

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0058.02 Pierce Lively x2059

HOUSE BILL 22-1362

HOUSE SPONSORSHIP

Bernett and Valdez A.,

SENATE SPONSORSHIP

Hansen and Winter,

House Committees
Energy & Environment

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE REDUCTION OF BUILDING GREENHOUSE GAS
102 EMISSIONS, AND, IN CONNECTION THEREWITH, REQUIRING THE
103 COLORADO ENERGY OFFICE TO IDENTIFY FOR ADOPTION THREE
104 MODEL CODES, REQUIRING LOCAL GOVERNMENTS AND CERTAIN
105 STATE AGENCIES TO ADOPT AND ENFORCE CODES THAT ARE
106 CONSISTENT WITH TWO OF THE MODEL CODES, ENCOURAGING
107 LOCAL GOVERNMENTS AND CERTAIN STATE AGENCIES TO ADOPT
108 AND ENFORCE CODES THAT ARE CONSISTENT WITH THE THIRD
109 MODEL CODE, CREATING THE BUILDING ELECTRIFICATION FOR
110 PUBLIC BUILDINGS GRANT PROGRAM, CREATING THE
111 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT
112 PROGRAM, AND ESTABLISHING THE CLEAN AIR BUILDING
113 INVESTMENTS FUND.

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.

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 requires the Colorado energy office (office) to identify for adoption 3 sets of model code language:

- Model electric and solar ready code language;
- Model low energy and carbon code language; and
- Model green code language.

On or before January 1, 2025, municipalities, counties, the office of the state architect, the division of housing, and the division of fire prevention and control shall adopt and enforce an energy code that achieves equivalent or better energy performance than the 2021 international energy conservation code and the model electric and solar ready code language identified for adoption by the office.

On or before January 1, 2030, municipalities, counties, the office of the state architect, the division of housing, and the division of fire prevention and control shall adopt and enforce an energy code that achieves equivalent or better energy and carbon emissions performance than the model low energy and carbon code language identified for adoption by the office.

In the event of a conflict between the 2021 international energy conservation code, the 2024 international energy conservation code, or any of these 3 sets of model code language and either the Colorado plumbing code or the national electric code, the Colorado plumbing code or the national electric code prevails.

The bill creates 2 primary grant programs:

- The building electrification for public buildings grant program to provide grants to local governments, school districts, state agencies, and special districts for the installation of high-efficiency electric heating equipment; and
- The high-efficiency electric heating and appliances grant program to provide grants to local governments, utilities, nonprofit organizations, and housing developers for the installation of high-efficiency electric heating equipment in multiple structures within a neighborhood.

The bill establishes the clean air building investments fund, a continuously appropriated cash fund, to fund the creation, implementation, and administration of both of these grant programs.

The bill also requires the following transfers from the general fund:

- \$3 million to the energy fund created for the Colorado energy office to issue grants and provide training related to the 2021 international energy conservation code, electric and solar ready codes, and low energy and carbon codes;
- \$10 million to the clean air building investments fund for the creation, implementation, and administration of the building electrification for public buildings grant program; and
- \$12 million to the clean air building investments fund for the creation, implementation, and administration of the high-efficiency electric heating and appliances grant program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-38.5-113 as
3 follows:

4 **24-38.5-113. Model energy codes - transfer - report -**
5 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
6 OTHERWISE REQUIRES:

7 (a) "ACCEPTABLE REFRIGERANT" MEANS A REFRIGERANT THAT IS:

8 (I) LISTED AS ACCEPTABLE IN 42 U.S.C. SEC. 7671k OF THE
9 FEDERAL "CLEAN AIR ACT" AND USED IN EQUIPMENT THAT IS LISTED AND
10 INSTALLED PURSUANT TO THE USE CONDITIONS IMPOSED WITHIN THAT
11 SECTION; AND

12 (II) LISTED AS ACCEPTABLE IN APPENDIX U AND APPENDIX V OF
13 SUBPART G OF 40 CFR 82 AND USED IN EQUIPMENT THAT IS LISTED AND
14 INSTALLED PURSUANT TO THE USE CONDITIONS IMPOSED WITHIN THOSE
15 APPENDICES.

16 (b) "ELECTRIC VEHICLE CAPABLE" MEANS A PARKING SPACE THAT
17 HAS THE ELECTRICAL PANEL CAPACITY AND RACEWAYS INSTALLED

1 DURING CONSTRUCTION TO ENABLE THE FUTURE INSTALLATION OF
2 ELECTRIC VEHICLE CHARGING.

3 (c) "ELECTRIC VEHICLE READY" MEANS A PARKING SPACE THAT
4 HAS ALL THE REQUIRED ELECTRICAL HARDWARE INSTALLED DURING
5 CONSTRUCTION TO INCLUDE FULL CIRCUIT INSTALLATIONS TO ENABLE THE
6 FUTURE INSTALLATION OF ELECTRIC VEHICLE CHARGING EQUIPMENT.

7 (d) "ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLED" MEANS A
8 DEDICATED PARKING SPACE THAT HAS CONDUCTORS, INCLUDING THE
9 UNGROUNDED, GROUNDED, AND EQUIPMENT GROUNDING CONDUCTORS,
10 AND ELECTRIC VEHICLE CONNECTORS, ATTACHMENT PLUGS, AND ALL
11 OTHER FITTINGS, DEVICES, POWER OUTLETS, OR APPARATUS INSTALLED
12 SPECIFICALLY FOR THE PURPOSE OF TRANSFERRING ENERGY BETWEEN THE
13 PREMISES WIRING AND AN ELECTRIC VEHICLE.

14 (e) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE
15 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.

16 (f) "MIXED FUEL USE BUILDING" MEANS A RESIDENTIAL OR
17 COMMERCIAL BUILDING THAT IS DESIGNED AND BUILT WITH EQUIPMENT
18 THAT USES GASEOUS FUELS ON SITE IN ADDITION TO ELECTRICITY.

19 (g) "PROVISIONS FOR ELECTRICAL SERVICE CAPACITY" MEANS:

20 (I) BUILDING ELECTRICAL SERVICE, SIZED FOR THE ANTICIPATED
21 LOAD OF ELECTRIC VEHICLE CHARGING STATIONS, THAT HAS OVER
22 CURRENT PROTECTION DEVICES NECESSARY FOR ELECTRIC VEHICLE
23 CHARGING STATIONS OR HAS ADEQUATE SPACE TO ADD OVER CURRENT
24 PROTECTION DEVICES;

25 (II) A CONDUIT SYSTEM INSTALLED FROM BUILDING ELECTRICAL
26 SERVICE TO PARKING SPACES THAT CAN SUPPORT, AT A MINIMUM,
27 ELECTRICAL WIRING FOR INSTALLATION OF ELECTRIC VEHICLE CHARGING

1 STATIONS, AND, IF THE CONDUIT SYSTEM IS FOR FUTURE INSTALLATION OF
2 ELECTRIC VEHICLE CHARGING STATIONS, THAT LABELS BOTH ENDS OF THE
3 CONDUIT SYSTEM TO MARK THE CONDUIT SYSTEM AS PROVIDED FOR
4 FUTURE ELECTRIC VEHICLE CHARGING STATIONS; AND

5 (III) SPACE WITHIN A BUILDING TO ADD ADDITIONAL BUILDING
6 ELECTRICAL SERVICE FOR INSTALLATION OF ELECTRICAL SERVICE
7 CAPACITY FOR ELECTRIC VEHICLE CHARGING STATIONS.

8 (h) "STATE AGENCIES" MEANS THE OFFICE OF THE STATE AUDITOR,
9 THE DIVISION OF FIRE PREVENTION AND CONTROL, AND THE DIVISION OF
10 HOUSING.

11 (2) (a) BEFORE JULY 1, 2023, THE COLORADO ENERGY OFFICE
12 SHALL IDENTIFY FOR ADOPTION MODEL ELECTRIC AND SOLAR READY CODE
13 LANGUAGE.

14 (b) THE COLORADO ENERGY OFFICE SHALL CONSULT WITH LOCAL
15 GOVERNMENTS, BUILDERS, AND OTHER STAKEHOLDERS BEFORE
16 IDENTIFYING MODEL ELECTRIC AND SOLAR READY CODE LANGUAGE FOR
17 ADOPTION.

18 (c) THE MODEL ELECTRIC AND SOLAR READY CODE LANGUAGE
19 IDENTIFIED FOR ADOPTION BY THE COLORADO ENERGY OFFICE MUST
20 INCLUDE THE FOLLOWING PROVISIONS FOR NEW RESIDENTIAL OR
21 COMMERCIAL BUILDINGS SUBJECT TO THE CODE:

22 (I) SOLAR READY REQUIREMENTS REGARDING THE STRUCTURAL
23 DESIGN FOR ROOF LOAD AND CONDUIT ROUTING TO AN ELECTRICAL
24 SERVICE PANEL;

25 (II) ELECTRIC VEHICLE READY AND ELECTRIC VEHICLE CAPABLE
26 INSTALLED REQUIREMENTS FOR RESIDENTIAL BUILDINGS WITH FOUR OR
27 FEWER DWELLING UNITS;

1 (III) ELECTRIC VEHICLE READY, ELECTRIC VEHICLE CAPABLE, AND
2 ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLED REQUIREMENTS FOR
3 MULTIFAMILY AND COMMERCIAL BUILDINGS WITH PROVISIONS FOR
4 ELECTRICAL SERVICE CAPACITY IN TWENTY PERCENT OR MORE OF THE
5 VEHICLE PARKING SPACES IN THE GARAGE OR PARKING AREA; AND

6 (IV) REQUIREMENTS THAT MIXED FUEL USE BUILDINGS PROVIDE
7 DEDICATED ELECTRIC PANEL SPACE, ELECTRICAL WIRE, ELECTRICAL
8 RECEPTACLES, AND ADEQUATE PANEL CAPACITY TO ACCOMMODATE THE
9 FUTURE INSTALLATION OF ELECTRIC HEAT PUMP SPACE HEATING AND
10 COOLING, ELECTRIC HEAT PUMP WATER HEATING, ELECTRIC COOKING,
11 ELECTRIC CLOTHES DRYING, AND AN ELECTRIC VEHICLE.

12 (3) (a) AFTER THE PUBLICATION OF THE 2024 INTERNATIONAL
13 ENERGY CONSERVATION CODE, BUT NOT LATER THAN JANUARY 1, 2025,
14 THE COLORADO ENERGY OFFICE SHALL IDENTIFY FOR ADOPTION MODEL
15 LOW ENERGY AND CARBON CODE LANGUAGE THAT CONSISTS OF:

16 (I) THE MORE ENERGY EFFICIENT OF EITHER THE 2021 OR 2024
17 INTERNATIONAL ENERGY CONSERVATION CODE, EXCEPT AS THE
18 COLORADO ENERGY OFFICE MAY MODIFY IT PURSUANT TO SUBSECTIONS
19 (3)(c) AND (3)(d) OF THIS SECTION, INCLUDING ANY APPENDICES THAT THE
20 COLORADO ENERGY OFFICE DEEMS APPROPRIATE; AND

21 (II) THE MODEL ELECTRIC AND SOLAR READY CODE LANGUAGE
22 IDENTIFIED FOR ADOPTION BY THE COLORADO ENERGY OFFICE PURSUANT
23 TO SUBSECTION (2) OF THIS SECTION.

24 (b) THE COLORADO ENERGY OFFICE SHALL CONSULT WITH LOCAL
25 GOVERNMENTS, BUILDERS, AND OTHER STAKEHOLDERS BEFORE
26 IDENTIFYING MODEL LOW ENERGY AND CARBON CODE LANGUAGE FOR
27 ADOPTION.

1 (c) THE COLORADO ENERGY OFFICE MAY RELAX THE STRINGENCY
2 OF ANY REQUIREMENTS IN THE INTERNATIONAL ENERGY CONSERVATION
3 CODE THAT IT ADOPTS AS PART OF THE MODEL LOW ENERGY AND CARBON
4 CODE PURSUANT TO SUBSECTION (3)(a)(I) OF THIS SECTION, INCLUDING
5 APPENDICES, IF IT DEEMS THAT DOING SO IS APPROPRIATE, BUT THE
6 COLORADO ENERGY OFFICE SHALL NOT INCREASE THE STRINGENCY OF ANY
7 REQUIREMENTS IN THE INTERNATIONAL ENERGY CONSERVATION CODE
8 INCLUDING APPENDICES THAT IT ADOPTS AS PART OF THE MODEL LOW
9 ENERGY AND CARBON CODE PURSUANT TO SUBSECTION (3)(a)(I) OF THIS
10 SECTION.

11 (d) THE MODEL LOW ENERGY AND CARBON CODE LANGUAGE
12 IDENTIFIED FOR ADOPTION BY THE COLORADO ENERGY OFFICE MUST:

13 (I) PROVIDE COMPLIANCE PATHWAYS FOR ALL-ELECTRIC AND
14 MIXED FUEL USE RESIDENTIAL AND COMMERCIAL BUILDINGS;

15 (II) EXEMPT ELECTRICITY CONSUMPTION IN RESIDENTIAL AND
16 COMMERCIAL BUILDINGS FROM ANY ONSITE OR OFFSITE RENEWABLE
17 ENERGY REQUIREMENTS;

18 (III) ALLOW THE REPLACEMENT OF NATURAL GAS OR PROPANE
19 FUELED SPACE OR WATER HEATING SYSTEMS IN EXISTING BUILDINGS, AT
20 THE END OF THOSE SYSTEMS' LIFETIMES, WITH EITHER HIGH-EFFICIENCY
21 NATURAL GAS OR PROPANE HEATING SYSTEMS OR HIGH-EFFICIENCY
22 ELECTRIC SYSTEMS. THE MINIMUM ENERGY EFFICIENCY REQUIREMENTS
23 FOR SYSTEMS IN THIS SUBSECTION (3)(d)(III) MUST NOT EXCEED
24 APPLICABLE FEDERAL ENERGY EFFICIENCY STANDARDS.

25 (IV) ENSURE THAT FOR ANY RENEWABLE ENERGY MEASURES USED
26 TO ENSURE THAT A HOME OR COMMERCIAL BUILDING IS COMPLIANT WITH
27 THE MODEL LOW ENERGY AND CARBON CODE LANGUAGE IDENTIFIED BY

1 THE COLORADO ENERGY OFFICE, ANY SEVERABLE ATTRIBUTES THAT
2 REPRESENT RENEWABLE ENERGY PRODUCTION OR CARBON DIOXIDE
3 EMISSION REDUCTIONS CLAIMED FOR THE HOME OR BUILDING SHALL BE
4 RETAINED BY THE BUILDING OWNER AND SHALL NOT BE RETAINED BY A
5 UTILITY; AND

6 (V) TAKE INTO ACCOUNT HOME AFFORDABILITY.

7 (4) BEFORE JULY 1, 2024, THE COLORADO ENERGY OFFICE SHALL
8 IDENTIFY MODEL GREEN CODE LANGUAGE FOR ADOPTION. THE COLORADO
9 ENERGY OFFICE SHALL PROMOTE THE VOLUNTARY ADOPTION OF THIS
10 MODEL GREEN CODE LANGUAGE.

11 (5) THE USE OF AN ACCEPTABLE REFRIGERANT MAY NOT BE
12 PROHIBITED OR OTHERWISE RESTRICTED BY A LOCALITY, COUNTY, OR
13 OTHER STATE RULE OR REGULATION; EXCEPT THAT NOTHING IN THIS
14 ARTICLE 38.5 MAY BE CONSTRUED TO PROHIBIT, LIMIT, OR OTHERWISE
15 MODIFY THE REQUIREMENTS OF REGULATION NUMBER 22, 5 CCR 1001-26,
16 AS AMENDED, OR ANY ENTITY'S PROCUREMENT REQUIREMENTS FOR THEIR
17 OWN USE.

18 (6) ON OR BEFORE DECEMBER 31, 2025, THE COLORADO ENERGY
19 OFFICE SHALL SUBMIT A REPORT TO THE ENERGY AND ENVIRONMENT
20 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
21 TRANSPORTATION AND ENERGY COMMITTEE OF THE SENATE, OR ANY
22 SUCCESSOR COMMITTEES. AT A MINIMUM, THE REPORT MUST INCLUDE:

23 (a) AN ANALYSIS OF THE PROJECTED CARBON EMISSIONS OF
24 BUILDINGS THAT WILL BE SUBJECT TO LOW ENERGY AND CARBON CODES
25 ADOPTED PURSUANT TO SECTIONS 24-30-1303 (1), 24-32-3305 (3.5),
26 24-33-1203 (1)(x), 30-28-211 (3), AND 31-15-602 (3) DURING 2040 AND
27 2050; AND

1 (b) (I) A DETERMINATION AS TO WHETHER THE LOW ENERGY AND
2 CARBON CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE COLORADO
3 ENERGY OFFICE WILL NEED TO BE UPDATED TO ENSURE THE BUILDING
4 SECTOR EMISSIONS REDUCTIONS NECESSARY TO ACHIEVE THE
5 ECONOMY-WIDE GREENHOUSE GAS POLLUTION REDUCTION TARGETS
6 ESTABLISHED IN SECTION 25-7-102 (2)(g).

7 (II) IF THE COLORADO ENERGY OFFICE CONCLUDES THAT THE LOW
8 ENERGY AND CARBON CODE LANGUAGE WILL NEED TO BE UPDATED, IT
9 SHALL PROPOSE LEGISLATIVE OPTIONS FOR IMPLEMENTING SUCH UPDATES
10 AND INCLUDE THOSE OPTIONS IN THE REPORT SUBMITTED PURSUANT TO
11 THIS SUBSECTION (6).

12 (7) (a) THE COLORADO ENERGY OFFICE SHALL PROVIDE ENERGY
13 CODE TRAINING TO ASSIST LOCAL GOVERNMENTS, DIVISIONS IN THE
14 EXECUTIVE BRANCH OF STATE GOVERNMENT, BUILDERS, AND
15 CONTRACTORS IN ADOPTING AND IMPLEMENTING THE 2021
16 INTERNATIONAL ENERGY CONSERVATION CODE, ELECTRIC AND SOLAR
17 READY CODES, AND LOW ENERGY AND CARBON CODES. THE TRAINING AND
18 MATERIALS PROVIDED ALONG WITH THIS TRAINING MUST BE IN BOTH
19 ENGLISH AND SPANISH.

20 (b) IF IT IS ABLE TO OBTAIN FUNDING, THE COLORADO ENERGY
21 OFFICE SHALL PROVIDE FINANCIAL ASSISTANCE THROUGH AN APPLICATION
22 PROCESS TO SUPPORT THE ADOPTION AND ENFORCEMENT BY LOCAL
23 GOVERNMENTS OF THE 2021 INTERNATIONAL ENERGY CONSERVATION
24 CODE, AN ELECTRIC AND SOLAR READY CODE, AND A LOW ENERGY AND
25 CARBON CODE.

26 (8) THE COLORADO ENERGY OFFICE SHALL ADOPT POLICIES AND
27 PROCEDURES AS NECESSARY FOR THE CREATION AND ADMINISTRATION OF

1 A GRANT PROGRAM TO AWARD THE GRANTS DESCRIBED IN SUBSECTION
2 (9)(a)(I) OF THIS SECTION, INCLUDING POLICIES AND PROCEDURES THAT AT
3 A MINIMUM ESTABLISH THE APPLICATION PROCESS AND THE GRANT AWARD
4 CRITERIA.

5 (9) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
6 SUBSECTION (9)(a), THE STATE TREASURER SHALL TRANSFER TWO MILLION
7 DOLLARS FROM THE GENERAL FUND TO THE ENERGY FUND CREATED IN
8 SECTION 24-38.5-102.4. THE COLORADO ENERGY OFFICE SHALL EXPEND
9 THE MONEY TRANSFERRED BY THE GENERAL ASSEMBLY PURSUANT TO THIS
10 SUBSECTION (9)(a) FOR THE PURPOSES OF:

11 (I) ISSUING GRANTS, NOT TO EXCEED A TOTAL OF ONE MILLION
12 DOLLARS, TO LOCAL GOVERNMENTS TO SUPPORT THEIR ADOPTION AND
13 ENFORCEMENT OF THE 2021 INTERNATIONAL ENERGY CONSERVATION
14 CODE, AN ELECTRIC AND SOLAR READY CODE, AND A LOW ENERGY AND
15 CARBON CODE AND COVERING THE DIRECT AND INDIRECT COSTS
16 ASSOCIATED WITH ISSUING THESE GRANTS; AND

17 (II) PROVIDING ENERGY CODE TRAINING AND TECHNICAL
18 ASSISTANCE, NOT TO EXCEED A TOTAL COST OF ONE MILLION DOLLARS, TO
19 ASSIST LOCAL GOVERNMENTS AND DIVISIONS IN THE EXECUTIVE BRANCH
20 OF STATE GOVERNMENT IN ADOPTING AND ENFORCING THE 2021
21 INTERNATIONAL ENERGY CONSERVATION CODE, AN ELECTRIC AND SOLAR
22 READY CODE, A LOWER ENERGY AND CARBON CODE, OR A GREEN CODE
23 AND COVERING THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH
24 PROVIDING THIS TRAINING AND TECHNICAL ASSISTANCE.

25 (b) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
26 SUBSECTION (9)(b), THE STATE TREASURER SHALL TRANSFER ONE MILLION
27 DOLLARS FROM THE GENERAL FUND TO THE ENERGY FUND CREATED IN

1 SECTION 24-38.5-102.4. THE COLORADO ENERGY OFFICE SHALL EXPEND
2 THE MONEY TRANSFERRED BY THE GENERAL ASSEMBLY PURSUANT TO THIS
3 SUBSECTION (9)(b) FOR THE PURPOSE OF PROVIDING ENERGY CODE
4 TRAINING TO ASSIST ARCHITECTS, BUILDERS, CONTRACTORS, AND
5 DESIGNERS IN IMPLEMENTING THE 2021 INTERNATIONAL ENERGY
6 CONSERVATION CODE, ELECTRIC AND SOLAR READY CODES, AND LOW
7 ENERGY AND CARBON CODES. THE TRAINING AND MATERIALS PROVIDED
8 ALONG WITH THIS TRAINING MUST BE IN BOTH ENGLISH AND SPANISH.

9 SECTION 2. In Colorado Revised Statutes, add 24-38.5-114 as
10 follows:

11 24-38.5-114. **Building electrification for public buildings grant**
12 **program - creation - report - legislative declaration.** (1) THE GENERAL
13 ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

14 (a) EMISSIONS FROM HEATING BUILDINGS ARE ONE OF THE FIVE
15 LARGEST SOURCES OF GREENHOUSE GAS POLLUTION IN COLORADO;

16 (b) MANY PUBLIC BUILDINGS OWNED BY LOCAL GOVERNMENTS,
17 SCHOOL DISTRICTS, INSTITUTES OF HIGHER EDUCATION, AND OTHER
18 GOVERNMENTAL ENTITIES ARE OLDER BUILDINGS WITH BOTH HIGH ENERGY
19 COSTS AND EMISSIONS;

20 (c) ENERGY PERFORMANCE CONTRACTING IS AN IMPORTANT TOOL
21 THAT GOVERNMENTAL ENTITIES CAN USE TO UPGRADE THE ENERGY
22 PERFORMANCE OF BUILDINGS BY FINANCING ENERGY UPGRADES BASED ON
23 PROJECTED SAVINGS IN ENERGY COSTS;

24 (d) NEWER TECHNOLOGIES SUCH AS COLD CLIMATE HEAT PUMPS
25 AND HEAT PUMP WATER HEATERS OFFER MANY OPPORTUNITIES TO REDUCE
26 GREENHOUSE GAS AND NITROGEN OXIDE EMISSIONS AND IMPROVE INDOOR
27 AIR QUALITY; AND

1 (e) THEREFORE, IT IS IMPORTANT FOR STATE INVESTMENTS TO SUPPORT
2 PUBLIC AGENCIES IN INCLUDING HIGH-EFFICIENCY ELECTRIC HEATING
3 UPGRADES IN ENERGY PERFORMANCE CONTRACTS FOR PUBLIC BUILDINGS.

4 (2) THERE IS CREATED IN THE COLORADO ENERGY OFFICE THE
5 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM TO
6 PROVIDE GRANTS TO INSTITUTES OF HIGHER EDUCATION, LOCAL
7 GOVERNMENTS, SCHOOL DISTRICTS, STATE AGENCIES, AND SPECIAL
8 DISTRICTS FOR THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC HEATING
9 EQUIPMENT.

10 (3) GRANTEEES MAY USE MONEY RECEIVED THROUGH THE BUILDING
11 ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM FOR THE
12 FOLLOWING PURPOSES:

13 (a) THE PURCHASE AND INSTALLATION OF HIGH-EFFICIENCY
14 ELECTRIC EQUIPMENT FOR SPACE HEATING, WATER HEATING, OR COOKING;
15 AND

16 (b) THE PURCHASE OF ELECTRICAL INSTALLATIONS AND UPGRADES
17 NECESSARY TO SUPPORT THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC
18 EQUIPMENT.

19 (4) THE COLORADO ENERGY OFFICE SHALL ADMINISTER THE
20 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM,
21 AWARD GRANTS AS PROVIDED IN THIS SECTION, AND DEVELOP POLICIES
22 AND PROCEDURES AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM.

23 (5) GRANTS SHALL BE PAID OUT OF THE CLEAN AIR BUILDINGS
24 INVESTMENTS FUND CREATED IN SECTION 24-38.5-116.

25 (6) THE COLORADO ENERGY OFFICE SHALL AWARD AT LEAST A
26 QUARTER OF THE TOTAL AMOUNT OF MONEY IT AWARDS THROUGH GRANTS
27 PURSUANT TO THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS

1 GRANT PROGRAM TO ELIGIBLE ENTITIES FROM LOW-INCOME,
2 DISPROPORTIONATELY IMPACTED, OR JUST TRANSITION COMMUNITIES AS
3 THOSE COMMUNITIES ARE DEFINED BY THE COLORADO ENERGY OFFICE.

4 (7) TO RECEIVE A GRANT, AN ELIGIBLE ENTITY MUST SUBMIT AN
5 APPLICATION TO THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH
6 THE POLICIES AND PROCEDURES SPECIFIED BY THE COLORADO ENERGY
7 OFFICE.

8 (8) (a) EACH GRANTEE THAT RECEIVES A GRANT THROUGH THE
9 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM
10 SHALL SUBMIT AN ANNUAL REPORT TO THE COLORADO ENERGY OFFICE
11 FOR THE FIRST FIVE YEARS AFTER RECEIVING THE GRANT.

12 (b) (I) ON OR BEFORE FEBRUARY 1, 2024, AND ON EACH YEAR
13 THEREAFTER, THE COLORADO ENERGY OFFICE SHALL SUBMIT A
14 SUMMARIZED REPORT TO THE TRANSPORTATION AND ENERGY COMMITTEE
15 OF THE SENATE AND THE ENERGY AND ENVIRONMENT COMMITTEE OF THE
16 HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, ON THE
17 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM. AT
18 A MINIMUM, THIS SUMMARIZED REPORT MUST INCLUDE:

19 (A) A DESCRIPTION OF THE GRANTS AWARDED, INCLUDING A
20 DESCRIPTION OF THE PROJECTS FUNDED BY THE GRANTS AS DESCRIBED TO
21 THE COLORADO ENERGY OFFICE IN THE GRANT APPLICATIONS;

22 (B) THE PERCENTAGE OF GRANTS AWARDED TO LOW-INCOME,
23 DISPROPORTIONATELY IMPACTED, OR JUST TRANSITION COMMUNITIES; AND

24 (C) TO THE EXTENT AVAILABLE, THE IMPACTS OF THE GRANTS ON
25 GAS USE, ELECTRICITY USE, EMISSIONS, AND ENERGY COSTS.

26 (II) THIS SUBSECTION (8)(b) IS REPEALED, EFFECTIVE JULY 1, 2026.

27 **SECTION 3.** In Colorado Revised Statutes, **add** 24-38.5-115 as

1 follows:

2 **24-38.5-115. High-efficiency electric heating and appliances**
3 **grant program - creation - report - legislative declaration.** (1) THE

4 GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

5 (a) EMISSIONS FROM HEATING BUILDINGS ARE ONE OF THE FIVE
6 LARGEST SOURCES OF GREENHOUSE GAS POLLUTION IN COLORADO;

7 (b) OVER A MILLION COLORADANS LIVE IN ENERGY BURDENED
8 HOUSEHOLDS THAT SPEND FIVE PERCENT OR MORE OF THEIR HOUSEHOLD
9 INCOME ON ENERGY EXPENDITURES;

10 (c) NEWER TECHNOLOGIES SUCH AS COLD CLIMATE HEAT PUMPS
11 AND HEAT PUMP WATER HEATERS OFFER MANY OPPORTUNITIES TO REDUCE
12 GREENHOUSE GAS AND NITROGEN OXIDE EMISSIONS AND IMPROVE INDOOR
13 AIR QUALITY;

14 (d) ENERGY UPGRADES TO RESIDENTIAL AND COMMERCIAL
15 BUILDINGS MAY BE MORE COST EFFECTIVE AND EASIER TO IMPLEMENT
16 WHEN DEPLOYED AT THE NEIGHBORHOOD SCALE, AND
17 NEIGHBORHOOD-SCALE UPGRADES MAY ALLOW UTILITIES TO AVOID OR
18 DEFER INVESTMENTS IN GAS AND ELECTRIC DISTRIBUTION, THEREBY
19 REDUCING COSTS FOR ALL UTILITY RATEPAYERS; AND

20 (e) THEREFORE, IT IS IMPORTANT FOR THE STATE TO SUPPORT
21 INVESTMENTS IN NEIGHBORHOOD-SCALE ENERGY EFFICIENCY UPGRADES.

22 (2) THERE IS CREATED IN THE COLORADO ENERGY OFFICE THE
23 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM
24 TO PROVIDE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION, LOCAL
25 GOVERNMENTS, UTILITIES, NONPROFIT ORGANIZATIONS, AND HOUSING
26 DEVELOPERS FOR THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC
27 HEATING EQUIPMENT IN MULTIPLE STRUCTURES WITHIN A NEIGHBORHOOD.

1 (3) GRANTEES MAY USE THE MONEY RECEIVED THROUGH THE
2 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM
3 FOR THE FOLLOWING PURPOSES:

4 (a) THE PURCHASE AND INSTALLATION OF HIGH-EFFICIENCY
5 ELECTRIC EQUIPMENT FOR SPACE HEATING, WATER HEATING, OR COOKING
6 IN MULTIPLE RESIDENTIAL OR COMMERCIAL BUILDINGS LOCATED IN CLOSE
7 PROXIMITY; AND

8 (b) THE PURCHASE OF ELECTRICAL INSTALLATIONS AND UPGRADES
9 NECESSARY TO SUPPORT THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC
10 EQUIPMENT.

11 (4) THE COLORADO ENERGY OFFICE SHALL ADMINISTER THE
12 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM,
13 AWARD GRANTS AS PROVIDED IN THIS SECTION, AND DEVELOP POLICIES
14 AND PROCEDURES AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM.

15 (5) GRANTS SHALL BE PAID OUT OF THE CLEAN AIR BUILDINGS
16 INVESTMENTS FUND CREATED IN SECTION 24-38.5-116.

17 (6) THE COLORADO ENERGY OFFICE SHALL AWARD AT LEAST A
18 QUARTER OF THE TOTAL AMOUNT OF MONEY IT AWARDS THROUGH GRANTS
19 PURSUANT TO THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES
20 GRANT PROGRAM TO LOCAL GOVERNMENTS, ELECTRIC AND GAS UTILITIES,
21 NONPROFIT ORGANIZATIONS, OR HOUSING DEVELOPERS THAT OPERATE IN
22 LOW-INCOME, DISPROPORTIONATELY IMPACTED, OR JUST TRANSITION
23 COMMUNITIES AS THOSE COMMUNITIES ARE DEFINED BY THE COLORADO
24 ENERGY OFFICE.

25 (7) TO RECEIVE A GRANT, A LOCAL GOVERNMENT, ELECTRIC OR
26 GAS UTILITY, NONPROFIT ORGANIZATION, OR HOUSING DEVELOPER MUST
27 SUBMIT AN APPLICATION TO THE COLORADO ENERGY OFFICE IN

1 ACCORDANCE WITH THE POLICIES AND PROCEDURES SPECIFIED BY THE
2 COLORADO ENERGY OFFICE.

3 (8) (a) EACH GRANTEE THAT RECEIVES A GRANT THROUGH THE
4 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM
5 SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE THE FIRST
6 FIVE YEARS AFTER RECEIVING THE GRANT.

7 (b) (I) ON OR BEFORE FEBRUARY 1, 2024, AND ON EACH YEAR
8 THEREAFTER, THE COLORADO ENERGY OFFICE SHALL SUBMIT A
9 SUMMARIZED REPORT TO THE TRANSPORTATION AND ENERGY COMMITTEE
10 OF THE SENATE AND THE ENERGY AND ENVIRONMENT COMMITTEE OF THE
11 HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, ON THE
12 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM.
13 AT A MINIMUM, THIS SUMMARIZED REPORT MUST INCLUDE:

14 (A) A DESCRIPTION OF THE GRANTS AWARDED, INCLUDING A
15 DESCRIPTION OF THE PROJECTS FUNDED BY THE GRANTS AS DESCRIBED TO
16 THE COLORADO ENERGY OFFICE IN THE GRANT APPLICATIONS;

17 (B) THE PERCENTAGE OF GRANTS AWARDED TO LOW-INCOME,
18 DISPROPORTIONATELY IMPACTED, OR JUST TRANSITION COMMUNITIES; AND

19 (C) TO THE EXTENT AVAILABLE, THE IMPACTS OF THE GRANTS ON
20 GAS USE, ELECTRICITY USE, EMISSIONS, AND ENERGY COSTS.

21 (II) THIS SUBSECTION (8)(b) IS REPEALED, EFFECTIVE JULY 1, 2026.

22 **SECTION 4.** In Colorado Revised Statutes, **add** 24-38.5-116 as
23 follows:

24 **24-38.5-116. Clean air building investments fund - creation -**
25 **use of fund.** (1) THE CLEAN AIR BUILDING INVESTMENTS FUND, REFERRED
26 TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY.
27 THE PRINCIPAL OF THE FUND CONSISTS OF MONEY TRANSFERRED TO THE

1 FUND FROM THE GENERAL FUND AND GIFTS, GRANTS, AND DONATIONS.
2 INTEREST AND INCOME EARNED ON THE DEPOSIT AND INVESTMENT OF
3 MONEY IN THE FUND ARE CREDITED TO THE FUND.

4 (2) ALL MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO
5 THE COLORADO ENERGY OFFICE. THE COLORADO ENERGY OFFICE MAY
6 EXPEND MONEY FROM THE FUND FOR THE CREATION, IMPLEMENTATION,
7 AND ADMINISTRATION OF:

8 (a) THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT
9 PROGRAM CREATED IN SECTION 24-38.5-114; AND

10 (b) THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES
11 GRANT PROGRAM CREATED IN SECTION 24-38.5-115.

12 (3) (a) ON THE EFFECTIVE DATE OF THIS SECTION, OR AS SOON AS
13 POSSIBLE THEREAFTER, THE STATE TREASURER SHALL TRANSFER
14 TWENTY-TWO MILLION DOLLARS FROM THE GENERAL FUND TO THE FUND.

15 (b) THE COLORADO ENERGY OFFICE SHALL USE TEN MILLION
16 DOLLARS OF THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (3)
17 FOR THE CREATION, IMPLEMENTATION, AND ADMINISTRATION OF THE
18 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM
19 CREATED IN SECTION 24-38.5-114.

20 (c) THE COLORADO ENERGY OFFICE SHALL USE TWELVE MILLION
21 DOLLARS OF THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (3)
22 FOR THE CREATION, IMPLEMENTATION, AND ADMINISTRATION OF THE
23 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM
24 CREATED IN SECTION 24-38.5-115.

25 **SECTION 5.** In Colorado Revised Statutes, 12-115-107, **amend**
26 (2)(a) as follows:

27 **12-115-107. Board powers and duties - rules - definition.**

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

3 (a) (I) Adopt, and from time to time revise, rules pursuant to
4 section 12-20-204. In adopting the rules, the board shall be governed
5 when appropriate by the standards in the most current edition of the
6 national electrical code or by any modifications to the standards made by
7 the board after a hearing is held pursuant to the provisions of article 4 of
8 title 24. These standards are adopted as the minimum standards governing
9 the planning, laying out, and installing or the making of additions,
10 alterations, and repairs in the installation of wiring apparatus and
11 equipment for electric light, heat, and power in this state. A copy of the
12 code shall be kept in the office of the board and open to public inspection.
13 Nothing contained in this section prohibits any city, town, county, city
14 and county, or qualified state institution of higher education from making
15 and enforcing any such standards that are more stringent than the
16 minimum standards adopted by the board, and any city, town, county, city
17 and county, or qualified state institution of higher education that adopts
18 more stringent standards shall furnish a copy thereof to the board. The
19 standards adopted by the board shall be prima facie evidence of minimum
20 approved methods of construction for safety to life and property. The
21 affirmative vote of two-thirds of all appointed members of the board is
22 required to set any standards that are different from those set forth in the
23 national electrical code. If requested in writing, the board shall send a
24 copy of newly adopted standards and rules to any interested party at least
25 thirty days before the implementation and enforcement of the standards
26 or rules. The copies may be furnished for a fee established pursuant to
27 section 12-20-105.

1 (II) IN THE EVENT OF A CONFLICT BETWEEN THE 2021
2 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2024 INTERNATIONAL
3 ENERGY CONSERVATION CODE, OR ANY ENERGY CODES ADOPTED BY
4 EITHER A LOCAL GOVERNMENT OR DIVISIONS IN THE EXECUTIVE BRANCH
5 OF STATE GOVERNMENT AND THE NATIONAL ELECTRIC CODE OR THE
6 STANDARDS ADOPTED BY THE BOARD PURSUANT TO THIS SUBSECTION
7 (2)(a), THE NATIONAL ELECTRIC CODE OR THE STANDARDS ADOPTED BY
8 THE BOARD PURSUANT TO THIS SUBSECTION (2)(a) PREVAILS.

9 **SECTION 6.** In Colorado Revised Statutes, 12-155-106, **add**
10 (4.5) as follows:

11 **12-155-106. Colorado plumbing code - amendments -**
12 **variances - Colorado fuel gas code.** (4.5) IN THE EVENT OF A CONFLICT
13 BETWEEN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, THE
14 2024 INTERNATIONAL ENERGY CONSERVATION CODE, OR ANY ENERGY
15 CODES ADOPTED BY EITHER A LOCAL GOVERNMENT OR DIVISIONS IN THE
16 EXECUTIVE BRANCH OF STATE GOVERNMENT AND THE COLORADO
17 PLUMBING CODE, THE COLORADO PLUMBING CODE PREVAILS.

18 **SECTION 7.** In Colorado Revised Statutes, 24-30-1303, **add**
19 (1)(ff) as follows:

20 **24-30-1303. Office of the state architect - responsibilities.**

21 (1) The office of the state architect shall:

22 (ff) (I) (A) ON OR BEFORE JANUARY 1, 2025, ADOPT AND ENFORCE
23 AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY
24 PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY CONSERVATION
25 CODE AND THE MODEL ELECTRIC AND SOLAR READY CODE LANGUAGE
26 IDENTIFIED FOR ADOPTION BY THE COLORADO ENERGY OFFICE PURSUANT
27 TO SECTION 24-38.5-113 (2). THIS ENERGY CODE MUST APPLY TO ALL

1 CONSTRUCTION BY STATE AGENCIES ON STATE-OWNED PROPERTIES OR
2 FACILITIES OR PROPERTIES OR FACILITIES THAT ARE LEASED BY THE STATE
3 UNDER A FINANCED PURCHASE OF AN ASSET OR CERTIFICATE OF
4 PARTICIPATION AGREEMENT.

5 (B) ON OR BEFORE JANUARY 1, 2030, ADOPT AND ENFORCE AN
6 ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY AND
7 CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW ENERGY AND
8 CARBON CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE COLORADO
9 ENERGY OFFICE PURSUANT TO SECTION 24-38.5-113 (3). THIS ENERGY
10 CODE MUST APPLY TO ALL CONSTRUCTION BY STATE AGENCIES ON
11 STATE-OWNED PROPERTIES OR FACILITIES OR PROPERTIES OR FACILITIES
12 THAT ARE LEASED BY THE STATE UNDER A FINANCED PURCHASE OF AN
13 ASSET OR CERTIFICATE OF PARTICIPATION AGREEMENT.

14 (II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
15 SUBSECTION (1)(ff), THE OFFICE OF THE STATE ARCHITECT MAY MAKE ANY
16 AMENDMENTS TO AN ENERGY CODE THAT THE OFFICE OF THE STATE
17 ARCHITECT DEEMS APPROPRIATE, SO LONG AS THE AMENDMENTS DO NOT
18 DECREASE THE EFFECTIVENESS OR ENERGY EFFICIENCY OF THE ENERGY
19 CODE.

20 (III) NOTHING IN THIS SUBSECTION (1)(ff) RESTRICTS THE ABILITY
21 OF AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC
22 UTILITIES COMMISSION TO:

23 (A) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM
24 SERVICES TO HELP THE OFFICE OF THE STATE ARCHITECT OR BUILDERS
25 COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(ff); OR

26 (B) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD
27 ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS

1 EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY
2 THE UTILITY TO HELP THE OFFICE OF THE STATE ARCHITECT OR BUILDERS
3 COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(ff).

4 (IV) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC
5 UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY
6 EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE OFFICE
7 OF THE STATE ARCHITECT OR ANY BUILDERS IN COMPLYING WITH THE
8 REQUIREMENTS OF THIS SUBSECTION (1)(ff).

9 (V) (A) A UTILITY SHALL BE ALLOWED TO COUNT MASS-BASED
10 EMISSIONS REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS
11 SUBSECTION (1)(ff) TOWARDS COMPLIANCE WITH ITS REQUIREMENTS
12 UNDER SECTION 25-7-105 (1)(e)(X.7), SECTION 40-3.2-108 (3)(b), OR ANY
13 SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF
14 REQUIREMENTS.

15 (B) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
16 COMMISSION SHALL NOT BE ALLOWED TO COUNT GREENHOUSE GAS
17 EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS
18 SUBSECTION (1)(ff) FOR THE PURPOSE OF CALCULATING A SHAREHOLDER
19 INCENTIVE ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND
20 40-3.2-104 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL INCENTIVE
21 FOR CODE ADOPTION AS DOCUMENTED IN A PLAN APPROVED BY THE
22 COMMISSION.

23 **SECTION 8.** In Colorado Revised Statutes, 24-32-3305, **amend**
24 (3); and **add** (3.5) as follows:

25 **24-32-3305. Rules - advisory committee - energy code -**
26 **enforcement.** (3) EXCEPT WHEN ADOPTING AN ENERGY CODE PURSUANT
27 TO SUBSECTION (3.5) OF THIS SECTION, the board must consult with and

1 obtain the advice of an advisory committee on residential and
2 nonresidential structures in the drafting and promulgation of rules. The
3 committee consists of twelve members appointed by the division from the
4 following professional and technical disciplines: One from architecture,
5 one from structural engineering, three from building code enforcement,
6 one from mechanical engineering or contracting, one from electrical
7 engineering or contracting, one from the plumbing industry, one from the
8 construction design or producer industry, two from manufactured
9 housing, and one from organized labor. Committee members shall be
10 reimbursed for actual and necessary expenses incurred while engaged in
11 official duties.

12 (3.5) (a) (I) ON OR BEFORE JANUARY 1, 2025, THE DIVISION SHALL
13 ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR
14 BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY
15 CONSERVATION CODE AND THE MODEL ELECTRIC AND SOLAR READY CODE
16 LANGUAGE IDENTIFIED FOR ADOPTION BY THE COLORADO ENERGY OFFICE
17 PURSUANT TO SECTION 24-38.5-113 (2). THIS ENERGY CODE MUST APPLY
18 TO FACTORY-BUILT STRUCTURES; MANUFACTURED HOMES; AND HOTELS,
19 MOTELS, AND MULTI-FAMILY STRUCTURES IN AREAS OF THE STATE WHERE
20 NO CONSTRUCTION STANDARDS FOR HOTELS, MOTELS, AND MULTI-FAMILY
21 STRUCTURES EXIST.

22 (II) ON OR BEFORE JANUARY 1, 2030, THE DIVISION SHALL ADOPT
23 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER
24 ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW
25 ENERGY AND CARBON CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE
26 COLORADO ENERGY OFFICE. THIS ENERGY CODE MUST APPLY TO
27 FACTORY-BUILT STRUCTURES; MANUFACTURED HOMES; AND HOTELS,

1 MOTELS, AND MULTI-FAMILY STRUCTURES IN AREAS OF THE STATE WHERE
2 NO CONSTRUCTION STANDARDS FOR HOTELS, MOTELS, AND MULTI-FAMILY
3 STRUCTURES EXIST.

4 (b) NOTHING IN THIS SUBSECTION (3.5) ESTABLISHES STANDARDS
5 APPLICABLE TO MANUFACTURED HOMES CONSTRUCTED PURSUANT TO THE
6 "NATIONAL MANUFACTURED HOUSING CONSTRUCTION AND SAFETY
7 STANDARDS ACT OF 1974", ESTABLISHED IN 42 U.S.C. SEC. 5401, ET SEQ.,
8 AND ANY CORRESPONDING REGULATIONS PROMULGATED BY THE UNITED
9 STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN 24 CFR
10 3280, ET SEQ.

11 (c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
12 SUBSECTION (3.5), THE DIVISION MAY MAKE ANY AMENDMENTS TO AN
13 ENERGY CODE THAT THE DIVISION DEEMS APPROPRIATE, SO LONG AS THE
14 AMENDMENTS DO NOT DECREASE THE EFFECTIVENESS OR ENERGY
15 EFFICIENCY OF THE ENERGY CODE.

16 (d) NOTHING IN THIS SUBSECTION (3.5) RESTRICTS THE ABILITY OF
17 AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC UTILITIES
18 COMMISSION TO:

19 (I) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM
20 SERVICES TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE
21 REQUIREMENTS OF THIS SUBSECTION (3.5); OR

22 (II) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD
23 ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS
24 EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY
25 THE UTILITY TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE
26 REQUIREMENTS OF THIS SUBSECTION (3.5).

27 (e) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC

1 UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY
2 EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE BOARD
3 OR ANY BUILDERS IN COMPLYING WITH THE REQUIREMENTS OF THIS
4 SUBSECTION (3.5).

5 (f) (I) A UTILITY MAY COUNT MASS-BASED EMISSIONS REDUCTIONS
6 ASSOCIATED WITH THE REQUIREMENTS OF THIS SUBSECTION (3.5)
7 TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105
8 (1)(e)(X.7), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR GREENHOUSE
9 GAS EMISSIONS REDUCTION PROGRAM OR SET OF REQUIREMENTS.

10 (II) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
11 COMMISSION SHALL NOT COUNT GREENHOUSE GAS EMISSIONS REDUCTIONS
12 ACHIEVED THROUGH THE REQUIREMENTS OF THIS SUBSECTION (3.5) FOR
13 THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED
14 PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE
15 UTILITY HAS NOT PROVIDED A FINANCIAL INCENTIVE FOR CODE ADOPTION
16 AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

17 **SECTION 9.** In Colorado Revised Statutes, 24-33.5-1203, **add**
18 (1)(x) as follows:

19 **24-33.5-1203. Duties of division.** (1) The division shall perform
20 the following duties:

21 (x) (I) (A) ON OR BEFORE JANUARY 1, 2025, THE DIVISION SHALL
22 ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR
23 BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY
24 CONSERVATION CODE AND THE MODEL ELECTRIC AND SOLAR READY CODE
25 LANGUAGE IDENTIFIED FOR ADOPTION BY THE COLORADO ENERGY OFFICE
26 PURSUANT TO SECTION 24-38.5-113 (2). THIS ENERGY CODE MUST APPLY
27 TO THE BUILDINGS DESCRIBED IN SECTIONS 22-32-124 (2), 23-71-122

1 (1)(v), AND 24-33.5-1212.5.

2 (B) ON OR BEFORE JANUARY 1, 2030, THE DIVISION SHALL ADOPT
3 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER
4 ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW
5 ENERGY AND CARBON CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE
6 COLORADO ENERGY OFFICE PURSUANT TO SECTION 24-33.5-113 (3). THIS
7 ENERGY CODE MUST APPLY TO THE BUILDINGS DESCRIBED IN SECTIONS
8 22-32-124 (2), 23-71-122 (1)(v), 24-33.5-1212.5, 24-33.5-1213.3, AND
9 24-33.5-1213.5.

10 (II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
11 SUBSECTION (1)(x), THE DIVISION MAY MAKE ANY AMENDMENTS TO AN
12 ENERGY CODE THAT THE DIVISION DEEMS APPROPRIATE, SO LONG AS THE
13 AMENDMENTS DO NOT DECREASE THE EFFECTIVENESS OR ENERGY
14 EFFICIENCY OF THE ENERGY CODE.

15 (III) NOTHING IN THIS SUBSECTION (1)(x) RESTRICTS THE ABILITY
16 OF AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC
17 UTILITIES COMMISSION TO:

18 (A) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM
19 SERVICES TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE
20 REQUIREMENTS OF THIS SUBSECTION (1)(x); OR

21 (B) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD
22 ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS
23 EMISSIONS SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY
24 THE UTILITY TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE
25 REQUIREMENTS OF THIS SUBSECTION (1)(x).

26 (IV) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC
27 UTILITIES COMMISSION MAY PROVIDE INCENTIVES AS THEY SO CHOOSE TO

1 ASSIST THE DIVISION OR ANY BUILDERS IN COMPLYING WITH THE
2 REQUIREMENTS OF THIS SUBSECTION (1)(x).

3 (V) (A) A UTILITY MAY COUNT MASS-BASED EMISSIONS
4 REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SUBSECTION
5 (1)(x) TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION
6 25-7-105 (1)(e)(X.7), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR
7 GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF
8 REQUIREMENTS.

9 (B) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
10 COMMISSION SHALL NOT COUNT GREENHOUSE GAS EMISSIONS REDUCTIONS
11 ACHIEVED THROUGH THE REQUIREMENTS OF THIS SUBSECTION (1)(x) FOR
12 THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED
13 PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE
14 UTILITY HAS NOT PROVIDED A FINANCIAL INCENTIVE FOR CODE ADOPTION
15 AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

16 **SECTION 10.** In Colorado Revised Statutes, 30-28-211, **amend**
17 (2)(b), (3), and (5) introductory portion; **repeal** (4); and **add** (1)(i), (1)(j),
18 (2)(b.5), (3.5), (8), (9), and (10) as follows:

19 **30-28-211. Energy efficient building codes - legislative**
20 **declaration - definitions.** (1) The general assembly hereby finds and
21 declares that there is statewide interest in requiring an effective energy
22 efficient building code for the following reasons:

23 (i) HIGHLY ENERGY EFFICIENT HOMES AND BUILDINGS CAN REDUCE
24 ENERGY USE AND HELP CONSUMERS SAVE MONEY ON ENERGY BILLS.

25 (j) HIGHLY ENERGY EFFICIENT AND LOW-CARBON NEW HOMES AND
26 BUILDINGS ARE CRITICAL FOR MEETING THE GREENHOUSE GAS POLLUTION
27 REDUCTION TARGETS ESTABLISHED IN SECTION 25-7-102 (2)(g).

1 (2) As used in this section, unless the context otherwise requires:

2 (b) "Energy code" means ~~at a minimum, one of the three most~~
3 ~~recent versions of the international energy conservation code published~~
4 ~~by the international code council~~ A SUBSET OF BUILDING CODES RELATED
5 TO THE TOTAL ENERGY PERFORMANCE AND CARBON EMISSIONS OF
6 RESIDENTIAL AND COMMERCIAL BUILDINGS.

7 (b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE
8 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL OR A
9 SUCCESSOR ORGANIZATION.

10 (3) Every board of county commissioners ~~when adopting or~~
11 ~~updating a building code pursuant to section 30-28-201~~ THAT HAS
12 ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, OR THAT ADOPTS
13 AND ENFORCES ONE OR MORE BUILDING CODES AFTER JULY 1, 2022, shall
14 adopt and enforce an energy code that applies to the construction of, and
15 MAJOR renovations and additions to, all commercial and residential
16 buildings AS REQUIRED BY THE ENERGY CODE in the county to which the
17 building code applies.

18 (3.5) (a) A BOARD OF COUNTY COMMISSIONERS SHALL ADOPT AND
19 ENFORCE THE FOLLOWING ENERGY CODES:

20 (I) ON OR BEFORE JANUARY 1, 2025, AN ENERGY CODE THAT
21 ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021
22 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC
23 AND SOLAR READY CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE
24 OFFICE PURSUANT TO SECTION 24-38.5-113 (2); AND

25 (II) ON OR BEFORE JANUARY 1, 2030, AN ENERGY CODE THAT
26 ACHIEVES EQUIVALENT OR BETTER ENERGY AND CARBON EMISSIONS
27 PERFORMANCE THAN THE MODEL LOW ENERGY AND CARBON CODE

1 LANGUAGE IDENTIFIED FOR ADOPTION BY THE OFFICE PURSUANT TO
2 SECTION 24-38.5-113 (3).

3 (b) UNTIL A BOARD OF COUNTY COMMISSIONERS ADOPTS AND
4 ENFORCES AN ENERGY CODE PURSUANT TO SUBSECTION (3.5)(a) OF THIS
5 SECTION, WHEN ADOPTING OR UPDATING A BUILDING CODE PURSUANT TO
6 SECTION 30-28-201, A BOARD OF COUNTY COMMISSIONERS SHALL ADOPT
7 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER
8 ENERGY PERFORMANCE THAN ONE OF THE THREE MOST RECENT EDITIONS
9 OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

10 (4) ~~The energy code shall apply to any commercial or residential~~
11 ~~building in the county for which a building permit application is received~~
12 ~~subsequent to the adoption of the energy code.~~

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

15 (8) NOTHING IN THIS SECTION RESTRICTS THE ABILITY OF AN
16 INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC UTILITIES
17 COMMISSION TO:

18 (a) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM
19 SERVICES TO HELP THE BOARD OF COUNTY COMMISSIONERS OF ANY
20 COUNTY OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION;
21 OR

22 (b) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS
23 TOWARDS ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE
24 GAS EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED
25 BY THE UTILITY TO HELP THE BOARD OF COUNTY COMMISSIONERS OF ANY
26 COUNTY OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

27 (9) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC

1 UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY
2 EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE BOARD
3 OF COUNTY COMMISSIONERS OF ANY COUNTY OR ANY BUILDERS IN
4 COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.

5 (10) (a) A UTILITY MAY COUNT MASS-BASED EMISSIONS
6 REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SECTION
7 TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105
8 (1)(e)(X.7), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR GREENHOUSE
9 GAS EMISSIONS REDUCTION PROGRAM OR SET OF REQUIREMENTS.

10 (b) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
11 COMMISSION SHALL NOT COUNT GREENHOUSE GAS EMISSIONS REDUCTIONS
12 ACHIEVED THROUGH THE REQUIREMENTS OF THIS SECTION FOR THE
13 PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED
14 PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE
15 UTILITY HAS NOT PROVIDED A FINANCIAL INCENTIVE FOR CODE ADOPTION
16 AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

17 **SECTION 11.** In Colorado Revised Statutes, 31-15-602, **amend**
18 (2)(b), (3), and (5) introductory portion; **repeal** (4)(a); and **add** (1)(i),
19 (1)(j), (2)(b.5), (3.5), (8), (9), and (10) as follows:

20 **31-15-602. Energy efficient building codes - legislative**
21 **declaration - definitions - repeal.** (1) The general assembly hereby finds
22 and declares that there is statewide interest in requiring an effective
23 energy efficient building code for the following reasons:

24 (i) HIGHLY ENERGY EFFICIENT HOMES AND BUILDINGS CAN REDUCE
25 ENERGY USE AND HELP CONSUMERS SAVE MONEY ON ENERGY BILLS.

26 (j) HIGHLY ENERGY EFFICIENT AND LOW CARBON NEW HOMES AND
27 BUILDINGS ARE CRITICAL FOR MEETING THE GREENHOUSE GAS POLLUTION

1 REDUCTION TARGETS ESTABLISHED IN SECTION 25-7-102 (2)(g).

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

3 (b) "Energy code" means ~~at a minimum, one of the three most~~
4 ~~recent versions of the international energy conservation code published~~
5 ~~by the international code council~~ A SUBSET OF BUILDING CODES RELATED
6 TO THE TOTAL ENERGY PERFORMANCE AND CARBON EMISSIONS OF
7 RESIDENTIAL AND COMMERCIAL BUILDINGS.

8 (b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE
9 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL OR A
10 SUCCESSOR ORGANIZATION.

11 (3) The governing body of any municipality ~~when adopting or~~
12 ~~updating any other building codes~~ THAT HAS ADOPTED AND ENFORCED
13 ONE OR MORE BUILDING CODES, OR ADOPTS AND ENFORCES ONE OR MORE
14 BUILDING CODES AFTER JULY 1, 2022, shall adopt and enforce an energy
15 code that applies to the construction of, and MAJOR renovations and
16 additions to, all commercial and residential buildings AS REQUIRED BY
17 THE ENERGY CODE in the municipality to which the building code applies.

18 (3.5) (a) A GOVERNING BODY OF A MUNICIPALITY SHALL ADOPT
19 AND ENFORCE THE FOLLOWING ENERGY CODES:

20 (I) ON OR BEFORE JANUARY 1, 2025, AN ENERGY CODE THAT
21 ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021
22 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC
23 AND SOLAR READY CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE
24 OFFICE PURSUANT TO SECTION 24-38.5-113 (2); AND

25 (II) ON OR BEFORE JANUARY 1, 2030, AN ENERGY CODE THAT
26 ACHIEVES EQUIVALENT OR BETTER ENERGY AND CARBON EMISSIONS
27 PERFORMANCE THAN THE MODEL LOW ENERGY AND CARBON CODE

1 LANGUAGE IDENTIFIED FOR ADOPTION BY THE OFFICE PURSUANT TO
2 SECTION 24-38.5-113 (3).

3 (b) UNTIL A GOVERNING BODY OF A MUNICIPALITY ADOPTS AND
4 ENFORCES AN ENERGY CODE PURSUANT TO SUBSECTION (3.5)(a) OF THIS
5 SECTION, WHEN ADOPTING OR UPDATING A BUILDING CODE PURSUANT TO
6 SECTION 30-28-201, A GOVERNING BODY OF A MUNICIPALITY SHALL ADOPT
7 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER
8 ENERGY PERFORMANCE THAN ONE OF THE THREE MOST RECENT EDITIONS
9 OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

10 (4) (a) ~~The energy code shall apply to any commercial or~~
11 ~~residential building in the municipality for which a building permit~~
12 ~~application is received subsequent to the adoption of the energy code.~~

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

15 (8) NOTHING IN THIS SECTION RESTRICTS THE ABILITY OF AN
16 INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC UTILITIES
17 COMMISSION TO:

18 (a) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM
19 SERVICES TO HELP THE GOVERNING BODY OF ANY MUNICIPALITY OR
20 BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION; OR

21 (b) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS
22 TOWARDS ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE
23 GAS EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED
24 BY THE UTILITY TO HELP THE GOVERNING BODY OF ANY MUNICIPALITY OR
25 BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

26 (9) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC
27 UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY

1 EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE
2 GOVERNING BODY OF ANY MUNICIPALITY OR ANY BUILDERS IN COMPLYING
3 WITH THE REQUIREMENTS OF THIS SECTION.

4 (10) (a) A UTILITY MAY COUNT MASS-BASED EMISSIONS
5 REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SECTION
6 TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105
7 (1)(e)(X.7), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR GREENHOUSE
8 GAS EMISSIONS REDUCTION PROGRAM OR SET OF REQUIREMENTS.

9 (b) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
10 COMMISSION SHALL NOT COUNT GREENHOUSE GAS EMISSIONS REDUCTIONS
11 ACHIEVED THROUGH THE REQUIREMENTS OF THIS SECTION FOR THE
12 PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED
13 PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE
14 UTILITY HAS NOT PROVIDED A FINANCIAL INCENTIVE FOR CODE ADOPTION
15 AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

16 **SECTION 12.** In Colorado Revised Statutes, **repeal** article 7 of
17 title 6.

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