

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

INTRODUCED

LLS NO. 25-0756.02 Richard Sweetman x4333

SENATE BILL 25-156

SENATE SPONSORSHIP

Rich, Baisley, Bright, Carson, Catlin, Frizell, Kirkmeyer, Liston, Lundeen, Pelton B., Pelton R., Simpson

HOUSE SPONSORSHIP

Keltie,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING REDUCING THE COSTS OF REGULATION IN COLORADO.**

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>.)

Sections 1 and 2 of the bill prohibit a state agency from imposing a personal qualification requirement in order to engage in a profession or occupation unless the agency can show that the requirement is demonstrably necessary and narrowly tailored to address a specific, legitimate public health, safety, or welfare objective. On or before July 1, 2026, every agency must review occupational regulations and determine whether the regulation should be repealed or amended. Any person may file a petition with an agency requesting that an occupational regulation

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.*

1 **24-4-302. Legislative declaration.** (1) THE GENERAL ASSEMBLY
2 FINDS AND DECLARES THAT:

3 (a) THE RIGHT OF AN INDIVIDUAL TO PURSUE A CHOSEN
4 PROFESSION OR OCCUPATION, FREE FROM ARBITRARY OR EXCESSIVE
5 GOVERNMENT INTERFERENCE, IS A NATURAL, ESSENTIAL, AND
6 INALIENABLE RIGHT UNDER SECTION 3 OF ARTICLE II OF THE STATE
7 CONSTITUTION;

8 (b) THE FREEDOM TO EARN AN HONEST LIVING PROVIDES THE
9 SUREST MEANS TO ACHIEVE UPWARD ECONOMIC MOBILITY;

10 (c) MANY STATE REGULATIONS AFFECT ENTRY INTO PROFESSIONS
11 AND OCCUPATIONS;

12 (d) SOME STATE REGULATIONS MIGHT EXCEED LEGITIMATE PUBLIC
13 PURPOSES AND HAVE THE EFFECT OF ARBITRARILY LIMITING ENTRY INTO
14 A PROFESSION OR OCCUPATION AND, AS A RESULT, REDUCE MARKET
15 COMPETITION; AND

16 (e) THE BURDEN OF EXCESSIVE REGULATION IS BORNE MOST
17 HEAVILY BY INDIVIDUALS OUTSIDE THE ECONOMIC MAINSTREAM, FOR
18 WHOM OPPORTUNITIES FOR ECONOMIC ADVANCEMENT ARE
19 CONSEQUENTLY CURTAILED.

20 (2) IT IS IN THE PUBLIC INTEREST TO:

21 (a) ENSURE THE RIGHT OF ALL INDIVIDUALS TO PURSUE
22 LEGITIMATE ENTREPRENEURIAL, PROFESSIONAL, AND OCCUPATIONAL
23 OPPORTUNITIES TO THE LIMITS OF THEIR TALENT AND AMBITION;

24 (b) PROVIDE THE MEANS OF PROTECTING THIS RIGHT; AND

25 (c) ENSURE THAT EVERY STATE REGULATION HINDERING ENTRY
26 INTO A PROFESSION OR OCCUPATION IS DEMONSTRABLY NECESSARY AND
27 NARROWLY TAILORED TO ACHIEVING LEGITIMATE PUBLIC HEALTH, SAFETY,

1 AND WELFARE OBJECTIVES.

2 **24-4-303. Definitions.** AS USED IN THIS PART 3, UNLESS THE
3 CONTEXT OTHERWISE REQUIRES:

4 (1) (a) "LEAST RESTRICTIVE REGULATION" MEANS AN
5 OCCUPATIONAL REGULATION THAT:

6 (I) PROMOTES MARKET COMPETITION;

7 (II) RELIES ON THIRD-PARTY OR CONSUMER-CREATED RATINGS
8 AND REVIEWS;

9 (III) UTILIZES PRIVATE CERTIFICATION; AND

10 (IV) ALLOWS VOLUNTARY BONDING OR INSURANCE.

11 (b) "LEAST RESTRICTIVE REGULATION" DOES NOT INCLUDE:

12 (I) A REGISTRATION, CERTIFICATION, OR LICENSURE;

13 (II) AN OCCUPATIONAL LICENSE FOR MEDICAL REIMBURSEMENT;

14 (III) INSPECTIONS;

15 (IV) BONDING AND INSURANCE REQUIREMENTS;

16 (V) ENFORCEMENT PROVISIONS GRANTING A PRIVATE CAUSE OF
17 ACTION OR REMEDIES UNDER THE "COLORADO CONSUMER PROTECTION
18 ACT", ARTICLE 1 OF TITLE 6; OR

19 (VI) MANDATORY DISCLOSURES OF:

20 (A) ATTRIBUTES OF A SPECIFIC GOOD OR SERVICE; OR

21 (B) REQUIREMENTS CONCERNING THE PROCESS OF PROVIDING A
22 SPECIFIC GOOD OR SERVICE.

23 (2) "OCCUPATIONAL LICENSE" MEANS A NONTRANSFERABLE AND
24 EXCLUSIVE AUTHORIZATION IN LAW ESTABLISHING THE PERSONAL
25 QUALIFICATIONS REQUIRED TO ENGAGE IN A PROFESSION OR OCCUPATION.

26 (3) "OCCUPATIONAL LICENSE FOR MEDICAL REIMBURSEMENT"
27 MEANS A NONTRANSFERABLE AUTHORIZATION FOR AN INDIVIDUAL TO

1 QUALIFY TO RECEIVE PAYMENT OR REIMBURSEMENT FROM A GOVERNMENT
2 AGENCY FOR THE PROVISION OF MEDICAL SERVICES BASED ON MEETING
3 ONE OR MORE PERSONAL QUALIFICATIONS.

4 (4) "OCCUPATIONAL REGULATION" MEANS A RULE, POLICY, FEE,
5 CONDITION, TEST, PERMIT, OCCUPATIONAL LICENSE, REGISTRATION OR
6 CERTIFICATION REQUIREMENT, ADMINISTRATIVE PRACTICE, OR OTHER
7 REQUIREMENT OF AN AGENCY ESTABLISHING THE PERSONAL
8 QUALIFICATIONS NECESSARY TO ENGAGE IN A PROFESSION OR
9 OCCUPATION.

10 (5) "PERSONAL QUALIFICATION" MEANS A CRITERION RELATED TO
11 AN INDIVIDUAL'S PERSONAL BACKGROUND AND CHARACTERISTICS,
12 INCLUDING COMPLETION OF AN APPROVED EDUCATIONAL PROGRAM,
13 SATISFACTORY PERFORMANCE ON AN EXAMINATION, MINIMUM WORK
14 EXPERIENCE, EVIDENCE OF ATTAINMENT OF REQUISITE SKILLS OR
15 KNOWLEDGE, MORAL STANDING, CRIMINAL HISTORY, OR COMPLETION OF
16 CONTINUING EDUCATION, THAT IS NECESSARY TO ENGAGE IN A PROFESSION
17 OR OCCUPATION.

18 (6) "WELFARE" MEANS THE PROTECTION OF THE PUBLIC AGAINST
19 FRAUD OR HARM. "WELFARE" DOES NOT INCLUDE THE PROTECTION OF AN
20 INDIVIDUAL, CORPORATION, PARTNERSHIP, BUSINESS, INDUSTRY,
21 ASSOCIATION, ORGANIZATION, OR AGENCY, WHETHER PUBLICLY OR
22 PRIVATELY OWNED, AGAINST MARKET COMPETITION. THE DEFINITION OF
23 WELFARE SHALL BE NARROWLY CONSTRUED.

24 **24-4-304. Limitation on occupational regulations.** (1) AN
25 AGENCY SHALL NOT ADOPT OR ADMINISTER AN OCCUPATIONAL
26 REGULATION UNLESS THE SPECIFIC REGULATION IS DEMONSTRABLY
27 NECESSARY AND NARROWLY TAILORED TO ACHIEVE A SPECIFIC,

1 LEGITIMATE PUBLIC HEALTH, SAFETY, OR WELFARE OBJECTIVE.

2 (2) IN ACCORDANCE WITH SECTION 24-4-103 (2.9), WHEN AN
3 AGENCY FILES A NOTICE OF PROPOSED RULE-MAKING WITH THE
4 SECRETARY OF STATE, IF THE PROPOSED RULE-MAKING INCLUDES A
5 PROPOSED OCCUPATIONAL REGULATION, THE AGENCY MUST INCLUDE A
6 STATEMENT THAT:

7 (a) DESCRIBES HOW THE PROPOSED OCCUPATIONAL REGULATION
8 COMPLIES WITH SUBSECTION (1) OF THIS SECTION; AND

9 (b) IDENTIFIES THE SPECIFIC PUBLIC HEALTH, SAFETY, OR WELFARE
10 OBJECTIVE NECESSITATING THE PROPOSED OCCUPATIONAL REGULATION.

11 **24-4-305. Agency review of occupational regulations - repeal**
12 **or amend regulations - report to general assembly - repeal.** (1) ON OR
13 BEFORE JULY 1, 2026, EACH AGENCY SHALL CONDUCT A COMPREHENSIVE
14 REVIEW OF ALL OCCUPATIONAL REGULATIONS ADOPTED OR ADMINISTERED
15 BY THE AGENCY. THE COMPREHENSIVE REVIEW MUST INCLUDE GATHERING
16 THE FOLLOWING INFORMATION FOR EACH OCCUPATIONAL REGULATION:

17 (a) THE SPECIFIC PUBLIC HEALTH, SAFETY, OR WELFARE
18 OBJECTIVES OF THE OCCUPATIONAL REGULATION;

19 (b) THE REASONS WHY THE OCCUPATIONAL REGULATION IS
20 NECESSARY TO MEET THE SPECIFIED OBJECTIVES;

21 (c) THE OCCUPATIONAL REGULATION'S IMPACT ON EMPLOYMENT
22 OPPORTUNITIES, CONSUMER CHOICES AND COSTS, MARKET COMPETITION,
23 AND GOVERNMENTAL COSTS;

24 (d) A COMPARISON OF THE OCCUPATIONAL REGULATION TO
25 SIMILAR OCCUPATIONAL REGULATIONS OF OTHER STATES; AND

26 (e) IF THE OCCUPATIONAL REGULATION IS REQUIRED BY LAW, THE
27 SPECIFIC STATUTORY PROVISIONS AUTHORIZING OR REQUIRING THE

1 OCCUPATIONAL REGULATION.

2 (2) FOLLOWING THE REVIEW REQUIRED BY SUBSECTION (1) OF THIS
3 SECTION:

4 (a) IF THE AGENCY DETERMINES THAT AN OCCUPATIONAL
5 REGULATION DOES NOT SATISFY THE STANDARD DESCRIBED IN SECTION
6 24-4-304 (1) AND THE REGULATION IS NOT REQUIRED BY LAW, THE
7 AGENCY SHALL REPEAL OR OTHERWISE CEASE ADMINISTRATION OF THE
8 OCCUPATIONAL REGULATION OR AMEND THE OCCUPATIONAL REGULATION
9 TO CONFORM WITH THE STANDARD DESCRIBED IN SECTION 24-4-304 (1);
10 AND

11 (b) IF THE AGENCY DETERMINES THAT AN OCCUPATIONAL
12 REGULATION DOES NOT SATISFY THE STANDARD DESCRIBED IN SECTION
13 24-4-304 (1) BUT IS REQUIRED BY LAW, THE AGENCY SHALL RECOMMEND
14 TO THE GENERAL ASSEMBLY LEGISLATION TO REPEAL OR AMEND THE
15 STATUTORY OCCUPATIONAL REQUIREMENTS TO CONFORM TO THE
16 STANDARD DESCRIBED IN SECTION 24-4-304 (1).

17 (3) ON OR BEFORE JANUARY 1, 2027, EVERY AGENCY SHALL
18 PREPARE AND SUBMIT A REPORT TO THE MEMBERS OF THE GENERAL
19 ASSEMBLY STATING THE ACTIONS TAKEN TO CONFORM WITH THIS SECTION.

20 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2029.

21 **24-4-306. Petition objecting to an occupational regulation.** A
22 PERSON MAY FILE A PETITION WITH AN AGENCY REQUESTING THE REPEAL
23 OF, AN AMENDMENT TO, OR THE CESSATION OF ADMINISTRATION OF AN
24 OCCUPATIONAL REGULATION ADOPTED OR ADMINISTERED BY THE AGENCY
25 ON THE GROUNDS THAT THE OCCUPATIONAL REGULATION DOES NOT
26 CONFORM TO THE STANDARD DESCRIBED IN SECTION 24-4-304 (1). THE
27 PETITION MUST STATE THE SPECIFIC CHALLENGED OCCUPATIONAL

1 REGULATION. IF THE PETITION REQUESTS THAT THE OCCUPATIONAL
2 REGULATION BE AMENDED AND NOT REPEALED, THE PETITION MUST
3 PRECISELY STATE THE PROPOSED AMENDMENT. THE AGENCY SHALL ACT
4 ON THE PETITION IN ACCORDANCE WITH SECTION 24-4-103 (7)(b).

5 **24-4-307. Right of civil action objecting to occupational**
6 **regulation.** (1) REGARDLESS OF WHETHER A PETITION IS FILED PURSUANT
7 TO SECTION 24-4-306, A PERSON MAY FILE A CIVIL ACTION IN DISTRICT
8 COURT CHALLENGING THE ADOPTION OR ENFORCEMENT OF AN
9 OCCUPATIONAL REGULATION.

10 (2) IN A CIVIL ACTION FILED IN ACCORDANCE WITH SUBSECTION (1)
11 OF THIS SECTION, A PLAINTIFF PREVAILS IF:

12 (a) THE PLAINTIFF PROVES BY A PREPONDERANCE OF THE
13 EVIDENCE THAT THE CHALLENGED OCCUPATIONAL REGULATION IMPOSES
14 A BURDEN ON ENTRY TO A PROFESSION OR OCCUPATION; AND

15 (b) THE DEFENDANT DOES NOT PROVE BY A PREPONDERANCE OF
16 THE EVIDENCE THAT:

17 (I) THE OCCUPATIONAL REGULATION IS SPECIFICALLY REQUIRED
18 BY LAW; OR

19 (II) (A) THE CHALLENGED OCCUPATIONAL REGULATION IS
20 DEMONSTRABLY NECESSARY AND NARROWLY TAILORED TO ACHIEVE A
21 SPECIFIC, LEGITIMATE PUBLIC HEALTH, SAFETY, OR WELFARE OBJECTIVE;
22 AND

23 (B) THE CHALLENGED OCCUPATIONAL REGULATION IS THE LEAST
24 RESTRICTIVE REGULATION.

25 (3) IF THE PLAINTIFF PREVAILS, THE COURT SHALL ENJOIN THE
26 ENFORCEMENT OF THE CHALLENGED OCCUPATIONAL REGULATION AND
27 SHALL AWARD THE PLAINTIFF REASONABLE ATTORNEY FEES AND COSTS.

1 **SECTION 2.** In Colorado Revised Statutes, 24-4-103, **amend**
2 (6)(a), (7), (8.1)(b)(IX), and (8.1)(b)(X); and **add** (2.9) and (8.1)(b)(XI)
3 as follows:

4 **24-4-103. Rule-making - procedure - definitions - statutory**
5 **citation correction - repeal.** (2.9) AT THE TIME OF FILING A NOTICE OF
6 PROPOSED RULE-MAKING WITH THE SECRETARY OF STATE, IF THE
7 PROPOSED RULE-MAKING INCLUDES A PROPOSED OCCUPATIONAL
8 REGULATION, AS DEFINED IN SECTION 24-4-303 (4), THE AGENCY SHALL
9 ALSO SUBMIT A STATEMENT THAT DESCRIBES HOW THE PROPOSED
10 OCCUPATIONAL REGULATION COMPLIES WITH SECTION 24-4-304 (1) AND
11 IDENTIFIES THE SPECIFIC PUBLIC HEALTH, SAFETY, OR WELFARE OBJECTIVE
12 NECESSITATING THE PROPOSED OCCUPATIONAL REGULATION.

13 (6) (a) A temporary or emergency rule may be adopted without
14 compliance with the procedures prescribed in subsection (4) of this
15 section and with less than the twenty days' notice prescribed in subsection
16 (3) of this section, or where circumstances imperatively require, without
17 notice, only if the agency finds that immediate adoption of the rule is
18 imperatively necessary to comply with a state or federal law or federal
19 regulation or for the preservation of public health, safety, or welfare and
20 compliance with the requirements of this section would be contrary to the
21 public interest and makes ~~such a~~ THAT finding on the record. ~~Such~~ THE
22 AGENCY SHALL PUBLISH THE findings and a statement of the reasons for
23 the action ~~shall be published~~ with the rule. A temporary or emergency
24 rule may be adopted without compliance with subsections (2.5), ~~and~~ (2.7),
25 AND (2.9) of this section, but ~~shall~~ THE RULE DOES not become permanent
26 without compliance with ~~such~~ subsections (2.5), ~~and~~ (2.7), AND (2.9). A
27 temporary or emergency rule ~~shall become~~ BECOMES effective on

1 adoption or on such later date as is stated in the rule, shall be published
2 promptly, and ~~shall have~~ HAS effect for not more than one hundred twenty
3 days after its adoption or for such shorter period as may be specifically
4 provided by the statute governing ~~such~~ THE agency, unless THE
5 TEMPORARY OR EMERGENCY RULE IS made permanent by compliance with
6 subsections (3) and (4) of this section.

7 (7) (a) ~~Any~~ AN interested person ~~shall have the right to~~ MAY
8 petition for the issuance, amendment, or repeal of a rule. ~~Such~~ THE
9 petition ~~shall~~ MUST be open to public inspection. Action on ~~such~~ THE
10 petition ~~shall be~~ IS within the discretion of the agency, but when an
11 agency undertakes rule-making on any matter, THE AGENCY SHALL
12 CONSIDER AND ACT UPON all related petitions for the issuance,
13 amendment, or repeal of rules on ~~such~~ THE matter ~~shall be considered and~~
14 ~~acted upon~~ in the same proceeding.

15 (b) IF A PETITION IS FILED WITH AN AGENCY PURSUANT TO SECTION
16 24-4-306, THE AGENCY SHALL, WITHIN NINETY DAYS AFTER THE DATE THE
17 PETITION IS FILED:

18 (I) REPEAL THE OCCUPATIONAL REGULATION, AS DEFINED IN
19 SECTION 24-4-303 (4), THAT IS THE SUBJECT OF THE PETITION;

20 (II) AMEND THE OCCUPATIONAL REGULATION SO THAT THE
21 OCCUPATIONAL REGULATION CONFORMS TO THE STANDARD DESCRIBED IN
22 SECTION 24-4-304 (1);

23 (III) CEASE ADMINISTRATION OF THE OCCUPATIONAL REGULATION;

24 OR

25 (IV) ISSUE A STATEMENT EXPLAINING HOW THE OCCUPATIONAL
26 REGULATION CONFORMS TO THE STANDARD DESCRIBED IN SECTION
27 24-4-304 (1) OR IS REQUIRED BY LAW.

1 (8.1) (b) The agency rule-making record must contain:

2 (IX) A copy of any filed executive order with respect to the rule;

3 **and**

4 (X) A copy of any information provided to the director pursuant
5 to ~~paragraph (c) of subsection (2.7)~~ SUBSECTION (2.7)(c) of this section
6 and the written notice of compliance from the director; AND

7 (XI) IF THE RULE-MAKING INCLUDES AN OCCUPATIONAL
8 REGULATION, AS DEFINED IN SECTION 24-4-303 (4), A COPY OF THE
9 STATEMENT REQUIRED BY SUBSECTION (2.9) OF THIS SECTION.

10 **SECTION 3.** In Colorado Revised Statutes, **repeal** 24-38.5-116,
11 24-38.5-117, 24-38.5-120 (3)(b)(II)(B), part 5 of article 38.5 of title 24,
12 part 14 of article 7 of title 25, and 39-22-551 (3)(c)(II).

13 **SECTION 4.** In Colorado Revised Statutes, **repeal** 12-115-107
14 (3), 24-30-1303 (1)(ff)(I), 24-32-3305 (3.5)(a)(II), 24-33.5-1203
15 (1)(y)(I)(B), 24-33.5-1236 (4)(c)(I)(C) and (4)(c)(II), part 4 of article 38.5
16 of title 24, 30-28-211 (3.5)(b), and 31-15-602 (3.5)(b).

17 **SECTION 5.** In Colorado Revised Statutes, **repeal** 24-1-119 (17),
18 24-34-104 (35)(a)(IV), and 25-7-103.5.

19 **SECTION 6.** In Colorado Revised Statutes, **repeal** 8-20-206.5 (6)
20 and (7); 25-5-1302 (3.3), (3.5), (3.7), (5.5), (5.7), and (8); 25-5-1310;
21 25-5-1311; 25-5-1312; and 25-7-122 (1)(f), (1)(g), and (1)(h).

22 **SECTION 7.** In Colorado Revised Statutes, **repeal** 25-7-109.5
23 (1)(i)(II); 25-7-141; and 25-7-146 (2)(a)(II), (2)(a)(III), (4)(b), and (4)(e).

24 **SECTION 8.** In Colorado Revised Statutes, 24-32-3305, **amend**
25 (3)(a) introductory portion and (3.5)(a)(I) as follows:

26 **24-32-3305. Rules - advisory committee - enforcement.**

27 (3) (a) ~~Except when adopting an energy code pursuant to subsection (3.5)~~

1 of this section, The board ~~must~~ SHALL consult with and obtain the advice
2 of an advisory committee on factory-built structures and tiny homes in the
3 drafting and ~~promulgation~~ ADOPTION of rules. The committee consists of
4 fifteen members appointed by the division from the following
5 professional and technical disciplines:

6 (3.5) (a) (I) ~~On or before January 1, 2025,~~ The division shall adopt
7 and enforce an energy code that achieves equivalent or better energy
8 performance than the 2021 international energy conservation code. ~~and~~
9 ~~the model electric ready and solar ready code language developed for~~
10 ~~adoption by the energy code board pursuant to section 24-38.5-401 (5).~~
11 This energy code must apply to factory-built structures and hotels, motels,
12 and multifamily structures in areas of the state where no construction
13 standards for hotels, motels, and multifamily structures exist.

14 **SECTION 9.** In Colorado Revised Statutes, 24-33.5-1203,
15 **amend** (1)(y)(I)(A) as follows:

16 **24-33.5-1203. Duties of division.** (1) The division shall perform
17 the following duties:

18 (y) (I) (A) ~~On or before January 1, 2025,~~ The division shall adopt
19 and enforce an energy code that achieves equivalent or better energy
20 performance than the 2021 international energy conservation code. ~~and~~
21 ~~the model electric ready and solar ready code language developed for~~
22 ~~adoption by the energy code board pursuant to section 24-38.5-401 (5).~~
23 This energy code must apply to the buildings described in sections
24 22-32-124 (2), 23-71-122 (1)(v), and 24-33.5-1212.5.

25 **SECTION 10.** In Colorado Revised Statutes, 30-28-211, **amend**
26 (3.5)(a), (3.5)(c)(I), and (5) introductory portion as follows:

27 **30-28-211. Energy efficient building codes - legislative**

1 **declaration - definitions.** (3.5)(a) A board of county commissioners that
2 has adopted and enforced one or more building codes, and that updates
3 one or more building codes on or after July 1, 2023, and before July 1,
4 2026, shall adopt and enforce an energy code that achieves equivalent or
5 better energy performance than the 2021 international energy
6 conservation code ~~and the model electric ready and solar ready code~~
7 ~~language developed for adoption by the energy code board pursuant to~~
8 ~~section 24-38.5-401 (5)~~ at the same time other building codes are
9 updated.

10 (c) (I) Notwithstanding ~~subsections (3.5)(a) and (3.5)(b)~~
11 SUBSECTION (3.5)(a) of this section, a board of county commissioners
12 representing a rural county is required to adopt and enforce an energy
13 code that achieves equivalent or better energy performance than one of
14 the last three most recent editions of the international energy conservation
15 code rather than ~~either~~ an energy code that achieves equivalent or better
16 energy performance than the 2021 international energy conservation code
17 ~~and the model electric ready and solar ready code language identified for~~
18 ~~adoption by the energy code board pursuant to section 24-38.5-401 (5) or~~
19 ~~an energy code that achieves equivalent or better energy and carbon~~
20 ~~emissions performance than the model low energy and carbon code~~
21 ~~identified for adoption by the energy code board pursuant to section~~
22 ~~24-38.5-401 (6) if, while the grant program established pursuant to~~
23 ~~section 24-38.5-403 is accepting applications,~~ IF the board of county
24 commissioners applies for and is not awarded a grant that significantly
25 assists in energy code adoption and enforcement training.

26 (5) The following buildings are exempt from ~~subsections (3) and~~
27 ~~(3.5)~~ SUBSECTION (3) of this section:

1 **SECTION 11.** In Colorado Revised Statutes, 31-15-602, **amend**
2 (3.5)(a) and (5) introductory portion as follows:

3 **31-15-602. Energy efficient building codes - legislative**
4 **declaration - definitions - repeal.** (3.5) (a) The governing body of a
5 municipality that has adopted and enforced one or more building codes,
6 and that updates one or more building codes on or after July 1, 2023, and
7 before July 1, 2026, shall adopt and enforce an energy code that achieves
8 equivalent or better energy performance than the 2021 international
9 energy conservation code ~~and the model electric ready and solar ready~~
10 ~~code language developed for adoption by the energy code board pursuant~~
11 ~~to section 24-38.5-401 (5)~~ at the same time other building codes are
12 updated.

13 (5) The following buildings are exempt from ~~subsections (3),~~
14 ~~(3.5), and (4)~~ SUBSECTIONS (3) AND (4) of this section:

15 **SECTION 12.** In Colorado Revised Statutes, 8-20-206.5, **amend**
16 (8)(a) and (8)(b) as follows:

17 **8-20-206.5. Liquefied petroleum gas and natural gas**
18 **inspection fund - hazardous materials infrastructure cash fund - fuels**
19 **impact reduction grant program - definitions.** (8) (a) In addition to the
20 payments collected under ~~subsections (1)(a) and (6)~~ SUBSECTION (1)(a)
21 of this section, beginning September 1, 2023, the fuels impact enterprise
22 created in section 43-4-1503 shall impose a fuels impact reduction fee,
23 the executive director of the department of revenue shall collect the fee
24 on behalf of the fuels impact enterprise, and the state treasurer shall credit
25 an amount of the fee revenue to the department of revenue to cover the
26 costs of collecting the fee.

27 (b) (I) On and after September 1, 2023, every manufacturer of fuel

1 products ~~who~~ THAT manufactures such products for sale within Colorado
2 or ~~who~~ THAT ships such products from any point outside of Colorado to
3 a distributor within Colorado and every distributor ~~who~~ THAT ships such
4 products from any point outside of Colorado to a point within Colorado
5 shall pay to the executive director of the department of revenue six
6 thousand one hundred twenty-five millionths of a dollar per gallon of fuel
7 products delivered during the previous calendar month for sale or use in
8 Colorado or a lesser amount determined by the fuels impact enterprise.
9 The distributor shall pay this fee on a per-gallon basis and at the same
10 time and on the same form as the fees collected pursuant to ~~subsections~~
11 ~~(1) and (6)~~ SUBSECTION (1) of this section.

12 (II) As used in this subsection (8)(b), "distributor" means the
13 person that remits the applicable state fee imposed pursuant to subsection
14 (1) ~~or (6)~~ of this section.

15 **SECTION 13.** In Colorado Revised Statutes, 25-7-122, **amend**
16 (1)(b) introductory portion as follows:

17 **25-7-122. Civil penalties - rules - definitions.** (1) Upon
18 application of the division, the division may collect penalties as
19 determined under this article 7 by instituting an action in the district court
20 for the district in which the air pollution source affected is located, in
21 accordance with the following provisions:

22 (b) Any person who violates any requirement or prohibition of a
23 final order of the division or commission, an applicable emission control
24 regulation of the commission, the state implementation plan, a
25 construction permit, any provision for the prevention of significant
26 deterioration under part 2 of this article 7, any provision related to
27 attainment under part 3 of this article 7, or any provision of or

1 commission rule adopted pursuant to section 25-7-105, 25-7-106,
2 25-7-106.3, 25-7-108, 25-7-109, 25-7-109.5, 25-7-111, 25-7-112,
3 25-7-113, 25-7-114.2, 25-7-114.5, 25-7-118, ~~25-7-141~~, 25-7-146,
4 25-7-206, 25-7-403, 25-7-404, 25-7-405, 25-7-407, 42-4-403, 42-4-404,
5 42-4-405, 42-4-406, 42-4-407, 42-4-409, 42-4-410, or 42-4-414 is subject
6 to a civil penalty of not more than forty-seven thousand three hundred
7 fifty-seven dollars per day for each day of the violation; except that:

8 **SECTION 14.** In Colorado Revised Statutes, 12-115-107, **amend**
9 (2)(a)(II) as follows:

10 **12-115-107. Board powers and duties - rules - definition.**

11 (2) In addition to all other powers and duties conferred or imposed upon
12 the board by this article 115, the board is authorized to:

13 (a) (II) In the event of a conflict between the 2021 international
14 energy conservation code, the 2024 international energy conservation
15 code, ~~the model electric ready and solar ready code developed by the~~
16 ~~energy code board pursuant to section 24-38.5-401 (5)~~, or any energy
17 codes adopted by either a local government or divisions in the executive
18 branch of state government and the national electrical code or the
19 standards adopted by the board pursuant to this subsection (2)(a), the
20 national electrical code or the standards adopted by the board pursuant to
21 this subsection (2)(a) prevail.

22 **SECTION 15.** In Colorado Revised Statutes, 12-155-106, **amend**
23 (4.5) as follows:

24 **12-155-106. Colorado plumbing code - amendments -**
25 **variances - Colorado fuel gas code.** (4.5) In the event of a conflict
26 between the 2021 international energy conservation code, the 2024
27 international energy conservation code, ~~the model electric ready and solar~~

1 ~~ready code developed by the energy code board pursuant to section~~
2 ~~24-38.5-401 (5)~~, or any energy codes adopted by either a local
3 government or divisions in the executive branch of state government and
4 the Colorado plumbing code, the Colorado plumbing code prevails.

5 **SECTION 16.** In Colorado Revised Statutes, 24-38.5-102,
6 **amend** (1)(e) as follows:

7 **24-38.5-102. Colorado energy office - duties and powers -**
8 **definitions.** (1) The Colorado energy office shall:

9 (e) Support the adoption and implementation of advanced energy
10 codes that reduce energy use and greenhouse gas emissions and provide
11 information and technical assistance concerning the implementation and
12 enforcement of energy codes to both counties and municipalities,
13 including as specified in sections 24-38.5-103 ~~24-38.5-401, 24-38.5-402,~~
14 and 31-15-602 (7);

15 **SECTION 17.** In Colorado Revised Statutes, 24-38.5-120,
16 **amend** (3)(b)(II)(A) as follows:

17 **24-38.5-120. Decarbonization tax credits administration cash**
18 **fund - definitions - repeal.** (3) (b) (II) As used in this subsection (3)(b),
19 unless the context otherwise requires:

20 (A) "Administrative costs" means the amount of money expended
21 from the ~~respective cash funds~~ GEOTHERMAL ENERGY GRANT FUND
22 CREATED IN SECTION 24-38.5-118 (7) by the office and the department for
23 the administration and implementation of certain income tax credits, as
24 provided for in ~~sections 24-38.5-116 (6)(b)(II), 24-38.5-118 (7)(d),~~
25 ~~24-38.5-506 (2)(b), and of the temporary specific ownership tax rate~~
26 ~~reduction for electric medium-duty and heavy-duty trucks that are part of~~
27 ~~a fleet as provided for in section 25-7-1405 (2)(b)~~ SECTION 24-38.5-118

1 (7)(d).

2 **SECTION 18.** In Colorado Revised Statutes, 24-38.5-122,
3 **amend (3)(c)(I)(D)** as follows:

4 **24-38.5-122. Carbon management roadmap - creation -**
5 **requirements - report - definitions - repeal.** (3) The roadmap must
6 identify:

7 (c) (I) Policies and incentives that would:

8 (D) Catalyze private investment and market development in
9 carbon management by applying gap funding or other support for carbon
10 management projects involving private sector providers and buyers, by
11 identifying relevant public, private, and nonprofit project funding sources,
12 and by prioritizing funding for projects; ~~that are ineligible for funding~~
13 ~~under the industrial and manufacturing operations clean air grant program~~
14 ~~created in section 24-38.5-116 (3)(a);~~

15 **SECTION 19.** In Colorado Revised Statutes, 25-7-109.5, **amend**
16 **(5)(a)** as follows:

17 **25-7-109.5. Toxic air contaminants - annual toxic emissions**
18 **reporting program - monitoring program - health-based standards**
19 **- emission control regulations - air toxics permitting program**
20 **assessment - rules - definitions.** (5) **Toxic air contaminant monitoring**
21 **program - reporting - rules.** (a) Beginning no later than January 1,
22 2024, ~~in addition to the fence-line monitoring program established under~~
23 ~~section 25-7-141 (5) and the community-based monitoring program~~
24 ~~established under section 25-7-141 (6),~~ the division shall develop and
25 begin to conduct a monitoring program to determine the concentrations
26 of toxic air contaminants in the ambient air of the state.

27 **SECTION 20.** In Colorado Revised Statutes, 25-8-901, **amend**

1 (13) as follows:

2 **25-8-901. Definitions.** As used in this part 9, unless the context
3 otherwise requires:

4 (13) "Relevant languages" ~~has the meaning set forth in section~~
5 ~~25-7-141 (2)(c)~~ MEANS THE TWO MOST PREVALENT LANGUAGES SPOKEN
6 IN THE RELEVANT AREA, AS IDENTIFIED IN THE LATEST AMERICAN
7 COMMUNITY SURVEY PUBLISHED BY THE FEDERAL CENSUS BUREAU.

8 **SECTION 21. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly; except
11 that, if a referendum petition is filed pursuant to section 1 (3) of article V
12 of the state constitution against this act or an item, section, or part of this
13 act within such period, then the act, item, section, or part will not take
14 effect unless approved by the people at the general election to be held in
15 November 2026 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.