

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

ENGROSSED

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

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
Appropriations

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.

HOUSE
Amended 2nd Reading
April 29, 2022

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 READY" MEANS ADEQUATE PANEL CAPACITY,
17 DEDICATED ELECTRIC PANEL SPACE, ELECTRICAL WIRE, ELECTRICAL

1 RECEPTACLES, AND ADEQUATE PHYSICAL SPACE TO ACCOMMODATE
2 FUTURE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC APPLIANCES
3 INCLUDING HEATING, WATER HEATING, COOKING, DRYING, AND AN
4 ELECTRIC VEHICLE.

5 (c) (I) "EV CAPABLE" MEANS A PARKING SPACE THAT:

6 (A) HAS THE ELECTRICAL PANEL CAPACITY AND CONDUIT
7 INSTALLED TO SUPPORT FUTURE IMPLEMENTATION OF ELECTRICAL
8 VEHICLE CHARGING WITH A MINIMUM OF TWO HUNDRED EIGHT VOLTS AND
9 A MINIMUM OF FORTY-AMPERE RATED CIRCUITS; AND

10 (B) IS ADJACENT TO THE TERMINAL POINT OF THE CONDUIT FROM
11 THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION (1)(c)(I)(A) OF
12 THIS SECTION.

13 (II) "EV CAPABLE" INCLUDES TWO ADJACENT PARKING SPACES IF
14 THE CONDUIT FOR THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION
15 (1)(c)(I)(A) OF THIS SECTION TERMINATES ADJACENT TO AND BETWEEN
16 BOTH PARKING SPACES.

17 (d) (I) "EV READY" MEANS A PARKING SPACE THAT:

18 (A) HAS THE ELECTRICAL PANEL CAPACITY, RACEWAY WIRING,
19 RECEPTACLE, AND CIRCUIT OVERPROTECTION DEVICES INSTALLED TO
20 SUPPORT FUTURE IMPLEMENTATION OF ELECTRICAL VEHICLE CHARGING
21 WITH A MINIMUM OF TWO HUNDRED EIGHT VOLTS AND A MINIMUM OF
22 FORTY-AMPERE RATED CIRCUITS; AND

23 (B) IS ADJACENT TO THE RECEPTACLE FOR THE ELECTRICAL
24 FACILITIES DESCRIBED IN SUBSECTION (1)(d)(I)(A) OF THIS SECTION.

25 (II) "EV READY" INCLUDES TWO ADJACENT PARKING SPACES IF THE
26 RECEPTACLE FOR THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION
27 (1)(d)(I)(A) OF THIS SECTION IS INSTALLED ADJACENT TO AND BETWEEN

1 BOTH PARKING SPACES.

2 (e) "EV SUPPLY EQUIPMENT" MEANS:

3 (I) AN ELECTRIC VEHICLE CHARGING SYSTEM AS DEFINED IN
4 SECTION 38-12-601 (6)(a) THAT HAS POWER CAPACITY OF AT LEAST 6.2
5 KILOWATTS AND HAS THE ABILITY TO CONNECT TO THE INTERNET; OR

6 (II) AN INDUCTIVE RESIDENTIAL CHARGING SYSTEM FOR
7 BATTERY-POWERED ELECTRIC VEHICLES THAT:

8 (A) IS CERTIFIED BY UNDERWRITERS LABORATORIES OR AN
9 EQUIVALENT CERTIFICATION;

10 (B) COMPLIES WITH THE CURRENT VERSION OF ARTICLE 625 OF THE
11 NATIONAL ELECTRICAL CODE, PUBLISHED BY THE NATIONAL FIRE
12 PROTECTION ASSOCIATION, AND OTHER APPLICABLE INDUSTRY
13 STANDARDS;

14 (C) IS ENERGY STAR CERTIFIED; AND

15 (D) HAS THE ABILITY TO CONNECT TO THE INTERNET.

16 (e) "INDIVIDUAL WITH A DISABILITY" HAS THE SAME MEANING AS
17 SET FORTH IN THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF
18 1990", 42 U.S.C. SEC. 12101 ET SEQ., AND ITS RELATED AMENDMENTS AND
19 IMPLEMENTING REGULATIONS.

20 (f) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE
21 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, OR
22 SUBSEQUENT CODE OR ENTITY.

23 (g) "MIXED FUEL USE BUILDING" MEANS A RESIDENTIAL OR
24 COMMERCIAL BUILDING THAT IS DESIGNED AND BUILT WITH EQUIPMENT
25 THAT USES GASEOUS FUELS ON SITE IN ADDITION TO ELECTRICITY.

26 (h) "PROVISIONS FOR ELECTRICAL SERVICE CAPACITY" MEANS:

27 (I) BUILDING ELECTRICAL SERVICE, SIZED FOR THE ANTICIPATED

1 LOAD OF ELECTRIC VEHICLE CHARGING STATIONS, THAT HAS OVER
2 CURRENT PROTECTION DEVICES NECESSARY FOR ELECTRIC VEHICLE
3 CHARGING STATIONS OR HAS ADEQUATE SPACE TO ADD OVER CURRENT
4 PROTECTION DEVICES;

5 (II) A CONDUIT SYSTEM INSTALLED FROM BUILDING ELECTRICAL
6 SERVICE TO PARKING SPACES THAT CAN SUPPORT, AT A MINIMUM,
7 ELECTRICAL WIRING FOR INSTALLATION OF ELECTRIC VEHICLE CHARGING
8 STATIONS, AND, IF THE CONDUIT SYSTEM IS FOR FUTURE INSTALLATION OF
9 ELECTRIC VEHICLE CHARGING STATIONS, THAT LABELS BOTH ENDS OF THE
10 CONDUIT SYSTEM TO MARK THE CONDUIT SYSTEM AS PROVIDED FOR
11 FUTURE ELECTRIC VEHICLE CHARGING STATIONS; AND

12 (III) SPACE WITHIN A BUILDING TO ADD ADDITIONAL BUILDING
13 ELECTRICAL SERVICE FOR INSTALLATION OF ELECTRICAL SERVICE
14 CAPACITY FOR ELECTRIC VEHICLE CHARGING STATIONS.

15 (i) "SOLAR READY" MEANS ADEQUATE PANEL CAPACITY,
16 DEDICATED ELECTRICAL PANEL SPACE, ELECTRICAL CONDUIT, PHYSICAL
17 ROOF SPACE, AND STRUCTURAL LOAD TO ACCOMMODATE FUTURE
18 INSTALLATION OF SOLAR PANELS, WITH EXEMPTIONS FOR SMALL ROOFS
19 AND CONSISTENTLY SHADED ROOFS.

20 (j) "STATE AGENCIES" MEANS THE OFFICE OF THE STATE
21 ARCHITECT, THE DIVISION OF FIRE PREVENTION AND CONTROL, AND THE
22 DIVISION OF HOUSING.

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

26 (b) THE COLORADO ENERGY OFFICE SHALL CONSULT WITH LOCAL
27 GOVERNMENTS, BUILDERS, THE DIVISION OF HOUSING WITHIN THE

1 DEPARTMENT OF LOCAL AFFAIRS, AFFORDABLE HOUSING EXPERTS, AND
2 OTHER STAKEHOLDERS BEFORE IDENTIFYING MODEL ELECTRIC AND SOLAR
3 READY CODE LANGUAGE FOR ADOPTION.

4 (c) THE MODEL ELECTRIC AND SOLAR READY CODE LANGUAGE
5 IDENTIFIED FOR ADOPTION BY THE COLORADO ENERGY OFFICE MUST
6 INCLUDE THE FOLLOWING PROVISIONS FOR RESIDENTIAL OR
7 COMMERCIAL BUILDINGS SUBJECT TO THE CODE:

8 (I) SOLAR READY REQUIREMENTS;

9 (II) EV READY AND EV CAPABLE REQUIREMENTS FOR
10 RESIDENTIAL BUILDINGS;

11 (III) EV READY, EV CAPABLE, AND EV SUPPLY EQUIPMENT
12 INSTALLED REQUIREMENTS FOR MULTIFAMILY AND COMMERCIAL
13 BUILDINGS WITH PROVISIONS FOR ELECTRICAL SERVICE CAPACITY IN
14 TWENTY PERCENT OR MORE OF THE VEHICLE PARKING SPACES IN THE
15 GARAGE OR PARKING AREA;

16 (IV) ELECTRIC READY REQUIREMENTS FOR ALL SINGLE-FAMILY
17 RESIDENTIAL MIXED FUEL USE BUILDINGS;

18 (V) ELECTRIC READY REQUIREMENTS FOR MULTI-FAMILY AND
19 SMALL COMMERCIAL MIXED FUEL USE BUILDINGS UNDER TEN THOUSAND
20 SQUARE FEET; AND

21 (VI) REQUIREMENTS THAT MULTI-FAMILY AND LARGE
22 COMMERCIAL MIXED FUEL USE BUILDINGS TEN THOUSAND SQUARE FEET OR
23 GREATER PROVIDE DEDICATED ELECTRIC PANEL SPACE, ELECTRICAL WIRE,
24 ELECTRICAL RECEPTACLES, AND ADEQUATE PANEL CAPACITY TO
25 ACCOMMODATE THE FUTURE INSTALLATION OF EFFICIENT, ELECTRIC
26 TECHNOLOGIES AND CHARGING FOR ELECTRIC VEHICLES. THESE
27 REQUIREMENTS MUST TAKE INTO ACCOUNT THE COST-EFFECTIVENESS OF

1 PRE-WIRING FOR EFFICIENT ELECTRIC EQUIPMENT AND THE ABILITY TO
2 DETERMINE WHAT WIRING AND RECEPTACLE LOCATIONS WOULD BE
3 NEEDED.

4 (d) IN IDENTIFYING THE MODEL ELECTRIC READY AND SOLAR
5 READY CODE LANGUAGE FOR MULTI-FAMILY AND LARGE COMMERCIAL
6 MIXED FUEL USE FOR BUILDINGS TEN THOUSAND SQUARE FEET OR
7 GREATER, THE COLORADO ENERGY OFFICE SHALL:

8 (I) CONSULT WITH BUILDING AND CONSTRUCTION INDUSTRY
9 EXPERTS INCLUDING ARCHITECTS, BUILDING AND CONSTRUCTION TRADE
10 UNIONS, BUILDING ENGINEERS, COMMERCIAL BUILDING OWNERS,
11 COMMERCIAL DEVELOPERS, ELECTRICAL CONTRACTORS, ELECTRICAL
12 ENGINEERS, ENERGY EFFICIENCY EXPERTS, LICENSED ELECTRICIANS,
13 LICENSED PLUMBERS, LOCAL AND STATE BUILDING OFFICIALS,
14 MECHANICAL ENGINEERS, MECHANICAL AND PLUMBING CONTRACTORS,
15 AND MULTI-FAMILY RESIDENTIAL HOMEBUILDERS;

16 (II) DEVELOP CLEAR GUIDELINES TO BE INCLUDED IN THE MODEL
17 ENERGY READY AND SOLAR READY CODES THAT SEEK TO MINIMIZE THE
18 COSTS THAT BUILDERS, BUILDING OWNERS, AND DEVELOPERS INCUR IN
19 MEETING ELECTRIC READY AND SOLAR READY CODE LANGUAGE
20 REQUIREMENTS WHILE ALSO ENSURING THAT BUILDINGS CAN BE
21 CONVERTED TO HIGH EFFICIENCY ELECTRIC HEATING EQUIPMENT AND
22 APPLIANCES AT THE LOWEST POSSIBLE COST TO BUILDING OWNERS. THESE
23 GUIDELINES MUST INCLUDE PROVISIONS FOR:

24 (A) A STANDARD METHODOLOGY FOR DETERMINING HOW TO
25 CALCULATE OR MEASURE WHEN COMPLIANCE WITH THE MODEL CODES
26 REACHES A SUBSTANTIAL COST DIFFERENTIAL THAT WOULD REQUIRE A
27 WAIVER OR VARIANCE FOR SOME OR ALL OF THE PROVISIONS OF THE

1 MODEL CODE; AND

2 (B) AN EVIDENCE-BASED, UNIFORM WAIVER OR VARIANCE
3 PROCESS TO ALLOW A BUILDER, DEVELOPER, OR BUILDING OWNER TO
4 REQUEST A WAIVER WHEN IT CAN BE DEMONSTRATED WITH REASONABLE
5 EVIDENCE THAT COMPLIANCE WILL CREATE A SUBSTANTIAL COST
6 DIFFERENTIAL; AND

7 (III) AS USED IN SUBSECTION (2)(d)(II) ,"SUBSTANTIAL COST
8 DIFFERENTIAL" MEANS ONE PERCENT OR GREATER OF THE TOTAL
9 MECHANICAL, ELECTRICAL, OR PLUMBING CONSTRUCTION COSTS ON THE
10 PROJECT.

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

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

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

24 (b) THE COLORADO ENERGY OFFICE SHALL CONSULT WITH LOCAL
25 GOVERNMENTS, BUILDERS, THE DIVISION OF HOUSING WITHIN THE
26 DEPARTMENT OF LOCAL AFFAIRS, AFFORDABLE HOUSING EXPERTS, AND
27 OTHER STAKEHOLDERS BEFORE IDENTIFYING MODEL LOW ENERGY AND

1 CARBON CODE LANGUAGE FOR ADOPTION.

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

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

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

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

19 (III) ALLOW PROJECTS CONSISTING OF ONLY REPLACING A SPACE
20 OR WATER HEATING SYSTEM, AT THE END OF THAT SYSTEM'S USEFUL LIFE,
21 WITH THE INSTALLATION OF A NEW SYSTEM USING THE SAME FUEL OR
22 POWER SOURCE, WITHOUT TRIGGERING PRE-WIRE REQUIREMENTS.

23 (IV) ENSURE THAT FOR ANY RENEWABLE ENERGY MEASURES USED
24 TO ENSURE THAT A HOME OR COMMERCIAL BUILDING IS COMPLIANT WITH
25 THE MODEL LOW ENERGY AND CARBON CODE LANGUAGE IDENTIFIED BY
26 THE COLORADO ENERGY OFFICE, ANY ELECTRIC RENEWABLE ENERGY
27 CREDITS GENERATED MAY NOT BE DOUBLE COUNTED BETWEEN

1 COMPLIANCE WITH THIS SECTION AND REQUIREMENTS UNDER SECTION
2 25-7-105 (1)(e), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR
3 GREENHOUSE GAS EMISSION REDUCTION PROGRAM OR SET OF
4 REQUIREMENTS. NOTHING IN THIS SECTION SHALL PRECLUDE A UTILITY
5 FROM ACQUIRING RENEWABLE ENERGY CREDITS FROM A BUILDING OWNER
6 THROUGH A NET-METERING AGREEMENT; AND

7 (V) TAKE INTO ACCOUNT HOME AFFORDABILITY.

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

12 (5) (a) THE DIRECTOR OF THE COLORADO ENERGY OFFICE SHALL
13 APPOINT AND CONVENE AN ENERGY CODE ADVISORY BOARD.

14 (b) NO LATER THAN OCTOBER 1, 2022, THE ENERGY CODE
15 ADVISORY BOARD SHALL IDENTIFY A MODEL ELECTRIC READY AND SOLAR
16 READY CODE FOR ADOPTION BY COUNTIES, MUNICIPALITIES, AND STATE
17 AGENCIES.

18 (c) NO LATER THAN JUNE 30, 2023, THE ENERGY CODE ADVISORY
19 BOARD SHALL IDENTIFY A MODEL LOW ENERGY AND LOW CARBON CODE
20 FOR ADOPTION BY COUNTIES, MUNICIPALITIES, AND STATE AGENCIES.

21 (d) IN ORDER FOR THE ENERGY CODE ADVISORY BOARD TO
22 IDENTIFY AN ENERGY CODE PURSUANT TO EITHER SUBSECTION (5)(b) OR
23 (5)(c) OF THIS SECTION, THE DEPARTMENT OF LOCAL AFFAIRS AND THE
24 COLORADO ENERGY OFFICE MUST FIRST VERIFY THAT THE ENERGY CODES
25 IDENTIFIED FOR ADOPTION COMPLY WITH THE STATUTORY INTENT OF
26 HOUSE BILL 22-1362.

27 (d) (I) THE ADVISORY BOARD SHALL SUNSET SEPTEMBER 1, 2027.

1 (II) PRIOR TO THE REPEAL OF THIS SECTION, THE DEPARTMENT OF
2 REGULATORY AGENCIES SHALL CONDUCT A SUNSET REVIEW AS DESCRIBED
3 IN SECTION 24-34-104 (5).

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

11 (6) (a) ANY ENERGY CODE ADOPTED BY EITHER A LOCAL
12 GOVERNMENT OR STATE AGENCY IN ACCORDANCE WITH THIS SECTION
13 MUST NOT APPLY TO CONSTRUCTION OR RENOVATION THAT SERVES THE
14 PRIMARY PURPOSE OF MAKING A BUILDING ACCESSIBLE OR MORE
15 ACCESSIBLE FOR AN INDIVIDUAL WITH A DISABILITY.

16 (b) AS USED IN THIS SUBSECTION (6), "ACCESSIBLE" MEANS ABLE
17 TO BE APPROACHED, ENTERED, AND USED.

18 (7) 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 (7).

12 (8) (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 (9) 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 (10)(a)(I) OF THIS SECTION, INCLUDING POLICIES AND PROCEDURES THAT
3 AT A MINIMUM ESTABLISH THE APPLICATION PROCESS AND THE GRANT
4 AWARD CRITERIA.

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

11 (I) ISSUING GRANTS, NOT TO EXCEED A TOTAL OF TWO 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, INCLUDING GRANT WRITING ASSISTANCE, NOT TO EXCEED A
19 TOTAL COST OF ONE MILLION DOLLARS, TO ASSIST LOCAL GOVERNMENTS
20 AND DIVISIONS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT IN
21 ADOPTING AND ENFORCING THE 2021 INTERNATIONAL ENERGY
22 CONSERVATION CODE, AN ELECTRIC AND SOLAR READY CODE, A LOW
23 ENERGY AND CARBON CODE, OR A GREEN CODE AND COVERING THE DIRECT
24 AND INDIRECT COSTS ASSOCIATED WITH ALIGNING ENERGY CODES AND
25 WITH PROVIDING THIS TRAINING AND TECHNICAL ASSISTANCE.

26 (b) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
27 SUBSECTION (10)(b), THE STATE TREASURER SHALL TRANSFER ONE

1 MILLION DOLLARS FROM THE GENERAL FUND TO THE ENERGY FUND
2 CREATED IN SECTION 24-38.5-102.4. THE COLORADO ENERGY OFFICE
3 SHALL EXPEND THE MONEY TRANSFERRED BY THE GENERAL ASSEMBLY
4 PURSUANT TO THIS SUBSECTION (10)(b) FOR THE PURPOSE OF PROVIDING
5 ENERGY CODE TRAINING TO ASSIST ARCHITECTS, BUILDERS,
6 CONTRACTORS, AND DESIGNERS IN IMPLEMENTING THE 2021
7 INTERNATIONAL ENERGY CONSERVATION CODE, ELECTRIC AND SOLAR
8 READY CODES, AND LOW ENERGY AND CARBON CODES. THE TRAINING AND
9 MATERIALS PROVIDED ALONG WITH THIS TRAINING MUST BE IN BOTH
10 ENGLISH AND SPANISH.

11 **SECTION 2.** In Colorado Revised Statutes, **add** 24-38.5-114 as
12 follows:

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

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

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

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

26 (d) NEWER TECHNOLOGIES SUCH AS COLD CLIMATE HEAT PUMPS
27 AND HEAT PUMP WATER HEATERS OFFER MANY OPPORTUNITIES TO REDUCE

1 GREENHOUSE GAS AND NITROGEN OXIDE EMISSIONS AND IMPROVE INDOOR
2 AIR QUALITY; AND

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

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

12 (3) GRANTEES MAY USE MONEY RECEIVED THROUGH THE BUILDING
13 ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM FOR THE
14 FOLLOWING PURPOSES:

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

17 ■

18 (b) THE PURCHASE OF ELECTRICAL INSTALLATIONS AND UPGRADES
19 NECESSARY TO SUPPORT THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC
20 EQUIPMENT;

21 (c) THE PURCHASE AND INSTALLATION OF OTHER INNOVATIVE
22 BUILDING HEATING TECHNOLOGIES THAT THE COLORADO ENERGY OFFICE
23 DETERMINES WILL LIKELY ACHIEVE EQUAL OR LOWER LEVELS OF
24 GREENHOUSE GAS EMISSIONS THAN HIGH EFFICIENCY HEAT PUMPS
25 OPERATED ON THE PROJECTED 2030 ELECTRIC GRID; AND

26 (d) IN THE CASE OF ELIGIBLE ENTITIES FROM LOW-INCOME,
27 DISPROPORTIONATELY IMPACTED COMMUNITIES, OR JUST TRANSITION

1 COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY THE COLORADO
2 ENERGY OFFICE, TO COVER THE ADMINISTRATIVE COSTS ASSOCIATED WITH
3 THE PURCHASE AND INSTALLATION DESCRIBED IN SUBSECTIONS (3)(a),
4 (3)(b), AND (3)(c) OF THIS SECTION.

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

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

11 (6) THE COLORADO ENERGY OFFICE MAY DEVELOP POLICIES AND
12 PROCEDURES PRIORITIZING THE GRANT APPLICATIONS OF ELIGIBLE
13 ENTITIES FROM LOW-INCOME, DISPROPORTIONATELY IMPACTED
14 COMMUNITIES, OR JUST TRANSITION COMMUNITIES AS THOSE
15 COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE AND
16 THE COLORADO ENERGY OFFICE SHALL AWARD AT LEAST THIRTY PERCENT
17 OF THE TOTAL AMOUNT OF MONEY IT AWARDS THROUGH GRANTS
18 PURSUANT TO THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS
19 GRANT PROGRAM TO SUCH ELIGIBLE ENTITIES.

20 (7)(a) TO RECEIVE A GRANT, AN ELIGIBLE ENTITY MUST SUBMIT AN
21 APPLICATION TO THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH
22 THE POLICIES AND PROCEDURES SPECIFIED BY THE COLORADO ENERGY
23 OFFICE.

24 (b) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
25 ASSISTANCE IN APPLYING FOR GRANTS THROUGH THE BUILDING
26 ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM AS NEEDED TO
27 ELIGIBLE ENTITIES FROM LOW-INCOME, DISPROPORTIONATELY IMPACTED

1 COMMUNITIES, OR JUST TRANSITION COMMUNITIES AS THOSE
2 COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE.

3 (8) (a) EACH GRANTEE THAT RECEIVES A GRANT THROUGH THE
4 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM
5 SHALL SUBMIT AN ANNUAL REPORT TO THE COLORADO ENERGY OFFICE
6 FOR THE FIRST 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 BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM. AT
13 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 TO INDIVIDUALS WITH A DISABILITY OR ENTITIES THAT USED THE GRANTS
20 TO PROVIDE A SERVICE FOR INDIVIDUALS WITH A DISABILITY; AND

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

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

24 **SECTION 3.** In Colorado Revised Statutes, **add 24-38.5-115** as
25 follows:

26 **24-38.5-115. High-efficiency electric heating and appliances**
27 **grant program - creation - report - legislative declaration.** (1) THE

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

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

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

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

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

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

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

27 (3) GRANTEEES MAY USE THE MONEY RECEIVED THROUGH THE

1 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM
2 FOR THE FOLLOWING PURPOSES:

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

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

10 (c) THE PURCHASE AND INSTALLATION OF OTHER INNOVATIVE
11 BUILDING HEATING TECHNOLOGIES THAT THE COLORADO ENERGY OFFICE
12 DETERMINES WILL LIKELY ACHIEVE EQUAL OR LOWER LEVELS OF
13 GREENHOUSE GAS EMISSIONS THAN HIGH EFFICIENCY HEAT PUMPS
14 OPERATED ON THE PROJECTED 2030 ELECTRIC GRID; AND

15 (d) IN THE CASE OF LOCAL GOVERNMENTS, ELECTRIC AND GAS
16 UTILITIES, NONPROFIT ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES
17 AS DETERMINED BY THE COLORADO ENERGY OFFICE, OR HOUSING
18 DEVELOPERS THAT OPERATE IN LOW-INCOME, DISPROPORTIONATELY
19 IMPACTED COMMUNITIES, OR JUST TRANSITION COMMUNITIES AS THOSE
20 COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE, TO
21 COVER THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE PURCHASE AND
22 INSTALLATION DESCRIBED IN SUBSECTIONS (3)(a), (3)(b), AND (3)(c) OF
23 THIS SECTION.

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

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

3 (6) THE COLORADO ENERGY OFFICE MAY DEVELOP POLICIES AND
4 PROCEDURES PRIORITIZING THE GRANT APPLICATIONS OF LOCAL
5 GOVERNMENTS, ELECTRIC AND GAS UTILITIES, NONPROFIT
6 ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES AS DETERMINED BY
7 THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPERS THAT OPERATE
8 IN LOW-INCOME, DISPROPORTIONATELY IMPACTED COMMUNITIES, OR JUST
9 TRANSITION COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY
10 THE COLORADO ENERGY OFFICE AND THE COLORADO ENERGY OFFICE
11 SHALL AWARD AT LEAST THIRTY PERCENT OF THE TOTAL AMOUNT OF
12 MONEY IT AWARDS THROUGH GRANTS PURSUANT TO THE HIGH-EFFICIENCY
13 ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM TO SUCH LOCAL
14 GOVERNMENTS, ELECTRIC AND GAS UTILITIES, NONPROFIT
15 ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES AS DETERMINED BY
16 THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPERS.

17 (7) (a) TO RECEIVE A GRANT, A LOCAL GOVERNMENT, ELECTRIC OR
18 GAS UTILITY, NONPROFIT ORGANIZATION, BUSINESS AND OTHER ENTITY AS
19 DETERMINED BY THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPER
20 MUST SUBMIT AN APPLICATION TO THE COLORADO ENERGY OFFICE IN
21 ACCORDANCE WITH THE POLICIES AND PROCEDURES SPECIFIED BY THE
22 COLORADO ENERGY OFFICE.

23 (b) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
24 ASSISTANCE IN APPLYING FOR GRANTS THROUGH THE HIGH-EFFICIENCY
25 ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM AS NEEDED TO
26 LOCAL GOVERNMENTS, ELECTRIC AND GAS UTILITIES, NONPROFIT
27 ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES AS DETERMINED BY

1 THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPERS THAT OPERATE
2 IN LOW-INCOME, DISPROPORTIONATELY IMPACTED COMMUNITIES, OR JUST
3 TRANSITION COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY
4 THE COLORADO ENERGY OFFICE.

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

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

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

19 (B) THE PERCENTAGE OF GRANTS AWARDED TO LOW-INCOME,
20 DISPROPORTIONATELY IMPACTED, OR JUST TRANSITION COMMUNITIES, AND
21 TO INDIVIDUALS WITH A DISABILITY OR ENTITIES THAT USED THE GRANTS
22 TO PROVIDE A SERVICE FOR INDIVIDUALS WITH A DISABILITY; AND

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

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

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

1 **24-38.5-116. Clean air building investments fund - creation -**

2 **use of fund.** (1) THE CLEAN AIR BUILDING INVESTMENTS FUND, REFERRED
3 TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY.
4 THE PRINCIPAL OF THE FUND CONSISTS OF MONEY TRANSFERRED TO THE
5 FUND FROM THE GENERAL FUND AND GIFTS, GRANTS, AND DONATIONS.
6 INTEREST AND INCOME EARNED ON THE DEPOSIT AND INVESTMENT OF
7 MONEY IN THE FUND ARE CREDITED TO THE FUND.

8 (2) ALL MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO
9 THE COLORADO ENERGY OFFICE. THE COLORADO ENERGY OFFICE MAY
10 EXPEND MONEY FROM THE FUND FOR THE CREATION, IMPLEMENTATION,
11 AND ADMINISTRATION OF:

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

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

16 (3) (a) ON THE EFFECTIVE DATE OF THIS SECTION, OR AS SOON AS
17 POSSIBLE THEREAFTER, THE STATE TREASURER SHALL TRANSFER
18 TWENTY-ONE MILLION DOLLARS FROM THE GENERAL FUND TO THE FUND.

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

24 (c) THE COLORADO ENERGY OFFICE SHALL USE ELEVEN MILLION
25 DOLLARS OF THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (3)
26 FOR THE CREATION, IMPLEMENTATION, AND ADMINISTRATION OF THE
27 HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM

1 CREATED IN SECTION 24-38.5-115.

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

4 **12-115-107. Board powers and duties - rules - definition.**

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

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

1 copy of newly adopted standards and rules to any interested party at least
2 thirty days before the implementation and enforcement of the standards
3 or rules. The copies may be furnished for a fee established pursuant to
4 section 12-20-105.

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

13 **SECTION 6.** In Colorado Revised Statutes, 12-155-106, **add**
14 (4.5) as follows:

15 **12-155-106. Colorado plumbing code - amendments -**
16 **variances - Colorado fuel gas code.** (4.5) IN THE EVENT OF A CONFLICT
17 BETWEEN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, THE
18 2024 INTERNATIONAL ENERGY CONSERVATION CODE, OR ANY ENERGY
19 CODES ADOPTED BY EITHER A LOCAL GOVERNMENT OR DIVISIONS IN THE
20 EXECUTIVE BRANCH OF STATE GOVERNMENT AND THE COLORADO
21 PLUMBING CODE, THE COLORADO PLUMBING CODE PREVAILS.

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

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

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

26 (ff) (I) (A) ON OR BEFORE JANUARY 1, 2025, ADOPT AND ENFORCE
27 AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY

1 PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY CONSERVATION
2 CODE AND THE MODEL ELECTRIC READY AND SOLAR READY CODE
3 LANGUAGE IDENTIFIED FOR ADOPTION BY THE ENERGY CODE ADVISORY
4 BOARD PURSUANT TO SECTION 24-38.5-113 (5)(b). THIS ENERGY CODE
5 MUST APPLY TO ALL CONSTRUCTION BY STATE AGENCIES ON
6 STATE-OWNED PROPERTIES OR FACILITIES, OR PROPERTIES OR FACILITIES
7 THAT ARE LEASED BY THE STATE UNDER A FINANCED PURCHASE OF AN
8 ASSET OR CERTIFICATE OF PARTICIPATION AGREEMENT.

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

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

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

27 (A) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM

1 SERVICES TO HELP THE OFFICE OF THE STATE ARCHITECT OR BUILDERS
2 COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(ff); OR

3 (B) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD
4 ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS
5 EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY
6 THE UTILITY TO HELP THE OFFICE OF THE STATE ARCHITECT OR BUILDERS
7 COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(ff).

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

13 (V) (A) A UTILITY SHALL BE ALLOWED TO COUNT MASS-BASED
14 EMISSIONS REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS
15 SUBSECTION (1)(ff) TOWARDS COMPLIANCE WITH ITS REQUIREMENTS
16 UNDER SECTION 25-7-105 (1)(e)(X.7) OR (1)(e)(X.8), SECTION 40-3.2-108
17 (3)(b), OR ANY SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION
18 PROGRAM OR SET OF REQUIREMENTS.

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

27 **SECTION 8.** In Colorado Revised Statutes, 24-32-3305, **amend**

1 (3); and **add** (3.5) as follows:

2 **24-32-3305. Rules - advisory committee - energy code -**
3 **enforcement.** (3) EXCEPT WHEN ADOPTING AN ENERGY CODE PURSUANT
4 TO SUBSECTION (3.5) OF THIS SECTION, the board must consult with and
5 obtain the advice of an advisory committee on residential and
6 nonresidential structures in the drafting and promulgation of rules. The
7 committee consists of twelve members appointed by the division from the
8 following professional and technical disciplines: One from architecture,
9 one from structural engineering, three from building code enforcement,
10 one from mechanical engineering or contracting, one from electrical
11 engineering or contracting, one from the plumbing industry, one from the
12 construction design or producer industry, two from manufactured
13 housing, and one from organized labor. Committee members shall be
14 reimbursed for actual and necessary expenses incurred while engaged in
15 official duties.

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

26 (II) ON OR BEFORE JANUARY 1, 2030, THE DIVISION SHALL ADOPT
27 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER

1 ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW
2 ENERGY AND CARBON CODE IDENTIFIED FOR ADOPTION BY THE ENERGY
3 CODE ADVISORY BOARD PURSUANT TO SECTION 24-38.5-113 (5)(c). THIS
4 ENERGY CODE MUST APPLY TO FACTORY-BUILT STRUCTURES AND HOTELS,
5 MOTELS, AND MULTI-FAMILY STRUCTURES IN AREAS OF THE STATE WHERE
6 NO CONSTRUCTION STANDARDS FOR HOTELS, MOTELS, AND MULTI-FAMILY
7 STRUCTURES EXIST.

8 (b) NOTHING IN THIS SUBSECTION (3.5) ESTABLISHES STANDARDS
9 APPLICABLE TO MANUFACTURED HOMES CONSTRUCTED PURSUANT TO THE
10 "NATIONAL MANUFACTURED HOUSING CONSTRUCTION AND SAFETY
11 STANDARDS ACT OF 1974", ESTABLISHED IN 42 U.S.C. SEC. 5401, ET SEQ.,
12 AND ANY CORRESPONDING REGULATIONS PROMULGATED BY THE UNITED
13 STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN 24 CFR
14 3280, ET SEQ.

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

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

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

26 (II) 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 DIVISION OR BUILDERS COMPLY WITH THE
3 REQUIREMENTS OF THIS SUBSECTION (3.5).

4 (e) 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 BOARD
7 OR ANY BUILDERS IN COMPLYING WITH THE REQUIREMENTS OF THIS
8 SUBSECTION (3.5).

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

15 (II) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
16 COMMISSION SHALL NOT COUNT ENERGY SAVINGS OR GREENHOUSE GAS
17 EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS
18 SUBSECTION (3.5) 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
21 INVESTMENT FOR CODE ADOPTION AS DOCUMENTED IN A PLAN APPROVED
22 BY THE COMMISSION.

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

25 **24-33.5-1203. Duties of division.** (1) The division shall perform
26 the following duties:

27 (x) (I) (A) ON OR BEFORE JANUARY 1, 2025, THE DIVISION

1 SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES
2 EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021
3 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC
4 READY AND SOLAR READY CODE LANGUAGE IDENTIFIED FOR ADOPTION BY
5 THE ENERGY CODE ADVISORY BOARD PURSUANT TO SECTION 24-38.5-113
6 (5)(b). THIS ENERGY CODE MUST APPLY TO THE BUILDINGS DESCRIBED IN
7 SECTIONS 22-32-124 (2), 23-71-122 (1)(v), AND 24-33.5-1212.5.

8 (B) ON OR BEFORE JANUARY 1, 2030, THE DIVISION SHALL ADOPT
9 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER
10 ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW
11 ENERGY AND CARBON CODE IDENTIFIED FOR ADOPTION BY THE ENERGY
12 CODE ADVISORY BOARD PURSUANT TO SECTION 24-38.5-113 (5)(c). THIS
13 ENERGY CODE MUST APPLY TO THE BUILDINGS DESCRIBED IN SECTIONS
14 22-32-124 (2), 23-71-122 (1)(v), 24-33.5-1212.5, 24-33.5-1213.3, AND
15 24-33.5-1213.5.

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

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

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

27 (B) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD

1 ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS
2 EMISSIONS SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY
3 THE UTILITY TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE
4 REQUIREMENTS OF THIS SUBSECTION (1)(x).

5 (IV) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC
6 UTILITIES COMMISSION MAY PROVIDE INCENTIVES AS THEY SO CHOOSE TO
7 ASSIST THE DIVISION OR ANY BUILDERS IN COMPLYING WITH THE
8 REQUIREMENTS OF THIS SUBSECTION (1)(x).

9 (V) (A) A UTILITY MAY COUNT MASS-BASED EMISSIONS
10 REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SUBSECTION
11 (1)(x) TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION
12 25-7-105 (1)(e)(X.7) OR (1)(e)(X.8), 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 COUNT ENERGY SAVINGS OR GREENHOUSE GAS
17 EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS
18 SUBSECTION (1)(x) 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
21 INVESTMENT FOR CODE ADOPTION AS DOCUMENTED IN A PLAN APPROVED
22 BY THE COMMISSION.

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

26 **30-28-211. Energy efficient building codes - legislative**
27 **declaration - definitions.** (1) The general assembly hereby finds and

1 declares that there is statewide interest in requiring an effective energy
2 efficient building code for the following reasons:

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

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

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

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

14 (b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE
15 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL OR A
16 SUCCESSOR ORGANIZATION.

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

25 (3.5) (a) A BOARD OF COUNTY COMMISSIONERS THAT HAS
26 ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, AND THAT
27 UPDATES ONE OR MORE BUILDING CODES ON OR AFTER JULY 1, 2023, AND

1 BEFORE JULY 1, 2026, SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT
2 ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021
3 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC
4 READY AND SOLAR READY CODE LANGUAGE IDENTIFIED FOR ADOPTION BY
5 THE ENERGY CODE ADVISORY BOARD PURSUANT TO SECTION 24-38.5-113
6 (5)(b), AT THE SAME TIME OTHER BUILDING CODES ARE UPDATED.

7 (b) A BOARD OF COUNTY COMMISSIONERS THAT HAS ADOPTED AND
8 ENFORCED ONE OR MORE BUILDING CODES, AND THAT UPDATES ONE OR
9 MORE BUILDING CODES ON OR AFTER JULY 1, 2026, SHALL ADOPT AND
10 BEGIN ENFORCING AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR
11 BETTER ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL
12 LOW ENERGY AND CARBON CODE IDENTIFIED FOR ADOPTION BY THE
13 ENERGY CODE ADVISORY BOARD PURSUANT TO SECTION 24-38.5-113
14 (5)(c), AT THE SAME TIME OTHER BUILDING CODES ARE UPDATED.

15 (c) WHEN ADOPTING OR UPDATING A BUILDING CODE PRIOR TO
16 JULY 1, 2023, A BOARD OF COUNTY COMMISSIONERS SHALL ADOPT AND
17 ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER
18 ENERGY PERFORMANCE THAN ONE OF THE THREE MOST RECENT EDITIONS
19 OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

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

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

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

1 (a) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM
2 SERVICES TO HELP THE BOARD OF COUNTY COMMISSIONERS OF ANY
3 COUNTY OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION;
4 OR

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

10 (9) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC
11 UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY
12 EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE BOARD
13 OF COUNTY COMMISSIONERS OF ANY COUNTY OR ANY BUILDERS IN
14 COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.

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

21 (b) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
22 COMMISSION SHALL NOT COUNT ENERGY SAVINGS OR GREENHOUSE GAS
23 EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS
24 SECTION FOR THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE
25 ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104
26 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL INVESTMENT FOR CODE
27 ADOPTION AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

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

4 **31-15-602. Energy efficient building codes - legislative**
5 **declaration - definitions - repeal.** (1) The general assembly hereby finds
6 and declares that there is statewide interest in requiring an effective
7 energy efficient building code for the following reasons:

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

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

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

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

19 (b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE
20 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL OR A
21 SUCCESSOR ORGANIZATION.

22 (3) The governing body of any municipality ~~when adopting or~~
23 ~~updating any other building codes~~ THAT HAS ADOPTED AND ENFORCED
24 ONE OR MORE BUILDING CODES, OR ADOPTS AND ENFORCES ONE OR MORE
25 BUILDING CODES AFTER JULY 1, 2022, shall adopt and enforce an energy
26 code that applies to the construction of, and MAJOR renovations and
27 additions to, all commercial and residential buildings AS REQUIRED BY

1 THE ENERGY CODE in the municipality to which the building code applies.

2 (3.5) (a) THE GOVERNING BODY OF A MUNICIPALITY THAT HAS
3 ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, AND THAT
4 UPDATES ONE OR MORE BUILDING CODES ON OR AFTER JULY 1, 2023, AND
5 BEFORE JULY 1, 2026, SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT
6 ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021
7 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC
8 READY AND SOLAR READY CODE LANGUAGE IDENTIFIED FOR ADOPTION BY
9 THE ENERGY CODE ADVISORY BOARD PURSUANT TO SECTION 24-38.5-113
10 (5)(b), AT THE SAME TIME OTHER BUILDING CODES ARE UPDATED.

11 (b) THE GOVERNING BODY OF A MUNICIPALITY THAT HAS ADOPTED
12 AND ENFORCED ONE OR MORE BUILDING CODES, AND THAT UPDATES ONE
13 OR MORE BUILDING CODES ON OR AFTER JULY 1, 2026, SHALL ADOPT AND
14 BEGIN ENFORCING AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR
15 BETTER ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL
16 LOW ENERGY AND CARBON CODE IDENTIFIED FOR ADOPTION BY THE
17 ENERGY CODE ADVISORY BOARD PURSUANT TO SECTION 24-38.5-113
18 (5)(c), AT THE SAME TIME OTHER BUILDING CODES ARE UPDATED.

19 (c) WHEN ADOPTING OR UPDATING A BUILDING CODE PRIOR TO
20 JULY 1, 2023, THE GOVERNING BODY OF A MUNICIPALITY SHALL ADOPT
21 AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER
22 ENERGY PERFORMANCE THAN ONE OF THE THREE MOST RECENT EDITIONS
23 OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

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

27 (5) The following buildings are exempt from subsections (3),

1 (3.5), and (4) of this section:

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

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

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

13 (9) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC
14 UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY
15 EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE
16 GOVERNING BODY OF ANY MUNICIPALITY OR ANY BUILDERS IN COMPLYING
17 WITH THE REQUIREMENTS OF THIS SECTION.

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

24 (b) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES
25 COMMISSION SHALL NOT COUNT ENERGY SAVINGS OR GREENHOUSE GAS
26 EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS
27 SECTION FOR THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE

1 ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104
2 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL INVESTMENT FOR CODE
3 ADOPTION AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

4 **SECTION 12.** In Colorado Revised Statutes, **repeal** article 7 of
5 title 6.

6 **SECTION 13.** In Colorado Revised Statutes, 24-34-104, **add**
7 (28)(a)(VII) as follows:

8 **24-34-104. General assembly review of regulatory agencies**
9 **and functions for repeal, continuation, or reestablishment - legislative**
10 **declaration - repeal.** (28) (a) The following agencies, functions, or both,
11 are scheduled for repeal on September 1, 2027:

12 (VII) THE ENERGY CODE ADVISORY BOARD CREATED PURSUANT TO
13 SECTION 24-38.5-113 (5);

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