

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
3.23.21

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LLS NO. 21-0848.01 Pierce Lively x2059

COMMITTEE BILL

Capital Development Committee

**BILL TOPIC: "State Bldg Energy Efficiency"**

**A BILL FOR AN ACT**

101 CONCERNING ENERGY EFFICIENCY REQUIREMENTS IN STATE  
102 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/>.)*

**Capital Development Committee.** The bill requires the office of the state architect to promulgate policies requiring an energy consumption analysis for capital renewal projects and energy modeling for capital construction projects of 20,000 gross square feet or more. The office of the state architect must also report annually to the capital development committee regarding these energy consumption analyses and energy

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

models.

The bill requires that for buildings that start the design process on or after January 1, 2023, for substantial renovation, design, or new construction of a building, the high performance standard certification program must use a real property renovation, design, and construction standard that requires buildings to be net zero as defined by the United States department of energy.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-1303, **add**  
3 (1)(t.5) as follows:

4 **24-30-1303. Office of the state architect - responsibilities -**  
5 **rules.** (1) The office of the state architect shall:

6 (t.5) PROMULGATE POLICIES THAT REQUIRE AN ENERGY  
7 CONSUMPTION ANALYSIS FOR CAPITAL RENEWAL PROJECTS AND ENERGY  
8 MODELING FOR CAPITAL CONSTRUCTION PROJECTS OF TWENTY THOUSAND  
9 GROSS SQUARE FEET OR MORE.

10 **SECTION 2.** In Colorado Revised Statutes, 24-30-1305.5,  
11 **amend** (6), (7), and (8)(b) as follows:

12 **24-30-1305.5. High performance standards - report -**  
13 **legislative declaration - definition.** (6) Any design or new construction  
14 of a building of less than five thousand GROSS square feet that is, but for  
15 its size, otherwise subject to this section and any minor renovation and  
16 controlled maintenance of a building that is subject to this section must  
17 be executed to the high performance standards adopted in the high  
18 performance standard certification program even if high performance  
19 certification is not sought at that time.

20 (7) Notwithstanding section 24-1-136 (11)(a)(I), the office shall  
21 report annually to the capital development committee regarding ENERGY  
22 CONSUMPTION ANALYSIS FOR CAPITAL RENEWAL PROJECTS; ENERGY

1 MODELING FOR CAPITAL CONSTRUCTION PROJECTS OF TWENTY THOUSAND  
2 GROSS SQUARE FEET OR MORE; AND contracting documents, project  
3 guidelines, and reporting and tracking procedures related to the  
4 implementation of this section.

5 (8) As used in this section, unless the context otherwise requires:

6 (b) (I) "High performance standard certification program" means  
7 a real property renovation, design, and construction standard that:

8 ~~(H)~~ (A) Is quantifiable, measurable, and verifiable as certified by  
9 an independent third party;

10 ~~(H)~~ (B) Reduces the operating costs of real property by reducing  
11 the consumption of energy, water, and other resources;

12 ~~(H)~~ (C) Results in the recovery of the increased initial capital  
13 costs attributable to compliance with the program over time by reducing  
14 long-term energy, maintenance, and operating costs;

15 ~~(V)~~ (D) Improves the indoor environmental quality of real  
16 property for a healthier work environment;

17 ~~(V)~~ (E) Encourages the use of products harvested, created, or  
18 mined within Colorado, regardless of product certification status;

19 ~~(V)~~ (F) Protects Colorado's environment; and

20 ~~(V)~~ (G) Complies with the federal secretary of the interior's  
21 standards for the treatment of historic real property when such work will  
22 affect real property fifty years of age or older, unless the state historical  
23 society, designated in section 24-80-201, determines that such real  
24 property is not of historical significance as defined in section 24-80.1-102  
25 (6).

26 (II) FOR BUILDINGS THAT START THE DESIGN PROCESS ON OR AFTER  
27 JANUARY 1, 2023, THE "HIGH PERFORMANCE STANDARD CERTIFICATION

1 PROGRAM" MEANS A REAL PROPERTY RENOVATION, DESIGN, AND  
2 CONSTRUCTION STANDARD THAT, IN ADDITION TO THE REQUIREMENTS OF  
3 SUBSECTION (8)(b)(I) OF THIS SECTION, REQUIRES BUILDINGS TO BE NET  
4 ZERO AS DEFINED BY THE DEPARTMENT OF ENERGY IN "A COMMON  
5 DEFINITION OF ZERO ENERGY BUILDINGS", SEPTEMBER 2015, OR AS  
6 DEFINED IN A FUTURE RELEVANT PUBLICATION.

7 **SECTION 3. Act subject to petition - effective date.** This act  
8 takes effect at 12:01 a.m. on the day following the expiration of the  
9 ninety-day period after final adjournment of the general assembly; except  
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
11 of the state constitution against this act or an item, section, or part of this  
12 act within such period, then the act, item, section, or part will not take  
13 effect unless approved by the people at the general election to be held in  
14 November 2022 and, in such case, will take effect on the date of the  
15 official declaration of the vote thereon by the governor.