

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 20-0872.01 Jery Payne x2157

HOUSE BILL 20-1155

HOUSE SPONSORSHIP

Valdez A. and Weissman, Jaquez Lewis, Kipp, Hooton, Sirota, Titone, Froelich, Mullica

SENATE SPONSORSHIP

(None),

House Committees
Energy & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIREMENTS THAT BUILDERS OF NEW RESIDENCES**
102 **OFFER BUYERS OPTIONS TO ACCOMMODATE HIGHER EFFICIENCY**
103 **DEVICES.**

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>.)

Current law requires a home builder to offer to a buyer of a new home one of the following:

- ! A solar panel system or a solar thermal system;
- ! To prewire or preplumb the home for these systems; or
- ! A chase or conduit to wire or plumb the home for these

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

systems in the future.

Section 1 of the bill changes this to require that the home builder offer each of these options.

Section 2 requires a home builder to offer one of the following options to a buyer of a newly constructed residence:

- ! An electric vehicle charging system;
- ! Upgrades of wiring to accommodate future installation of an electric vehicle charging system; or
- ! A 208- to 240-volt alternating current plug-in located in a place accessible to a motor vehicle parking area.

Section 2 also requires the home builder to offer electric heating options. These requirements apply to both traditional detached, single-family homes and buildings that contain owner-occupied condominium units.

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

2 **SECTION 1.** In Colorado Revised Statutes, 38-35.7-106, **amend**
3 (1)(a) as follows:

4 **38-35.7-106. Solar prewire option - solar consultation.**

5 (1) (a) Every person that builds a new single-family detached residence
6 for which a buyer is under contract shall offer the buyer the opportunity
7 to have EACH OF THE FOLLOWING OPTIONS INCLUDED IN the residence's
8 electrical system or plumbing system, or both: ~~include one of the~~
9 following:

10 (I) A residential photovoltaic solar generation system or a
11 residential solar thermal system, or both;

12 (II) Upgrades of wiring or plumbing, or both, planned by the
13 builder to accommodate future installation of such systems; ~~or~~ AND

14 (III) A chase or conduit, or both, constructed to allow ease of
15 future installation of the necessary wiring or plumbing for such systems.

16 **SECTION 2.** In Colorado Revised Statutes, **add** 38-35.7-109 as
17 follows:

18 **38-35.7-109. Electric vehicle charging and heating systems -**

1 **options - definitions.** (1) (a) A PERSON THAT BUILDS A NEW RESIDENCE
2 FOR WHICH A BUYER IS UNDER CONTRACT SHALL OFFER THE BUYER THE
3 OPPORTUNITY TO HAVE THE RESIDENCE'S ELECTRICAL SYSTEM INCLUDE
4 ONE OF THE FOLLOWING:

5 (I) AN ELECTRIC VEHICLE CHARGING SYSTEM;

6 (II) UPGRADES OF WIRING PLANNED BY THE BUILDER TO
7 ACCOMMODATE FUTURE INSTALLATION OF AN ELECTRIC VEHICLE
8 CHARGING SYSTEM; OR

9 (III) A TWO-HUNDRED-EIGHT- TO TWO-HUNDRED-FORTY-VOLT
10 ALTERNATING CURRENT PLUG-IN RECEPTACLE IN AN APPROPRIATE PLACE
11 ACCESSIBLE TO A MOTOR VEHICLE PARKING AREA.

12 (b) A PERSON THAT BUILDS A NEW RESIDENCE FOR WHICH A BUYER
13 IS UNDER CONTRACT SHALL OFFER THE BUYER THE OPPORTUNITY TO HAVE
14 THE RESIDENCE INCLUDE AN ELECTRICAL HEATING SYSTEM, INCLUDING AN
15 ELECTRIC WATER HEATER OR ELECTRIC FURNACE OR HEAT-PUMP SYSTEM.

16 (2) TO COMPLY WITH THIS SECTION, THE OFFER REQUIRED BY
17 SUBSECTION (1) OF THIS SECTION MUST BE MADE IN ACCORDANCE WITH
18 THE BUILDER'S CONSTRUCTION SCHEDULE FOR THE RESIDENCE. IN THE
19 CASE OF PREFABRICATED OR MANUFACTURED HOMES, "CONSTRUCTION
20 SCHEDULE" INCLUDES THE SCHEDULE FOR COMPLETION OF PREFABRICATED
21 WALLS OR OTHER SUBASSEMBLIES.

22 (3) NOTHING IN THIS SECTION PRECLUDES A PERSON THAT BUILDS
23 A NEW RESIDENCE FROM:

24 (a) SUBJECTING ELECTRIC VEHICLE CHARGING SYSTEM UPGRADES
25 TO THE SAME TERMS AND CONDITIONS AS OTHER UPGRADES, INCLUDING
26 CHARGES RELATED TO UPGRADES, DEPOSITS REQUIRED FOR UPGRADES,
27 DEADLINES, AND CONSTRUCTION TIMELINES;

1 (b) SELECTING THE CONTRACTORS THAT WILL COMPLETE THE
2 INSTALLATION OF ELECTRIC VEHICLE CHARGING SYSTEM UPGRADES;

3 (c) STIPULATING IN THE PURCHASE AGREEMENT OR SALES
4 CONTRACT THAT:

5 (I) ELECTRIC VEHICLE CHARGING SYSTEM UPGRADES ARE BASED
6 ON TECHNOLOGY AVAILABLE AT THE TIME OF INSTALLATION AND MIGHT
7 NOT SUPPORT ALL ELECTRIC VEHICLE CHARGING SYSTEMS OR SYSTEMS
8 INSTALLED IN THE FUTURE; AND

9 (II) THE PERSON THAT BUILDS A NEW RESIDENCE IS NOT LIABLE
10 FOR ANY ADDITIONAL UPGRADES, RETROFITS, OR OTHER ALTERATIONS TO
11 THE RESIDENCE NECESSARY TO ACCOMMODATE AN ELECTRIC VEHICLE
12 CHARGING SYSTEM INSTALLED IN THE FUTURE.

13 (4) AS USED IN THIS SECTION:

14 (a) "ELECTRIC VEHICLE CHARGING SYSTEM" MEANS:

15 (I) AN ELECTRIC VEHICLE CHARGING SYSTEM AS DEFINED IN
16 SECTION 38-12-601 (6)(a) WITH A POWER CAPACITY OF AT LEAST 6.2
17 KILOWATTS; OR

18 (II) AN INDUCTIVE RESIDENTIAL CHARGING SYSTEM FOR
19 BATTERY-POWERED ELECTRIC VEHICLES THAT COMPLIES WITH APPLICABLE
20 INDUSTRY STANDARDS.

21 (b) "RESIDENCE" MEANS A SINGLE-FAMILY, OWNER-OCCUPIED
22 DWELLING, WHETHER DETACHED OR A CONDOMINIUM UNIT AS DEFINED IN
23 SECTION 38-33-103 (1).

24 (5) THIS SECTION APPLIES TO CONTRACTS ENTERED INTO ON OR
25 AFTER THE EFFECTIVE DATE OF THIS SECTION TO PURCHASE NEW
26 RESIDENCES BUILT ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION;
27 EXCEPT THAT THIS SECTION DOES NOT APPLY TO UNOCCUPIED HOMES

1 SERVING AS SALES INVENTORY OR MODEL HOMES.

2 **SECTION 3. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly (August
5 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
6 referendum petition is filed pursuant to section 1 (3) of article V of the
7 state constitution against this act or an item, section, or part of this act
8 within such period, then the act, item, section, or part will not take effect
9 unless approved by the people at the general election to be held in
10 November 2020 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.