUILDING CODE, TO ALLOW A SINGLE EXIT TO
SERVE NO MORE THAN FIVE STORIES OF A GROUP R-2 OCCUPANCY IN THE
SAME BUILDING.

(2) TO SATISFY THE REQUIREMENTS OF SUBSECTION (1) OF THIS
SECTION, THE GOVERNING BODY OF A MUNICIPALITY SHALL INCORPORATE
BY REFERENCE INTO ITS NEW OR EXISTING BUILDING CODE AND ADOPT OR
ADAPT AND ADOPT LANGUAGE FROM A PORTION OF AN EXISTING BUILDING
CODE OF ANY AMERICAN JURISDICTION THAT ALLOWS A SINGLE EXIT TO
SERVE NO MORE THAN FIVE STORIES OF A GROUP R-2 OCCUPANCY IN THE
SAME BUILDING.

(3) The adoption of a building code, or the amendment of an existing building code, by a governing body of a municipality to comply with subsection (1) of this section, is not adopting or enforcing a building code for purposes of determining whether a governing body of a municipality is required to adopt and enforce an energy code pursuant to section 31-15-602.

(4) Upon the request of a municipal official or employee, the department of local affairs shall provide technical assistance in adopting a building code or amending an existing building code pursuant to subsection (1) of this section.

(5) As used in this section, unless the context otherwise requires, "Group R-2 occupancy" means a residential occupancy containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.