

## CHAPTER 47

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**GOVERNMENT - STATE**

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## SENATE BILL 08-078

BY SENATOR(S) Renfro, Brophy, Harvey, Kester, Kopp, Penry, Schultheis, Spence, and Taylor;  
also REPRESENTATIVE(S) Sonnenberg, Borodkin, Buescher, Ferrandino, Frangas, Labuda, Lambert, Lundberg, Merrifield,  
Peniston, Romanoff, Rose, Soper, and Todd.

**AN ACT**

**CONCERNING A REQUIREMENT THAT GOVERNMENTAL ENTITIES ADOPT STANDARDS TO PROMOTE ENERGY EFFICIENCY IN THE DISTRIBUTION OF GRANT MONEYS FROM THE STATE HISTORICAL FUND TO BENEFIT HISTORIC PROPERTIES.**

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

**SECTION 1.** 12-47.1-1202 (2), (3)(i), and (3)(j), Colorado Revised Statutes, are amended, and the said 12-47.1-1202 (3) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**12-47.1-1202. Expenditures from the state historical fund - legislative declaration.** (2) The state historical society shall not expend moneys from the eighty percent portion of the state historical fund administered by the society unless they have adopted standards for distribution of grants from that portion of the fund. ~~At a minimum, such~~ THE STANDARDS SHALL ALLOW FOR THE APPROPRIATE USE OF SUSTAINABLE SOLUTIONS SUCH AS ENVIRONMENTALLY SENSITIVE AND ENERGY EFFICIENT WINDOWS, WINDOW ASSEMBLIES, INSULATING MATERIALS, AND HEATING AND COOLING SYSTEMS, AS LONG AS THE USE OF SUCH SUSTAINABLE SOLUTIONS DOES NOT ADVERSELY AFFECT THE APPEARANCE OR INTEGRITY OF A HISTORIC PROPERTY. The standards shall FURTHER include requirements that assure compliance with the secretary of the interior's standards for treatment of historic properties.

(3) The governing bodies of the cities of Central, Black Hawk, and Cripple Creek shall not expend moneys from their twenty percent portion of the state historical fund unless they have adopted standards for distribution of grants from that portion of the fund. At a minimum, such standards shall include the following:

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(i) A provision that requires a member of the governing body to disclose any personal interest in a grant before voting on the application; ~~and~~

(j) A provision requiring the award of any grant in excess of fifty thousand dollars for any single residential property to be conditioned upon an agreement to repay the grant upon any sale or transfer of the property within five years of the date the grant is awarded. The amount to be repaid shall equal the amount of the grant less an amount equal to one-sixtieth of the amount of the grant for each full month occurring between the date the grant is awarded and the date of the sale or transfer of the property; AND

(k) A PROVISION ALLOWING FOR THE APPROPRIATE USE OF SUSTAINABLE SOLUTIONS SUCH AS ENVIRONMENTALLY SENSITIVE AND ENERGY EFFICIENT WINDOWS, WINDOW ASSEMBLIES, INSULATING MATERIALS, AND HEATING AND COOLING SYSTEMS, AS LONG AS THE USE OF SUCH SUSTAINABLE SOLUTIONS DOES NOT ADVERSELY AFFECT THE APPEARANCE OR INTEGRITY OF A HISTORIC PROPERTY.

**SECTION 2. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 19, 2008