

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0276.04 Jed Franklin x5484

SENATE BILL 25-002

SENATE SPONSORSHIP

Bridges and Exum,

HOUSE SPONSORSHIP

Boesenecker and Stewart R.,

Senate Committees

Local Government & Housing
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE DEVELOPMENT OF REGIONAL BUILDING CODES THAT**
102 **ACCOUNT FOR LOCAL CLIMATIC AND GEOGRAPHIC CONDITIONS**
103 **FOR THE CONSTRUCTION AND INSTALLATION OF RESIDENTIAL**
104 **AND NONRESIDENTIAL FACTORY-BUILT STRUCTURES.**

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 provides that after the state housing board (board) adopts rules about any activity required to undertake or complete the construction or installation of a factory-built nonresidential structure, a

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

factory-built residential structure, or a factory-built tiny home (factory-built structure), the state plumbing board, the state electrical board, and the state fire suppression administrator do not have jurisdiction over and their rules do not apply to a factory-built structure.

On or before July 1, 2026, the advisory committee on factory-built structures (advisory committee) is required to develop regional building codes for factory-built structures and implementation requirements and submit the recommended codes to the board.

On or before July 1, 2026, the board must adopt rules:

- Implementing regional building code recommendations from the advisory committee that account for local climatic and geographic conditions for the construction and installation of factory-built structures, which supersede any conflicting ordinance, code, regulation, or other law of a local government unless the local government adopts the rules of the board;
- Covering the implementation requirements developed by the advisory committee, including authorizing a local government certified by the division of housing (division) to perform inspections of factory-built structures on behalf of the division and registration, responsibility, and accountability requirements for a manufacturer, installer, seller, or general contractor who develops the installation site or completes the construction of a factory-built structure at the installation site;
- Covering electrical, plumbing, or fire suppression activity required to undertake or complete the construction or installation of a factory-built structure;
- Allowing the division to contract for third-party review and approval of a final design plan for a factory-built structure on behalf of the division;
- Allowing the division to create a process for vetting and approving the ability of a third party to review and approve a final design plan for a factory-built structure on behalf of the division; and
- Requiring the division to cause an audit to be performed on a third party that reviews and approves design plans.

On or before July 1, 2026, the advisory committee is required to conduct a study on behalf of the division about whether the international building code or residential code standards that apply to site requirements should be incorporated into state statutes and rules and to determine whether the state should regulate non-factory-built components that are connected to a factory-built structure at the installation site and are currently under local jurisdiction. The division is required to deliver the study to the board when complete.

A county or municipality may not:

- Enact a regulation that excludes factory-built structures and manufactured homes from the county or municipality;
- Impose more restrictive standards on factory-built structures and manufactured homes than those that the county or municipality applies to site-built homes in the same residential zones in the county or municipality; or
- Enact or enforce a regulation, law, or ordinance affecting the installation or construction of a factory-built structure or manufactured home.

A county or municipality may:

- Enact land use regulations to the extent that the regulations are applicable to existing housing or structures or new site-built housing in the county or municipality; and
- Enact a building code provision for unique public safety requirements unless the provision applies to a factory-built structure or manufactured home.

A county or municipality must comply with the requirements established by the division for factory-built structures and by the United States department of housing and urban development for manufactured homes.

The bill requires the state treasurer to transfer \$600,000 on July 1, 2025, from the innovative housing incentive program fund to the building regulation fund.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Coloradans are overwhelmingly burdened with the cost of
5 housing;

6 (b) Forty-five percent of renters, 329,000 residents, spend more
7 than 30% of their income on rent;

8 (c) A household in Colorado must earn at least \$70,840 annually
9 to afford the median rent of \$1,771 without being cost-burdened;

10 (d) To purchase a median-priced home, which is \$550,300, with
11 a 20% down payment, and avoid being cost-burdened, a household must
12 earn \$129,178 annually;

1 (e) The average cost of construction of a new home as of
2 November 2024 was approximately \$483,000, which is an increase from
3 \$419,000 in 2023;

4 (f) In 2021, the general assembly enacted House Bill 21-1329,
5 which directed the executive committee of the legislative council to create
6 a task force to meet during 2021 and issue a report with recommendations
7 to the general assembly and the governor on policies to create
8 transformative changes in the area of housing;

9 (g) In 2022, the general assembly enacted House Bill 22-1282,
10 which authorized investment in companies pursuing innovative
11 construction methods, resulting in the establishment of the innovative
12 housing incentive program;

13 (h) Innovative housing incentive program investments are
14 intended to create new housing units, which lower housing costs and
15 encourage innovation; and

16 (i) Off-site construction partners participating in the innovative
17 housing incentive program, including modular manufacturers, have
18 expressed concerns that regulatory barriers are preventing intended
19 growth in housing units, reducing the cost and time-saving potential of
20 off-site construction.

21 (2) Therefore, the general assembly further finds and declares that
22 it seeks to address the shortage and cost of housing by enacting regional
23 standards for factory-built structures, rather than standards related to a
24 specific address, which will increase the supply of housing and lower
25 housing costs by lowering the cost of factory-built housing construction
26 and encouraging partners to take advantage of the economies of scale
27 afforded through factory-built construction.

1 **SECTION 2.** In Colorado Revised Statutes, 12-115-106, **add** (6)
2 as follows:

3 **12-155-106. Colorado plumbing code - amendments -**
4 **variances - Colorado fuel gas code.** (6) (a) NOTWITHSTANDING ANY
5 AUTHORITY GRANTED TO THE BOARD BY THIS SECTION AND AFTER RULES
6 ARE ADOPTED BY THE STATE HOUSING BOARD PURSUANT TO SECTION
7 24-32-3304 (1)(h)(III), THE BOARD DOES NOT HAVE JURISDICTION OVER
8 AND THE RULES OF THE BOARD DO NOT APPLY TO ANY ACTIVITY REQUIRED
9 TO UNDERTAKE OR COMPLETE THE CONSTRUCTION OR INSTALLATION OF
10 A FACTORY-BUILT STRUCTURE, AS DEFINED IN SECTION 24-32-3302 (11).

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

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

18 (d) THE INSPECTION AND INSPECTORS OF THESE INSTALLATIONS,
19 OTHER THAN THOSE AUTHORIZED TO BE PERFORMED BY A REGISTERED
20 INSTALLER, ARE REGULATED IN ARTICLE 155 OF TITLE 12 AND MUST BE
21 PERFORMED BY LICENSED PLUMBING INSPECTORS.

22 **SECTION 3.** In Colorado Revised Statutes, 12-115-107, **add** (5)
23 as follows:

24 **12-115-107. Board powers and duties - rules - definition.** (5)
25 (a) NOTWITHSTANDING ANY AUTHORITY GRANTED TO THE BOARD BY THIS
26 SECTION AND AFTER RULES ARE ADOPTED BY THE STATE HOUSING BOARD
27 PURSUANT TO SECTION 24-32-3304 (1)(h)(III), THE BOARD DOES NOT

1 HAVE JURISDICTION OVER AND THE RULES OF THE BOARD DO NOT APPLY
2 TO ACTIVITY REQUIRED TO UNDERTAKE OR COMPLETE THE CONSTRUCTION
3 OR INSTALLATION OF A FACTORY-BUILT STRUCTURE, AS DEFINED IN
4 SECTION 24-32-3302 (11).

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

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

15 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-1204.5, **add**
16 (3) as follows:

17 **24-33.5-1204.5. Powers and duties of administrator - rules.**

18 (3) NOTWITHSTANDING ANY AUTHORITY GRANTED TO THE
19 ADMINISTRATOR BY THIS SECTION AND AFTER RULES ARE ADOPTED BY THE
20 STATE HOUSING BOARD PURSUANT TO SECTION 24-32-3304 (1)(h)(III), THE
21 ADMINISTRATOR DOES NOT HAVE JURISDICTION OVER AND THE RULES OF
22 THE ADMINISTRATOR DO NOT APPLY TO ACTIVITY REQUIRED TO
23 UNDERTAKE OR COMPLETE THE CONSTRUCTION OR INSTALLATION OF A
24 FACTORY-BUILT STRUCTURE, AS DEFINED IN SECTION 24-32-3302 (11).

25 **SECTION 5.** In Colorado Revised Statutes, 24-32-3304, **amend**
26 (1)(f) and (1)(g); and **add** (1)(h) as follows:

27 **24-32-3304. State housing board - powers and duties - rules.**

1 (1) The board has the following powers and duties pursuant to this part
2 33:

3 (f) To promulgate rules establishing standards for tiny homes that
4 cover the manufacture of, assembly of, and installation of tiny homes; ~~and~~

5 (g) To promulgate uniform foundation construction standards for
6 manufactured homes, factory-built structures, or tiny homes in those areas
7 of the state where no standards exist; AND

8 (h) ON OR BEFORE JULY 1, 2026, TO ADOPT RULES:

9 (I) ESTABLISHING REGIONAL BUILDING CODE STANDARDS
10 ACCOUNTING FOR LOCAL CLIMATIC AND GEOGRAPHIC CONDITIONS, AND
11 FIRE PROTECTION AND SUPPRESSION ACTIVITIES FOR THE CONSTRUCTION
12 AND INSTALLATION OF FACTORY-BUILT STRUCTURES DEVELOPED BY THE
13 ADVISORY COMMITTEE CREATED IN SECTION 24-32-3305 (3), WHICH SHALL
14 SUPERSEDE A CONFLICTING ORDINANCE, CODE, REGULATION, OR OTHER
15 LAW OF A LOCAL GOVERNMENT UNLESS A LOCAL GOVERNMENT ADOPTS
16 THE RULES ISSUED BY THE BOARD;

17 (II) IMPLEMENTING THE RECOMMENDED REQUIREMENTS
18 DEVELOPED BY THE ADVISORY COMMITTEE CREATED IN SECTION
19 24-32-3305 (3), INCLUDING THE CONTINUED AUTHORIZATION OF A LOCAL
20 GOVERNMENT CERTIFIED BY THE DIVISION TO PERFORM INSPECTIONS OF A
21 FACTORY-BUILT STRUCTURE ON BEHALF OF THE DIVISION; AND
22 REGISTRATION, RESPONSIBILITY, AND ACCOUNTABILITY REQUIREMENTS
23 FOR A MANUFACTURER, INSTALLER, SELLER, OR GENERAL CONTRACTOR
24 WHO DEVELOPS THE INSTALLATION SITE OR COMPLETES THE
25 CONSTRUCTION OF A FACTORY-BUILT STRUCTURE AT THE INSTALLATION
26 SITE, INCLUDING OFFERING EDUCATION, TRAINING, AND CERTIFICATION
27 OPPORTUNITIES;

1 committee consists of ~~fifteen~~ NINETEEN members appointed by the
2 division from the following professional and technical disciplines:

3 (III) Three from building code enforcement, REPRESENTING THE
4 FOLLOWING COUNTY OR MUNICIPAL CLASSIFICATIONS AS DESIGNATED BY
5 THE DIVISION PURSUANT TO SECTION 29-4-1107 (1)(d):

6 (A) ONE FROM RURAL;

7 (B) ONE FROM RURAL RESORT; AND

8 (C) ONE FROM URBAN;

9 (IV) One from ~~mechanical engineering or contracting~~ THE
10 DEPARTMENT OF REGULATORY AGENCIES;

11 (V) One from ~~electrical engineering or contracting~~ LICENSED
12 ELECTRICIAN;

13 (VI) One from the ~~plumbing industry~~ LICENSED PLUMBER;

14 (VII) One from the ~~construction design or producer industry~~
15 DIVISION OF FIRE PREVENTION AND CONTROL;

16 (VIII) ~~Two~~ THREE from ~~manufactured housing~~ FACTORY-BUILT
17 STRUCTURE CONSTRUCTION REPRESENTING THE FOLLOWING OCCUPANCY
18 CLASSIFICATIONS:

19 (A) ONE FROM THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-
20 AND TWO-FAMILY DWELLINGS;

21 (B) ONE FROM THE INTERNATIONAL BUILDING CODE FOR
22 RESIDENTIAL STRUCTURES; AND

23 (C) ONE FROM THE INTERNATIONAL BUILDING CODE FOR FACTORY
24 AND INDUSTRIAL STRUCTURES;

25 (IX) ~~Two~~ ONE from the tiny home industry;

26 (X) One from energy conservation; and

27 (XI) One from organized labor;

1 (XII) ONE DEVELOPER SPECIALIZING IN THE USE OF
2 FACTORY-BUILT STRUCTURES IN PROJECTS;

3 (XIII) ONE FROM CLIMATE RESILIENCY;

4 (XIV) ONE REGISTERED INSTALLER; AND

5 (XV) ONE REGISTERED SELLER.

6 (c) THE ADVISORY COMMITTEE SHALL DEVELOP REGIONAL
7 BUILDING CODES ACCOUNTING FOR LOCAL CLIMACTIC AND GEOGRAPHIC
8 CONDITIONS AND FIRE SUPPRESSION ACTIVITIES FOR THE CONSTRUCTION
9 AND INSTALLATION OF FACTORY-BUILT STRUCTURES AND SUBMIT THE
10 RECOMMENDED REGIONAL BUILDING CODES IN THE FORM OF
11 RECOMMENDED ADMINISTRATIVE RULES FOR CONSIDERATION AND
12 ADOPTION BY THE BOARD.

13 (d) THE ADVISORY COMMITTEE SHALL DEVELOP IMPLEMENTATION
14 REQUIREMENTS, INCLUDING AUTHORIZING A LOCAL GOVERNMENT TO
15 PERFORM INSPECTIONS OF FACTORY-BUILT STRUCTURES ON BEHALF OF THE
16 DIVISION OF HOUSING; AND REGISTRATION, RESPONSIBILITY, AND
17 ACCOUNTABILITY REQUIREMENTS FOR MANUFACTURERS, INSTALLERS,
18 SELLERS, OR GENERAL CONTRACTORS WHO DEVELOP THE INSTALLATION
19 SITE OR COMPLETE THE CONSTRUCTION OF FACTORY-BUILT STRUCTURES
20 AT THE INSTALLATION SITE, INCLUDING OFFERING EDUCATION, TRAINING,
21 AND CERTIFICATION OPPORTUNITIES, AND SUBMIT THE IMPLEMENTATION
22 REQUIREMENTS IN THE FORM OF RECOMMENDED ADMINISTRATIVE RULES
23 FOR CONSIDERATION AND ADOPTION BY THE BOARD.

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

27 (f) ANY FUTURE RENOVATION, ALTERATION, OR REPAIR OF THE

1 FACTORY-BUILT STRUCTURE, INCLUDING ELECTRICAL AND PLUMBING,
2 THAT IS PROPOSED FOLLOWING THE INSTALLATION AT THE SITE IS SUBJECT
3 TO ALL CODES AND RULES OF THE APPROPRIATE GOVERNMENTAL
4 AGENCIES HAVING JURISDICTION OVER THE STRUCTURE AND IS SUBJECT TO
5 THE JURISDICTION OF THE STATE ELECTRICAL BOARD OR STATE PLUMBING
6 BOARD AND THE CORRESPONDING PROFESSIONAL PRACTICE ACTS OF THOSE
7 LICENSED PROFESSIONS.

8 (g) ON OR BEFORE JULY 1, 2026, THE ADVISORY COMMITTEE SHALL
9 CONDUCT A STUDY ON BEHALF OF THE DIVISION ABOUT WHETHER THE
10 INTERNATIONAL BUILDING CODE OR RESIDENTIAL CODE STANDARDS THAT
11 APPLY TO SITE REQUIREMENTS SHOULD BE INCORPORATED INTO STATE
12 STATUTES AND RULES AND TO DETERMINE WHETHER THE STATE SHOULD
13 REGULATE ABOVE-GRADE SITE-BUILT COMPONENTS THAT ARE CONNECTED
14 TO THE FACTORY-BUILT STRUCTURE AT THE INSTALLATION SITE AND ARE
15 CURRENTLY UNDER LOCAL JURISDICTION. WHEN COMPLETE, THE DIVISION
16 SHALL DELIVER THE STUDY TO THE STATE HOUSING BOARD.

17 ~~(3.3) The department shall create for factory-built structures,~~
18 ~~including those that would be considered accessory dwelling units, model~~
19 ~~public safety code requirements related to geographic or climatic~~
20 ~~conditions, such as weight restrictions for roof snow loads, wind shear~~
21 ~~factors, or wildfire risk, for local governments to consider and adopt~~
22 ~~pursuant to section 24-32-3318 (2)(a).~~

23 (4) ANY FUTURE STATEWIDE ADOPTED CODES CONTEMPLATED IN
24 STATUTE MUST BE VETTED THROUGH THE ADVISORY COMMITTEE FOR
25 CONSIDERATION FOR ADOPTION BY THE BOARD.

26 **SECTION 7.** In Colorado Revised Statutes, 30-28-115, **amend**
27 (3)(b)(I) introductory portion, (3)(b)(I)(A), (3)(b)(I)(B), (3)(b)(II), and

1 (3)(b)(III); and **add** (3)(b)(I.5) and (3)(b)(V) as follows:

2 **30-28-115. Public welfare to be promoted - legislative**
3 **declaration - construction - definition.** (3) (b) (I) No county may have
4 or enact zoning regulations, subdivision regulations, or any other
5 regulation affecting development, which exclude or have the effect of
6 excluding homes OR STRUCTURES from the county that are:

7 (A) ~~Homes~~ FACTORY-BUILT STRUCTURES, AS DEFINED IN SECTION
8 24-32-3302 (11) AND certified by the division of housing created in
9 section 24-32-704 or a party authorized to act on its behalf;

10 (B) MANUFACTURED homes certified by the United States
11 department of housing and urban development through its office of
12 manufactured housing programs, a successor agency, or a party
13 authorized to act on its behalf; or

14 (I.5) A COUNTY SHALL NOT IMPOSE MORE RESTRICTIVE
15 STANDARDS ON FACTORY-BUILT STRUCTURES AND MANUFACTURED
16 HOMES THAN THOSE THE COUNTY APPLIES TO SITE-BUILT HOMES IN THE
17 SAME RESIDENTIAL ZONES. AS USED IN THIS SUBSECTION (3)(b)(I.5),
18 "RESTRICTIVE STANDARDS" MEANS ZONING REGULATIONS, SUBDIVISION
19 REGULATIONS, AND ANY OTHER REGULATION AFFECTING DEVELOPMENT,
20 INCLUDING STANDARDS RELATED TO:

21 (A) HOME SIZE OR SECTIONAL REQUIREMENTS;

22 (B) IMPROVEMENT LOCATION;

23 (C) MINIMUM FLOOR SPACE;

24 (D) PERMANENT FOUNDATIONS;

25 (E) SETBACK STANDARDS; AND

26 (F) SIDE-YARD STANDARDS.

27 (II) Nothing in this subsection (3) ~~shall prevent~~ PREVENTS a

1 county from enacting any zoning, developmental, use, aesthetic, or
2 historical standard, including, but not limited to, requirements relating to
3 permanent foundations, minimum floor space, unit size or sectional
4 requirements, and improvement location, side yard, and setback standards
5 to the extent that such standards or requirements are applicable to existing
6 HOUSING OR STRUCTURES or new SITE-BUILT housing within the specific
7 use district of the county.

8 (III) Nothing in this subsection (3) ~~shall preclude~~ PRECLUDES any
9 county from enacting county building code provisions for unique public
10 safety requirements such as snow load roof, wind shear, WILDFIRE RISK,
11 and energy conservation factors, unless ~~the home is~~ IT IS A
12 FACTORY-BUILT STRUCTURE certified by the division of housing created
13 in section 24-32-704 or a party authorized to act on its behalf or A
14 MANUFACTURED HOME CERTIFIED BY the United States department of
15 housing and urban development through its office of manufactured
16 housing programs, a successor agency, or a party authorized to act on its
17 behalf. A county must comply with ~~section 24-32-3318 when enacting~~
18 ~~building code provisions for a manufactured home as defined in section~~
19 ~~24-32-3302 (20)~~ THE REQUIREMENTS ESTABLISHED BY THE DIVISION OF
20 HOUSING FOR FACTORY-BUILT STRUCTURES AND THE UNITED STATES
21 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR
22 MANUFACTURED HOMES.

23 (V) A COUNTY MAY NOT ENACT OR ENFORCE A ZONING
24 REGULATION, SUBDIVISION REGULATION, OR ANY OTHER REGULATION,
25 ORDINANCE, OR LAW AFFECTING THE INSTALLATION OR CONSTRUCTION OF
26 A FACTORY-BUILT STRUCTURE OR A MANUFACTURED HOME.

27 **SECTION 8.** In Colorado Revised Statutes, 31-23-301, **amend**

1 (5)(b)(I) introductory portion, (5)(b)(I)(A), (5)(b)(I)(B), (5)(b)(II), and
2 (5)(b)(III); and **add** (5)(b)(I.5) and (6) as follows:

3 **31-23-301. Grant of power - definition.** (5) (b) (I) No
4 municipality may have or enact zoning regulations, subdivision
5 regulations, or any other regulation affecting development that exclude
6 or have the effect of excluding homes OR STRUCTURES from the
7 municipality that are:

8 (A) ~~Homes~~ FACTORY-BUILT STRUCTURES, AS DEFINED IN SECTION
9 24-32-3302 (11) AND certified by the division of housing created in
10 section 24-32-704 or a party authorized to act on its behalf;

11 (B) MANUFACTURED homes certified by the United States
12 department of housing and urban development through its office of
13 manufactured housing programs, a successor agency, or a party
14 authorized to act on its behalf; or

15 (I.5) A MUNICIPALITY SHALL NOT IMPOSE MORE RESTRICTIVE
16 STANDARDS ON FACTORY-BUILT STRUCTURES AND MANUFACTURED
17 HOMES THAN THOSE THE MUNICIPALITY APPLIES TO SITE-BUILT HOMES IN
18 THE SAME RESIDENTIAL ZONES. AS USED IN THIS SUBSECTION (5)(b)(I.5),
19 "RESTRICTIVE STANDARDS" MEANS ZONING REGULATIONS, SUBDIVISION
20 REGULATIONS, AND ANY OTHER REGULATION AFFECTING DEVELOPMENT,
21 INCLUDING STANDARDS RELATED TO:

22 (A) HOME SIZE OR SECTIONAL REQUIREMENTS;

23 (B) IMPROVEMENT LOCATION;

24 (C) MINIMUM FLOOR SPACE;

25 (D) PERMANENT FOUNDATIONS;

26 (E) SETBACK STANDARDS; AND

27 (F) SIDE-YARD STANDARDS.

1 (II) Nothing in this subsection (5) ~~shall prevent~~ PREVENTS a
2 municipality from enacting any zoning, developmental, use, aesthetic, or
3 historical standard, including, but not limited to, requirements relating to
4 permanent foundations, minimum floor space, unit size or sectional
5 requirements, and improvement location, side yard, and setback standards
6 to the extent that such standards or requirements are applicable to existing
7 HOUSING OR STRUCTURES or new SITE-BUILT housing within the specific
8 use district of the municipality.

9 (III) Nothing in this subsection (5) ~~shall preclude~~ PRECLUDES any
10 municipality from enacting municipal building code provisions for unique
11 public safety requirements such as snow load roof, wind shear, WILDFIRE
12 RISK, and energy conservation factors, unless ~~the home is~~ IT IS A
13 FACTORY-BUILT STRUCTURE certified by the division of housing created
14 in section 24-32-704 or a party authorized to act on its behalf OR A
15 MANUFACTURED HOME CERTIFIED BY the United States department of
16 housing and urban development through its office of manufactured
17 housing programs, a successor agency, or a party authorized to act on its
18 behalf. A municipality must comply with section 24-32-3318 when
19 enacting building code provisions for a manufactured home as defined in
20 section 24-32-3302 (20) REGULATED BY THE UNITED STATES
21 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND IT MUST ALSO
22 COMPLY WITH THE REQUIREMENTS ESTABLISHED BY THE DIVISION OF
23 HOUSING FOR FACTORY-BUILT STRUCTURES.

24 (6) A MUNICIPALITY MAY NOT ENACT OR ENFORCE A ZONING
25 REGULATION, SUBDIVISION REGULATION, OR ANY OTHER REGULATION,
26 ORDINANCE, OR LAW AFFECTING THE INSTALLATION OR CONSTRUCTION OF
27 A FACTORY-BUILT STRUCTURE OR A MANUFACTURED HOME.

1 **SECTION 9.** In Colorado Revised Statutes, 24-32-3309, **amend**
2 (1)(b)(II) and (1)(b)(III); and **add** (1)(b)(IV) as follows:

3 **24-32-3309. Fees - building regulation fund - rules.**

4 (1) (b) Notwithstanding any provision of this section to the contrary:

5 (II) On April 1, 2015, the state treasurer must deduct three
6 hundred thousand dollars from the general fund and transfer such sum to
7 the fund; and

8 (III) On July 1, 2016, the state treasurer must deduct two hundred
9 thousand dollars from the general fund and transfer such sum to the fund;

10 AND

11 (IV) ON JULY 1, 2025, THE STATE TREASURER SHALL DEDUCT SIX
12 HUNDRED THOUSAND DOLLARS FROM THE INNOVATIVE HOUSING
13 INCENTIVE PROGRAM FUND CREATED IN SECTION 24-48.5-132 (5)(a) AND
14 TRANSFER THE MONEY TO THE FUND.

15 **SECTION 10.** In Colorado Revised Statutes, **repeal** 24-32-3310
16 as follows:

17 **24-32-3310. Local enforcement.** ~~Nothing in this part 33 may~~
18 ~~interfere with the right of local governments to enforce local rules~~
19 ~~governing the installation of factory-built housing pursuant to section~~
20 ~~24-32-3318 that bear the insignia of approval issued by the division~~
21 ~~pursuant to section 24-32-3311 (1)(a) if the local rules are not~~
22 ~~inconsistent with state rules adopted pursuant to section 24-32-3305.~~

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

25 **24-32-3311. Certification of factory-built structures - rules.**

26 (4) A factory-built structure bearing an insignia of approval issued by the
27 division and affixed by the division or an authorized quality assurance

1 representative pursuant to this part 33 is deemed to be designed and
2 constructed in compliance with the requirements of all codes and
3 standards enacted or adopted by the state and accounting for any local
4 government installation requirements adopted in compliance with sections
5 24-32-3310 and 24-32-3318 that are applicable to the construction of
6 factory-built structures, to the extent that the design and construction
7 relates to work performed in a factory or work on a factory-built structure
8 that is completed at the installation site as reflected in the approved plans
9 for the factory-built structure. The determination by the division of the
10 scope of such approval is final. An insignia of approval affixed to the
11 factory-built structure does not expire unless the design and construction
12 of the factory-built structure has been modified from approved plans.

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

15 **24-32-3318. Local installation standards preempted.**
16 **(1) Except as authorized in section 24-32-3329, a local government shall**
17 **not adopt less stringent standards for an installation than those**
18 **promulgated by the division. A local government shall not, without**
19 **express consent by the division, adopt different standards than the**
20 **standards for an installation promulgated by the division.**

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

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

1 **24-75-402. Cash funds - limit on uncommitted reserves -**
2 **reduction in the amount of fees - exclusions - definitions.**

3 Notwithstanding any provision of this section to the contrary, the
4 following cash funds are excluded from the limitations in this section:

5 (III) THE BUILDING REGULATION FUND CREATED IN SECTION
6 24-32-3309 (1)(a)(III).

7 **SECTION 14. Safety clause.** The general assembly finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety or for appropriations for
10 the support and maintenance of the departments of the state and state
11 institutions.