

First Regular Session
Seventy-second General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 19-0877.01 Duane Gall x4335

HOUSE BILL 19-1231

HOUSE SPONSORSHIP

Froelich and Kipp, Benavidez, Jaquez Lewis, Melton, Mullica, Titone, Valdez A., Arndt, Becker, Bird, Buentello, Cutter, Gray, Hooton, Kennedy, Michaelson Jenet, Roberts, Snyder, Weissman

SENATE SPONSORSHIP

Lee,

House Committees
Energy & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING EFFICIENCY STANDARDS FOR EQUIPMENT SOLD IN**
102 **COLORADO, AND, IN CONNECTION THEREWITH, REQUIRING**
103 **CERTAIN APPLIANCES, PLUMBING FIXTURES, AND OTHER**
104 **PRODUCTS SOLD FOR RESIDENTIAL OR COMMERCIAL USE TO**
105 **MEET ENERGY EFFICIENCY AND WATER EFFICIENCY STANDARDS.**

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 updates and adopts standards for water efficiency and energy efficiency that apply to a list of consumer and commercial

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.

HOUSE
3rd Reading Unamended
April 4, 2019


HOUSE
Amended 2nd Reading
April 3, 2019

appliances and other products. The standards are based on state standards, federal Energy Star and WaterSense specifications, and industry standards in most cases or, where a standard is not incorporated by reference, the standard is specified by statute.

The standards apply to new products sold or installed in Colorado and are phased in over a period of 3 years, with general service lamps covered beginning in 2020, air compressors and portable air conditioners covered beginning in 2022, and all other listed products covered beginning in 2021. The bill also keeps in place the water efficiency standards on certain products that were added to the Colorado statutes in 2014. The sale of a noncomplying product after the effective date of the applicable standard is defined as a deceptive trade practice under the "Colorado Consumer Protection Act".

The executive director of the department of public health and environment is directed to collect and publish the standards that are incorporated by reference. The executive director is also authorized, but not required, to adopt rules incorporating more recent versions of standards or test methods in order to maintain or improve consistency with other state or federal agency standards, subject to a one-year grace period between adoption and enforcement of any new or amended standards.

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

2 

3 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**
4 **with amendments,** article 7.5 of title 6 as follows:

5 **ARTICLE 7.5**

6 **Water and Energy Efficiency Standards**

7 **6-7.5-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
8 FINDS AND DETERMINES THAT EFFICIENCY STANDARDS FOR CERTAIN
9 PRODUCTS SOLD OR INSTALLED IN COLORADO:

10 (a) ASSURE CONSUMERS AND BUSINESSES THAT SUCH PRODUCTS
11 MEET MINIMUM EFFICIENCY PERFORMANCE LEVELS, THUS REDUCING
12 ENERGY AND WATER WASTE AND SAVING CONSUMERS AND BUSINESSES
13 MONEY ON UTILITY BILLS;

1 (b) PROTECT CONSUMERS AND BUSINESSES AGAINST
2 MANUFACTURERS WHO WOULD OTHERWISE SELL, IN COLORADO, LESS
3 EFFICIENT APPLIANCES THAT THEY CANNOT SELL IN STATES THAT HAVE
4 HIGHER STANDARDS;

5 (c) SAVE ENERGY AND THUS REDUCE POLLUTION AND OTHER
6 ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE PRODUCTION,
7 DISTRIBUTION, AND USE OF ELECTRICITY, NATURAL GAS, AND OTHER
8 FUELS;

9 (d) IMPROVE ELECTRIC SYSTEM RELIABILITY AND POTENTIALLY
10 REDUCE THE NEED FOR NEW ENERGY AND WATER INFRASTRUCTURE BASED
11 ON THE RESULTING ENERGY AND WATER SAVINGS;

12 (e) APPLY TO PRODUCTS AVAILABLE AT A PRICE EQUAL TO OR LESS
13 THAN NONCOMPLIANT PRODUCTS, OR AVAILABLE AT A MINIMAL COST
14 PREMIUM;

15 (f) HAVE SAVED COLORADANS BILLIONS OF GALLONS OF WATER
16 SINCE 2014, WHEN WATERSENSE STANDARDS WERE ENACTED FOR
17 PLUMBING FIXTURES, WITHOUT SACRIFICING QUALITY OR PRODUCT
18 PERFORMANCE; AND

19 (g) CONTRIBUTE TO THE ECONOMY OF THIS STATE BY HELPING TO
20 BETTER BALANCE SUPPLY AND DEMAND FOR BOTH ENERGY AND WATER,
21 THUS REDUCING THE UPWARD PRESSURE ON PRICES FOR ELECTRICITY,
22 NATURAL GAS, AND WATER CAUSED BY INCREASED DEMAND. IN ADDITION,
23 EFFICIENCY STANDARDS ALLOW CONSUMERS AND BUSINESSES TO USE THE
24 MONEY THEY SAVE ON UTILITY BILLS TO PURCHASE LOCAL GOODS AND
25 SERVICES.

26 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE
27 ADOPTION OF ENERGY AND WATER EFFICIENCY STANDARDS IN

1 ACCORDANCE WITH THIS ARTICLE 7.5 IS A MATTER OF STATE AND LOCAL
2 CONCERN AND SERVES THE PUBLIC INTEREST OF THE PEOPLE OF
3 COLORADO.

4 **6-7.5-102. Definitions.** AS USED IN THIS ARTICLE 7.5, UNLESS THE
5 CONTEXT OTHERWISE REQUIRES:

6 (1) "AIR COMPRESSOR" MEANS A COMPRESSOR THAT:

7 (a) IS DESIGNED TO COMPRESS AIR;

8 (b) HAS AN INLET THAT IS OPEN TO THE ATMOSPHERE OR OTHER
9 SOURCE OF AIR; AND

10 (c) CONSISTS OF A COMPRESSION ELEMENT, ALSO KNOWN AS A
11 BARE COMPRESSOR; ONE OR MORE DRIVERS; MECHANICAL EQUIPMENT TO
12 DRIVE THE COMPRESSION ELEMENT; AND ANY ANCILLARY EQUIPMENT.

13 (2) "ANSI" MEANS THE AMERICAN NATIONAL STANDARDS
14 INSTITUTE OR ITS SUCCESSOR ORGANIZATION.

15 (3) "ANSI C79.1-2002" MEANS THE ANSI STANDARD FOR
16 "ELECTRIC LAMPS - NOMENCLATURE FOR GLASS BULBS INTENDED FOR
17 USE WITH ELECTRIC LAMPS", APPROVED SEPTEMBER 16, 2002.

18 (4) "APSP" MEANS THE ASSOCIATION OF POOL AND SPA
19 PROFESSIONALS OR ITS SUCCESSOR ORGANIZATION.

20 (5) "CCR" MEANS THE CALIFORNIA CODE OF REGULATIONS, AS
21 AMENDED.

22 (6) "COLD-ONLY UNIT" MEANS A WATER COOLER THAT DISPENSES
23 COLD WATER ONLY.

24 (7) "COMMERCIAL DISHWASHER" MEANS A MACHINE DESIGNED TO
25 CLEAN AND SANITIZE PLATES, POTS, PANS, GLASSES, CUPS, BOWLS,
26 UTENSILS, AND TRAYS BY APPLYING SPRAYS OF DETERGENT SOLUTION,
27 WITH OR WITHOUT BLASTING MEDIA GRANULES, AND A SANITIZING RINSE.

1 (8) "COMMERCIAL FRYER" MEANS AN APPLIANCE, INCLUDING A
2 COOKING VESSEL, IN WHICH:

3 (a) OIL IS PLACED TO SUCH A DEPTH THAT THE FOOD TO BE COOKED
4 IS ESSENTIALLY SUPPORTED BY DISPLACEMENT OF THE COOKING FLUID
5 RATHER THAN BY THE BOTTOM OF THE VESSEL; AND

6 (b) HEAT IS DELIVERED TO THE COOKING FLUID BY MEANS OF
7 EITHER:

8 (I) AN IMMERSED ELECTRIC ELEMENT OR BAND-WRAPPED VESSEL;
9 OR

10 (II) HEAT TRANSFER FROM GAS BURNERS THROUGH EITHER THE
11 WALLS OF THE VESSEL OR TUBES PASSING THROUGH THE COOKING FLUID.

12 (9) "COMMERCIAL HOT FOOD HOLDING CABINET" MEANS A
13 HEATED, FULLY ENCLOSED COMPARTMENT WITH ONE OR MORE SOLID OR
14 TRANSPARENT DOORS DESIGNED TO MAINTAIN THE TEMPERATURE OF HOT
15 FOOD THAT HAS BEEN COOKED USING A SEPARATE APPLIANCE.
16 "COMMERCIAL HOT FOOD HOLDING CABINET" DOES NOT INCLUDE HEATED
17 GLASS MERCHANDISING CABINETS, DRAWER WARMERS, OR COOK AND
18 HOLD APPLIANCES.

19 (10) "COMMERCIAL STEAM COOKER" MEANS A DEVICE WITH ONE
20 OR MORE FOOD-STEAMING COMPARTMENTS IN WHICH THERMAL ENERGY
21 IS TRANSFERRED FROM THE STEAM TO THE FOOD BY DIRECT CONTACT.
22 "COMMERCIAL STEAM COOKER" INCLUDES COUNTERTOP MODELS,
23 WALL-MOUNTED MODELS, AND FLOOR MODELS MOUNTED ON A STAND,
24 PEDESTAL, OR CABINET-STYLE BASE.

25 (11) "COMPENSATION" MEANS MONEY OR ANY OTHER THING OF
26 VALUE, REGARDLESS OF FORM, RECEIVED OR TO BE RECEIVED BY A PERSON
27 FOR GOODS OR SERVICES RENDERED.

1 (12) "COMPRESSOR" MEANS A MACHINE OR APPARATUS THAT
2 CONVERTS DIFFERENT TYPES OF ENERGY INTO THE POTENTIAL ENERGY OF
3 GAS PRESSURE FOR DISPLACEMENT AND COMPRESSION OF GASEOUS MEDIA
4 TO ANY HIGHER PRESSURE VALUES ABOVE ATMOSPHERIC PRESSURE AND
5 HAS A PRESSURE RATIO AT FULL-LOAD OPERATING PRESSURE GREATER
6 THAN 1.3 ATMOSPHERES.

7 (13) "COMPUTER" AND "COMPUTER MONITOR" HAVE THE
8 MEANINGS SET FORTH IN 20 CCR SEC. 1602 (v).

9 (14) "COOK AND COLD UNIT" MEANS A WATER COOLER THAT
10 DISPENSES BOTH COLD AND ROOM-TEMPERATURE WATER.

11 (15) "ENERGY STAR PROGRAM" MEANS THE FEDERAL PROGRAM
12 AUTHORIZED BY 42 U.S.C. SEC. 6294a, AS AMENDED.

13 (16) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
14 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OR THE
15 EXECUTIVE DIRECTOR'S DESIGNEE.

16 (17) "FAUCET" MEANS:

17 (a) A LAVATORY FAUCET, KITCHEN FAUCET, METERING FAUCET, OR
18 PUBLIC LAVATORY FAUCET; AND

19 (b) A REPLACEMENT AERATOR FOR A LAVATORY FAUCET, PUBLIC
20 LAVATORY FAUCET, OR KITCHEN FAUCET.

21 (18) "FLUSHOMETER-VALVE WATER CLOSET" MEANS A TYPE OF
22 COMMERCIAL TOILET THAT USES A VALVE FOR FLUSHING BY OPERATION OF
23 A HANDLE THAT DISCHARGES A DEFINITE QUANTITY OF WATER UNDER
24 PRESSURE DIRECTLY INTO THE FIXTURE.

25 (19) "GENERAL SERVICE LAMP":

26 (a) MEANS A LAMP THAT:

27 (I) HAS A BASE THAT COMPLIES WITH ANSI STANDARDS;

- 1 (II) IS ABLE TO OPERATE AT A VOLTAGE:
- 2 (A) OF TWELVE OR TWENTY-FOUR VOLTS;
- 3 (B) AT OR BETWEEN ONE HUNDRED AND ONE HUNDRED THIRTY
- 4 VOLTS;
- 5 (C) AT OR BETWEEN TWO HUNDRED TWENTY AND TWO HUNDRED
- 6 FORTY VOLTS; OR
- 7 (D) OF TWO HUNDRED SEVENTY-SEVEN VOLTS FOR INTEGRATED
- 8 LAMPS OR ANY VOLTAGE FOR NONINTEGRATED LAMPS;
- 9 (III) HAS AN INITIAL LUMEN OUTPUT GREATER THAN OR EQUAL TO
- 10 THREE HUNDRED TEN LUMENS, OR TWO HUNDRED THIRTY-TWO LUMENS
- 11 FOR MODIFIED SPECTRUM GENERAL SERVICE INCANDESCENT LAMPS, AND
- 12 LESS THAN OR EQUAL TO THREE THOUSAND THREE HUNDRED LUMENS;
- 13 (IV) IS NOT A LIGHT FIXTURE OR AN LED DOWNLIGHT RETROFIT
- 14 KIT; AND
- 15 (V) IS USED IN GENERAL LIGHTING APPLICATIONS;
- 16 (b) INCLUDES GENERAL SERVICE INCANDESCENT LAMPS, COMPACT
- 17 FLUORESCENT LAMPS, GENERAL SERVICE LED LAMPS, AND GENERAL
- 18 SERVICE ORGANIC LED LAMPS;
- 19 (c) DOES NOT INCLUDE:
- 20 (I) APPLIANCE LAMPS;
- 21 (II) BLACK LIGHT LAMPS;
- 22 (III) BUG LAMPS;
- 23 (IV) COLORED LAMPS;
- 24 (V) G-SHAPE LAMPS WITH A DIAMETER OF FIVE INCHES OR MORE
- 25 AS DEFINED IN ANSI C79.1-2002;
- 26 (VI) GENERAL SERVICE FLUORESCENT LAMPS;
- 27 (VII) HIGH-INTENSITY DISCHARGE LAMPS;

- 1 (VIII) INFRARED LAMPS;
- 2 (IX) J, JC, JCD, JCS, JCV, JCX, JD, JS, AND JT-SHAPE LAMPS
- 3 THAT DO NOT HAVE EDISON SCREW BASES;
- 4 (X) LAMPS THAT HAVE A WEDGE BASE OR PREFOCUS BASE;
- 5 (XI) LEFT-HAND THREAD LAMPS;
- 6 (XII) MARINE LAMPS;
- 7 (XIII) MARINE SIGNAL SERVICE LAMPS;
- 8 (XIV) MINE SERVICE LAMPS;
- 9 (XV) MR-SHAPE LAMPS THAT:
- 10 (A) HAVE A FIRST NUMBER SYMBOL EQUAL TO SIXTEEN (DIAMETER
- 11 EQUAL TO TWO INCHES), AS DEFINED IN ANSI C79.1-2002;
- 12 (B) OPERATE AT TWELVE VOLTS; AND
- 13 (C) HAVE A LUMEN OUTPUT GREATER THAN OR EQUAL TO EIGHT
- 14 HUNDRED;
- 15 (XVI) OTHER FLUORESCENT LAMPS NOT DESCRIBED IN
- 16 SUBSECTION (19)(b) OF THIS SECTION;
- 17 (XVII) PLANT LIGHT LAMPS;
- 18 (XVIII) R20 SHORT LAMPS;
- 19 (XIX) REFLECTOR LAMPS THAT HAVE A FIRST NUMBER SYMBOL
- 20 LESS THAN SIXTEEN (DIAMETER LESS THAN TWO INCHES) AS DEFINED IN
- 21 ANSI C79.1-2002 AND THAT DO NOT HAVE E26/E24, E26d, E26/50x39,
- 22 E26/53x39, E29/28, E29/53x39, E39, E39d, EP39, OR EX39 BASES;
- 23 (XX) S-SHAPE OR G-SHAPE LAMPS THAT HAVE A FIRST NUMBER
- 24 SYMBOL LESS THAN OR EQUAL TO TWELVE AND ONE-HALF (DIAMETER LESS
- 25 THAN OR EQUAL TO 1.5625 INCHES) AS DEFINED IN ANSI C79.1-2002;
- 26 (XXI) SIGN SERVICE LAMPS;
- 27 (XXII) SILVER BOWL LAMPS;

- 1 (XXIII) SHOWCASE LAMPS;
- 2 (XXIV) SPECIALTY MR LAMPS;
- 3 (XXV) T-SHAPE LAMPS THAT:
- 4 (A) HAVE A FIRST NUMBER SYMBOL LESS THAN OR EQUAL TO
- 5 EIGHT (DIAMETER LESS THAN OR EQUAL TO ONE INCH), AS DEFINED IN
- 6 ANSI C79.1-2002;
- 7 (B) HAVE A NOMINAL OVERALL LENGTH LESS THAN TWELVE
- 8 INCHES; AND
- 9 (C) ARE NOT COMPACT FLUORESCENT LAMPS; OR
- 10 (XXVI) TRAFFIC SIGNAL LAMPS.
- 11 (20) "GPM" MEANS GALLONS PER MINUTE.
- 12 (21) "HIGH COLOR RENDERING INDEX (CRI) FLUORESCENT LAMP"
- 13 MEANS A FLUORESCENT LAMP WITH A CRI OF EIGHTY-SEVEN OR GREATER
- 14 THAT IS NOT A COMPACT FLUORESCENT LAMP.
- 15 (22) "HOT AND COLD UNIT" MEANS A WATER COOLER THAT
- 16 DISPENSES BOTH HOT AND COLD WATER. IT MAY ALSO DISPENSE
- 17 ROOM-TEMPERATURE WATER.
- 18 (23) "ICC" MEANS THE INTERNATIONAL CODE COUNCIL OR ITS
- 19 SUCCESSOR ORGANIZATION.
- 20 (24) (a) "LAMP" MEANS A DEVICE THAT EMITS LIGHT AND IS USED
- 21 TO ILLUMINATE AN INDOOR OR OUTDOOR SPACE.
- 22 (b) "LAMP" DOES NOT INCLUDE A HEAT LAMP.
- 23 (25) "LED" MEANS LIGHT-EMITTING DIODE.
- 24 (26) "LOW-EFFICIENCY PLUMBING FIXTURE" MEANS ANY OF THE
- 25 FOLLOWING PLUMBING FIXTURES OR FITTINGS THAT IS NOT A
- 26 WATERSENSE-LISTED PLUMBING FIXTURE:
- 27 (a) A LAVATORY FAUCET;

- 1 (b) A SHOWER HEAD;
- 2 (c) A FLUSHING URINAL;
- 3 (d) A FLUSHOMETER-VALVE WATER CLOSET; OR
- 4 (e) A TANK-TYPE TOILET OR TANK-TYPE WATER CLOSET.
- 5 (27) "METERING FAUCET" MEANS A FITTING THAT, WHEN TURNED
- 6 ON, WILL GRADUALLY SHUT OFF THE FLOW OF WATER OVER A PERIOD OF
- 7 SEVERAL SECONDS.
- 8 (28) "NEMA" MEANS THE NATIONAL ELECTRICAL
- 9 MANUFACTURERS ASSOCIATION OR IT SUCCESSOR ORGANIZATION.
- 10 (29) "PORTABLE AIR CONDITIONER" MEANS A PORTABLE ENCASED
- 11 ASSEMBLY, OTHER THAN A PACKAGED TERMINAL AIR CONDITIONER,
- 12 DUCTLESS PORTABLE AIR CONDITIONER, ROOM AIR CONDITIONER, OR
- 13 DEHUMIDIFIER, THAT:
- 14 (a) DELIVERS COOLED, CONDITIONED AIR TO AN ENCLOSED SPACE;
- 15 (b) IS POWERED BY SINGLE-PHASE ELECTRIC CURRENT;
- 16 (c) INCLUDES A SOURCE OF REFRIGERATION;
- 17 (d) MAY BE A SINGLE-DUCT OR DUAL-DUCT PORTABLE AIR
- 18 CONDITIONER; AND
- 19 (e) MAY INCLUDE ADDITIONAL MEANS FOR AIR CIRCULATION AND
- 20 HEATING.
- 21 (30) "PORTABLE ELECTRIC SPA" MEANS A FACTORY-BUILT
- 22 ELECTRIC SPA OR HOT TUB. IT MAY OR MAY NOT INCLUDE ANY
- 23 COMBINATION OF INTEGRAL CONTROLS, WATER HEATING, AND WATER
- 24 CIRCULATING EQUIPMENT.
- 25 (31) "PRESSURE REGULATOR" MEANS A DEVICE THAT MAINTAINS
- 26 CONSTANT OPERATING PRESSURE IMMEDIATELY DOWNSTREAM FROM A
- 27 SPRAY SPRINKLER BODY, GIVEN HIGHER PRESSURE UPSTREAM OF THE

1 DEVICE.

2 (32) "PSI" MEANS POUNDS PER SQUARE INCH.

3 (33) "PUBLIC LAVATORY FAUCET" MEANS A FITTING DESIGNED AND
4 MARKETED FOR INSTALLATION IN A NONRESIDENTIAL BATHROOM, WHICH
5 BATHROOM IS EXPOSED TO WALK-IN TRAFFIC.

6 (34) "REPLACEMENT AERATOR" MEANS AN AERATOR SOLD AS A
7 REPLACEMENT, SEPARATE FROM THE FAUCET TO WHICH IT IS INTENDED TO
8 BE ATTACHED.

9 (35) "RESIDENTIAL VENTILATING FAN" MEANS AN INLINE FAN
10 DESIGNED TO BE USED IN A BATHROOM OR UTILITY ROOM AND WHOSE
11 PURPOSE IS TO MOVE AIR FROM INSIDE THE BUILDING TO THE OUTDOORS.
12 IT MAY BE CEILING-MOUNTED, WALL-MOUNTED, OR REMOTELY MOUNTED.

13 (36) "SPRAY SPRINKLER BODY" MEANS THE EXTERIOR CASE OR
14 SHELL OF A SPRINKLER, WHICH CASE OR SHELL:

15 (a) INCORPORATES A MEANS OF CONNECTION TO THE PIPING
16 SYSTEM; AND

17 (b) IS DESIGNED TO CONVEY WATER TO A NOZZLE OR ORIFICE.

18 (37) "UNINTERRUPTIBLE POWER SUPPLY" MEANS A POWER SYSTEM
19 FOR MAINTAINING CONTINUITY OF LOAD POWER IN CASE OF INPUT POWER
20 FAILURE. IT MAY CONSIST OF A COMBINATION OF ONE OR MORE BATTERY
21 CHARGERS, CONVERTORS, SWITCHES, AND BATTERIES OR OTHER ENERGY
22 STORAGE DEVICES.

23 (38) "WATER COOLER" MEANS A FREESTANDING DEVICE THAT
24 CONSUMES ENERGY TO COOL OR HEAT, OR BOTH COOL AND HEAT, POTABLE
25 WATER.

26 (39) "WATERSENSE-LISTED PLUMBING FIXTURE" MEANS A
27 PLUMBING FIXTURE OR PLUMBING FIXTURE FITTING THAT HAS BEEN:

1 (a) TESTED BY AN ACCREDITED THIRD-PARTY CERTIFYING BODY OR
2 LABORATORY IN ACCORDANCE WITH THE FEDERAL ENVIRONMENTAL
3 PROTECTION AGENCY'S WATERSENSE PROGRAM OR A SUCCESSOR
4 PROGRAM;

5 (b) CERTIFIED BY THE BODY OR LABORATORY AS MEETING THE
6 PERFORMANCE AND EFFICIENCY REQUIREMENTS OF THE WATERSENSE
7 PROGRAM; AND

8 (c) AUTHORIZED BY THE WATERSENSE PROGRAM TO USE ITS
9 LABEL.

10 (40) "WATERSENSE PROGRAM" MEANS THE FEDERAL PROGRAM
11 AUTHORIZED BY 42 U.S.C. SEC. 6294b.

12 **6-7.5-103. Low-efficiency plumbing fixtures.** (1) (a) EFFECTIVE
13 SEPTEMBER 1, 2019, A PERSON SHALL NOT SELL [REDACTED] A NEW
14 LOW-EFFICIENCY PLUMBING FIXTURE, OTHER THAN A
15 FLUSHOMETER-VALVE WATER CLOSET, IN COLORADO.

16 (b) EFFECTIVE JANUARY 1, 2021, A PERSON SHALL NOT SELL [REDACTED] A
17 NEW LOW-EFFICIENCY FLUSHOMETER-VALVE WATER CLOSET IN
18 COLORADO.

19 (2) THIS SECTION DOES NOT PREEMPT ANY ACTION OF A
20 MUNICIPALITY, COUNTY, OR CITY AND COUNTY THAT PRESCRIBES
21 ADDITIONAL OR MORE RESTRICTIVE WATER CONSERVATION OR ENERGY
22 EFFICIENCY REQUIREMENTS AFFECTING THE SALE, INSTALLATION, OR USE
23 OF PLUMBING FIXTURES, APPLIANCES, OR OTHER PRODUCTS IF THE
24 REQUIREMENTS COMPLY WITH THE STANDARD SPECIFIED IN SUBSECTION
25 (1) OF THIS SECTION.

26 **6-7.5-104. Scope and applicability.** (1) SUBJECT TO SUBSECTION
27 (2) OF THIS SECTION AND AS FURTHER SPECIFIED IN SECTION 6-7.5-105,

1 THIS ARTICLE 7.5 APPLIES TO THE FOLLOWING PRODUCTS SOLD AS NEW ■
2 IN COLORADO:

- 3 (a) AIR COMPRESSORS;
- 4 (b) COMMERCIAL DISHWASHERS;
- 5 (c) COMMERCIAL FRYERS;
- 6 (d) COMMERCIAL HOT FOOD HOLDING CABINETS;
- 7 (e) COMMERCIAL STEAM COOKERS;
- 8 (f) COMPUTERS AND COMPUTER MONITORS;
- 9 (g) FAUCETS;
- 10 (h) FLUSHOMETER-VALVE WATER CLOSETS;
- 11 (i) GENERAL SERVICE LAMPS;
- 12 (j) HIGH CRI FLUORESCENT LAMPS;
- 13 (k) PORTABLE AIR CONDITIONERS;
- 14 (l) PORTABLE ELECTRIC SPAS;
- 15 (m) RESIDENTIAL VENTILATING FANS;
- 16 (n) SPRAY SPRINKLER BODIES;
- 17 (o) UNINTERRUPTIBLE POWER SUPPLIES; AND
- 18 (p) WATER COOLERS.

19 (2) THIS ARTICLE 7.5 DOES NOT APPLY TO:

- 20 ■
- 21 (a) PRODUCTS INSTALLED IN MOBILE MANUFACTURED HOMES AT
22 THE TIME OF CONSTRUCTION; ■
- 23 (b) PRODUCTS DESIGNED EXPRESSLY FOR INSTALLATION AND USE
24 IN RECREATIONAL VEHICLES; OR
- 25 (c) PRODUCTS HELD IN INVENTORY ON OR BEFORE THE EFFECTIVE
26 DATE OF THE APPLICABLE STANDARD FOR EACH CATEGORY OF PRODUCT
27 SET FORTH IN THIS ARTICLE 7.5.

1 (3) THIS ARTICLE 7.5 IS NOT ENFORCEABLE AGAINST AN EMPLOYEE
2 OF A CONTRACTOR WHO INSTALLS, REPAIRS, OR REPLACES APPLIANCES
3 AND COLLECTS FROM THE CUSTOMER AN AMOUNT REPRESENTING BOTH
4 PARTS AND LABOR.

5 **6-7.5-105. Standards - effective dates - publication of material**
6 **incorporated by reference.** (1) THE EXECUTIVE DIRECTOR NEED NOT
7 ADOPT BY RULE, BUT SHALL COLLECT AND MAKE PUBLICLY AVAILABLE IN
8 HARD COPY, THROUGH A WEBSITE, OR BOTH, THE FEDERAL RULES AND
9 OTHER RULES AND STANDARDS REFERRED TO IN THIS SECTION. THE
10 REFERENCES IN THIS SECTION ARE TO THE RULES AND STANDARDS AS THEY
11 EXISTED ON THE DATES SPECIFIED OR, IF NOT SO SPECIFIED, AS THEY
12 EXISTED ON AUGUST 2, 2019, AND DO NOT INCLUDE LATER EDITIONS OR
13 REVISIONS.

14 (2) ON OR AFTER JANUARY 1, 2020, A PERSON SHALL NOT SELL OR
15 OFFER FOR SALE IN COLORADO A GENERAL SERVICE LAMP UNLESS IT
16 EITHER:

17 (a) IS SUBJECT TO FEDERAL PREEMPTION; OR

18 (b) MEETS OR EXCEEDS A LAMP EFFICACY OF FORTY-FIVE LUMENS
19 PER WATT, WHEN TESTED IN ACCORDANCE WITH THE APPLICABLE FEDERAL
20 TEST PROCEDURES FOR GENERAL SERVICE LAMPS PRESCRIBED IN 10 CFR
21 430.23 (gg), AS IN EFFECT ON JANUARY 3, 2017.

22 (3) ON OR AFTER JANUARY 1, 2021, THE FOLLOWING NEW
23 PRODUCTS SHALL NOT BE SOLD, LEASED, OR RENTED IN COLORADO UNLESS
24 THE EFFICIENCY OF THE NEW PRODUCT MEETS OR EXCEEDS THE
25 FOLLOWING EFFICIENCY STANDARDS, AS APPLICABLE:

26 (a) COMMERCIAL DISHWASHERS INCLUDED IN THE SCOPE OF THE
27 ENERGY STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION FOR

1 COMMERCIAL DISHWASHERS, VERSION 2.0, MUST MEET THE QUALIFICATION
2 CRITERIA OF THAT SPECIFICATION.

3 (b) COMMERCIAL FRYERS INCLUDED IN THE SCOPE OF THE ENERGY
4 STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION FOR
5 COMMERCIAL FRYERS, VERSION 2.0, MUST MEET THE QUALIFICATION
6 CRITERIA OF THAT SPECIFICATION.

7 (c) COMMERCIAL HOT FOOD HOLDING CABINETS MUST HAVE A
8 MAXIMUM IDLE ENERGY RATE OF FORTY WATTS PER CUBIC FOOT OF
9 INTERIOR VOLUME, AS DETERMINED BY THE "IDLE ENERGY RATE-DRY
10 TEST" IN ASTM STANDARD F2140-11, "TEST METHOD FOR THE
11 PERFORMANCE OF HOT FOOD HOLDING CABINETS", PUBLISHED BY ASTM
12 INTERNATIONAL, FORMERLY KNOWN AS THE AMERICAN SOCIETY FOR
13 TESTING AND MATERIALS. INTERIOR VOLUME MUST BE MEASURED AS
14 PRESCRIBED IN THE ENERGY STAR PROGRAM REQUIREMENTS PRODUCT
15 SPECIFICATION FOR COMMERCIAL HOT FOOD HOLDING CABINETS, VERSION
16 2.0.

17 (d) COMMERCIAL STEAM COOKERS MUST MEET THE REQUIREMENTS
18 OF THE ENERGY STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION
19 FOR COMMERCIAL STEAM COOKERS, VERSION 1.2.

20 (e) COMPUTERS AND COMPUTER MONITORS MUST MEET THE
21 REQUIREMENTS OF SECTION 1605.3 (v) OF TITLE 20 OF THE CCR, AND
22 COMPLIANCE WITH THOSE REQUIREMENTS MUST BE AS MEASURED IN
23 ACCORDANCE WITH TEST METHODS PRESCRIBED IN SECTION 1604 (v) OF
24 THOSE REGULATIONS.

25 (f) FAUCETS, EXCEPT FOR METERING FAUCETS, MUST MEET THE
26 FOLLOWING STANDARDS WHEN TESTED IN ACCORDANCE WITH 10 CFR 430,
27 SUBPART B, APPENDIX S, AND COMPLIANCE WITH THOSE STANDARDS MUST

1 BE ESTABLISHED USING THE "UNIFORM TEST METHOD FOR MEASURING
2 THE WATER CONSUMPTION OF FAUCETS AND SHOWERHEADS", AS IN
3 EFFECT ON JANUARY 3, 2017:

4 (I) RESIDENTIAL KITCHEN FAUCETS AND REPLACEMENT AERATORS
5 MUST NOT EXCEED A MAXIMUM FLOW RATE OF 1.8 GPM AT SIXTY PSI,
6 WITH OPTIONAL TEMPORARY FLOW OF 2.2 GPM, PROVIDED THEY DEFAULT
7 TO A MAXIMUM FLOW RATE OF 1.8 GPM AT SIXTY PSI AFTER EACH USE.

8 (II) PUBLIC LAVATORY FAUCETS AND REPLACEMENT AERATORS
9 MUST NOT EXCEED A MAXIMUM FLOW RATE OF 0.5 GPM AT SIXTY PSI.

10 (g) FLUSHOMETER-VALVE WATER CLOSETS INCLUDED WITHIN THE
11 SCOPE OF THE WATERSENSE SPECIFICATION FOR FLUSHOMETER-VALVE
12 WATER CLOSETS, VERSION 1.0, MUST MEET THE WATER EFFICIENCY AND
13 PERFORMANCE CRITERIA AND OTHER REQUIREMENTS OF THAT
14 SPECIFICATION.

15 (h) HIGH CRI FLUORESCENT LAMPS MUST MEET THE MINIMUM
16 EFFICACY REQUIREMENTS CONTAINED IN 10 CFR 430.32 (n)(4) AS IN
17 EFFECT ON JANUARY 3, 2017, AS MEASURED IN ACCORDANCE WITH 10 CFR
18 430, SUBPART B, APPENDIX R, "UNIFORM TEST METHOD FOR MEASURING
19 AVERAGE LAMP EFFICACY (LE), COLOR RENDERING INDEX (CRI), AND
20 CORRELATED COLOR TEMPERATURE (CCT) OF ELECTRIC LAMPS", AS IN
21 EFFECT ON JANUARY 3, 2017.

22 (i) PORTABLE ELECTRIC SPAS MUST MEET THE REQUIREMENTS OF
23 THE "AMERICAN NATIONAL STANDARD FOR PORTABLE ELECTRIC SPA
24 ENERGY EFFICIENCY" (ANSI/APSP/ICC-14).

25 (j) NEW RESIDENTIAL VENTILATING FANS MUST MEET THE
26 QUALIFICATION CRITERIA OF THE ENERGY STAR PROGRAM REQUIREMENTS
27 PRODUCT SPECIFICATION FOR RESIDENTIAL VENTILATING FANS, VERSION

1 3.2.

2 (k) SPRAY SPRINKLER BODIES THAT ARE NOT SPECIFICALLY
3 EXCLUDED FROM THE SCOPE OF THE WATERSENSE SPECIFICATION FOR
4 SPRAY SPRINKLER BODIES, VERSION 1.0, MUST INCLUDE AN INTEGRAL
5 PRESSURE REGULATOR AND MUST MEET THE WATER EFFICIENCY AND
6 PERFORMANCE CRITERIA AND OTHER REQUIREMENTS OF THAT
7 SPECIFICATION.

8 (l) UNINTERRUPTIBLE POWER SUPPLIES THAT UTILIZE A NEMA
9 1-15P OR 5-15P INPUT PLUG AND HAVE AN ALTERNATING CURRENT
10 OUTPUT MUST HAVE AN AVERAGE LOAD-ADJUSTED EFFICIENCY THAT
11 MEETS OR EXCEEDS THE VALUES SHOWN ON PAGE 193 OF THE
12 PREPUBLICATION FINAL RULE "ENERGY CONSERVATION PROGRAM:
13 ENERGY CONSERVATION STANDARDS FOR UNINTERRUPTIBLE POWER
14 SUPPLIES" ISSUED BY THE UNITED STATES DEPARTMENT OF ENERGY ON
15 DECEMBER 28, 2016, AS MEASURED IN ACCORDANCE WITH TEST
16 PROCEDURES PRESCRIBED IN 10 CFR 430, SUBPART B, APPENDIX Y,
17 "UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION
18 OF BATTERY CHARGERS", AS IN EFFECT ON JANUARY 11, 2017.

19 (m) WATER COOLERS INCLUDED IN THE SCOPE OF THE ENERGY
20 STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION FOR WATER
21 COOLERS, VERSION 2.0, MUST HAVE AN "ON" MODE WITH NO-WATER-DRAW
22 ENERGY CONSUMPTION LESS THAN OR EQUAL TO THE FOLLOWING VALUES
23 AS MEASURED IN ACCORDANCE WITH THE TEST REQUIREMENTS OF THAT
24 PROGRAM:

25 (I) 0.16 KILOWATT-HOURS PER DAY FOR COLD-ONLY UNITS AND
26 COOK AND COLD UNITS;

27 (II) 0.87 KILOWATT-HOURS PER DAY FOR STORAGE-TYPE HOT AND

1 COLD UNITS; AND

2 (III) 0.18 KILOWATT-HOURS PER DAY FOR ON-DEMAND HOT AND
3 COLD UNITS.

4 (4) ON OR AFTER FEBRUARY 1, 2022, THE FOLLOWING NEW
5 PRODUCTS SHALL NOT BE SOLD, LEASED, OR RENTED IN COLORADO UNLESS
6 THE EFFICIENCY OF THE NEW PRODUCT MEETS OR EXCEEDS THE
7 FOLLOWING EFFICIENCY STANDARDS, AS APPLICABLE:

8 (a) AIR COMPRESSORS THAT MEET THE TWELVE CRITERIA LISTED
9 ON PAGE 350 TO 351 OF THE "ENERGY CONSERVATION STANDARDS FOR
10 AIR COMPRESSORS" FINAL RULE ISSUED BY THE UNITED STATES
11 DEPARTMENT OF ENERGY ON DECEMBER 5, 2016, MUST MEET THE
12 REQUIREMENTS IN TABLE 1 ON PAGE 352 FOLLOWING THE INSTRUCTIONS
13 ON PAGE 353 AND AS MEASURED IN ACCORDANCE WITH 10 CFR 431,
14 SUBPART T, APPENDIX A, "UNIFORM TEST METHOD FOR CERTAIN AIR
15 COMPRESSORS", AS IN EFFECT ON JULY 3, 2017.

16 (b) NEW PORTABLE AIR CONDITIONERS MUST HAVE A COMBINED
17 ENERGY EFFICIENCY RATIO (CEER), AS MEASURED IN ACCORDANCE WITH
18 10 CFR 430, SUBPART B, APPENDIX CC, "UNIFORM TEST METHOD FOR
19 MEASURING THE ENERGY CONSUMPTION OF PORTABLE AIR
20 CONDITIONERS", AS IN EFFECT ON JANUARY 3, 2017, THAT IS GREATER
21 THAN OR EQUAL TO:

22
$$1.04 \times \text{SACC} / (3.7117 \times \text{SACC}^{0.6384})$$

23 WHERE SACC IS THE SEASONALLY ADJUSTED COOLING CAPACITY IN
24 BRITISH THERMAL UNITS PER HOUR.

25

26 **6-7.5-106. New and revised standards - rules.** THE EXECUTIVE
27 DIRECTOR MAY ADOPT BY RULE A MORE RECENT VERSION OF ANY

1 STANDARD OR TEST METHOD ESTABLISHED IN SECTION 6-7.5-105,
2 INCLUDING ANY PRODUCT DEFINITION ASSOCIATED WITH THE STANDARD
3 OR TEST METHOD, IN ORDER TO MAINTAIN OR IMPROVE CONSISTENCY WITH
4 OTHER COMPARABLE STANDARDS IN OTHER STATES, SO LONG AS THE
5 RESULTING EFFICIENCY IS EQUAL TO OR GREATER THAN THE EFFICIENCY
6 ACHIEVED USING THE PRIOR STANDARD OR TEST METHOD. THE EXECUTIVE
7 DIRECTOR SHALL ALLOW AT LEAST A ONE-YEAR DELAY BETWEEN THE
8 ADOPTION BY RULE AND THE ENFORCEMENT OF ANY NEW STANDARD OR
9 TEST METHOD.

10 **6-7.5-107. Protection against repeal of federal standards.**

11 (1) IF ANY OF THE ENERGY OR WATER CONSERVATION STANDARDS ISSUED
12 OR APPROVED FOR PUBLICATION BY THE OFFICE OF THE UNITED STATES
13 SECRETARY OF ENERGY AS OF JANUARY 1, 2018, AS SET FORTH IN 10 CFR
14 430-431 AND PROMULGATED PURSUANT TO THE "ENERGY POLICY AND
15 CONSERVATION ACT", PUB.L. 94-163, ARE WITHDRAWN, REPEALED, OR
16 OTHERWISE VOIDED, THE MINIMUM ENERGY OR WATER EFFICIENCY LEVEL
17 PERMITTED FOR PRODUCTS PREVIOUSLY SUBJECT TO FEDERAL ENERGY OR
18 WATER CONSERVATION STANDARDS MUST BE THE PREVIOUSLY APPLICABLE
19 FEDERAL STANDARDS, AND NO SUCH NEW PRODUCT MAY BE SOLD OR
20 OFFERED FOR SALE, LEASE, RENTAL, OR INSTALLATION IN COLORADO
21 UNLESS IT MEETS OR EXCEEDS SUCH STANDARDS.

22 (2) THIS SECTION DOES NOT APPLY TO A FEDERAL ENERGY OR
23 WATER CONSERVATION STANDARD SET ASIDE BY A COURT UPON THE
24 PETITION OF A PERSON THAT WILL BE ADVERSELY AFFECTED BY THE
25 STANDARD, AS PROVIDED IN 42 U.S.C. SEC. 6306 (b).

26 **6-7.5-108. Utility programs during transition period.**

27 (1) SHOULD ONE OR MORE PRODUCTS DESCRIBED IN THIS ARTICLE 7.5 BE

1 SUBJECT TO WITHDRAWAL, REPEAL, OR OTHER ACTIONS THAT DECLARE A
2 FEDERAL STANDARD INVALID AS DESCRIBED IN SECTION 6-7.5-107, THE
3 PUBLIC UTILITIES COMMISSION SHALL PERMIT A THREE-YEAR PHASEOUT
4 FOR A UTILITY OPERATING ENERGY EFFICIENCY PROGRAMS THAT CREATE
5 INCENTIVES FOR OR OTHERWISE ENCOURAGE THE USE OF HIGH-EFFICIENCY
6 VERSIONS OF THE AFFECTED PRODUCTS. THIS PHASEOUT SHALL COMMENCE
7 ON OR AFTER THE DATE SPECIFIED IN SECTION 6-7.5-105; SHALL APPLY
8 ONLY TO ENERGY SAVINGS THAT WILL BE MANDATED UNDER THIS ARTICLE
9 7.5; SHALL OCCUR IN EQUAL REDUCTIONS FOR EACH TRANSITION YEAR;
10 AND MUST PERMIT AN ORDERLY ADJUSTMENT OF THE APPLIANCE OR
11 LIGHTING MARKET TO ENSURE THAT RESIDENTS AND BUSINESSES IN
12 COLORADO ARE NOT NEGATIVELY AFFECTED BY CHANGES IN PRODUCT
13 SELECTION, BUSINESS PRACTICES, AND ENERGY EFFICIENCY PROGRAM
14 OPPORTUNITIES RELATED TO THE AFFECTED APPLIANCES OR LIGHTING
15 PRODUCTS.

16 (2) FOR PRODUCTS LISTED IN THIS ARTICLE 7.5 THAT ARE NOT
17 SUBJECT TO WITHDRAWAL OR REPEAL, THE PUBLIC UTILITIES COMMISSION
18 SHALL ALLOW AT LEAST A ONE-YEAR TRANSITION FOR UTILITY-SPONSORED
19 ENERGY EFFICIENCY PROGRAMS STARTING ON OR AFTER THE DATE
20 SPECIFIED IN SECTION 6-7.5-105.

21 **6-7.5-109. Testing, certification, labeling, and enforcement -**

22 **rules.** (1) UNLESS A PRODUCT APPEARS IN A PUBLIC DATABASE OF
23 COMPLIANT PRODUCTS MAINTAINED BY OTHER STATES OR FEDERAL
24 AGENCIES WITH EQUIVALENT OR MORE STRINGENT EFFICIENCY
25 STANDARDS, THE MANUFACTURERS OF PRODUCTS COVERED BY THIS
26 ARTICLE 7.5 SHALL DEMONSTRATE THAT THE PRODUCTS COMPLY WITH
27 THIS ARTICLE 7.5 BY DOING ANY ONE OR MORE OF THE FOLLOWING:

1 (a) SUBMITTING TEST SAMPLE RESULTS TO THE EXECUTIVE
2 DIRECTOR, USING TEST METHODS AND PROCEDURES ADOPTED PURSUANT
3 TO THIS ARTICLE 7.5;

4 (b) AFFIXING A MARK, LABEL, OR TAG TO THE PRODUCT AND
5 PACKAGING AT THE TIME OF SALE OR INSTALLATION THAT DEMONSTRATES
6 COMPLIANCE WITH OTHER STATE OR FEDERAL AGENCIES THAT HAVE
7 EQUIVALENT OR MORE STRINGENT EFFICIENCY STANDARDS; OR

8 (c) SUBMITTING SUCH OTHER PROOF AS THE EXECUTIVE DIRECTOR
9 MAY DEEM APPROPRIATE TO SHOW THAT THE PRODUCT COMPLIES WITH
10 EQUIVALENT OR MORE STRINGENT EFFICIENCY STANDARDS ADOPTED BY
11 OTHER STATES OR FEDERAL AGENCIES.

12 (2) THE EXECUTIVE DIRECTOR MAY ADOPT RULES AS NECESSARY
13 TO ENSURE THE PROPER IMPLEMENTATION AND ENFORCEMENT OF THIS
14 ARTICLE 7.5.

15 **6-7.5-110. Penalties - civil action by attorney general.** (1) A
16 PERSON SHALL NOT SELL OR OFFER TO SELL ANY NEW CONSUMER PRODUCT
17 THAT IS REQUIRED TO MEET A STANDARD ESTABLISHED IN THIS ARTICLE
18 7.5 BUT THAT THE PERSON KNOWS DOES NOT MEET THAT STANDARD.

19 (2) WHENEVER THE ATTORNEY GENERAL HAS PROBABLE CAUSE TO
20 BELIEVE THAT ANY PERSON OR GROUP OF PERSONS HAS VIOLATED OR
21 CAUSED ANOTHER TO VIOLATE SUBSECTION (1) OF THIS SECTION, THE
22 ATTORNEY GENERAL MAY BRING A CIVIL ACTION ON BEHALF OF THE STATE
23 TO SEEK THE IMPOSITION OF CIVIL PENALTIES AS FOLLOWS:

24 (a) ANY PERSON WHO VIOLATES OR CAUSES ANOTHER TO VIOLATE
25 SUBSECTION (1) OF THIS SECTION SHALL FORFEIT AND PAY TO THE
26 GENERAL FUND OF THIS STATE A CIVIL PENALTY OF NOT MORE THAN TWO
27 THOUSAND DOLLARS FOR EACH SUCH VIOLATION. FOR PURPOSES OF THIS

1 SUBSECTION (2)(a), A VIOLATION CONSTITUTES A SEPARATE VIOLATION
2 WITH RESPECT TO EACH CONSUMER OR TRANSACTION INVOLVED; EXCEPT
3 THAT THE MAXIMUM CIVIL PENALTY SHALL NOT EXCEED FIVE HUNDRED
4 THOUSAND DOLLARS FOR ANY RELATED SERIES OF VIOLATIONS.

5 (b) ANY PERSON WHO VIOLATES OR CAUSES ANOTHER TO VIOLATE
6 ANY PROVISION OF THIS ARTICLE 7.5, WHERE SUCH VIOLATION WAS
7 COMMITTED AGAINST AN ELDERLY PERSON, SHALL FORFEIT AND PAY TO
8 THE GENERAL FUND OF THE STATE A CIVIL PENALTY OF NOT MORE THAN
9 TEN THOUSAND DOLLARS FOR EACH SUCH VIOLATION. FOR PURPOSES OF
10 THIS SUBSECTION (2)(b), A VIOLATION OF THIS SECTION CONSTITUTES A
11 SEPARATE VIOLATION WITH RESPECT TO EACH ELDERLY PERSON
12 INVOLVED.

13 **SECTION 2. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2020 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.