

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

REDRAFT  
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Double underlining  
denotes changes from  
prior draft

DRAFT

LLS NO. 22-0058.01 Pierce Lively x2059

HOUSE BILL

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HOUSE SPONSORSHIP

**Bernett,**

SENATE SPONSORSHIP

**(None),**

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**BILL TOPIC: "Model Energy Code Adoption"**

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**A BILL FOR AN ACT**

101      **CONCERNING MODEL ENERGY CODES, AND, IN CONNECTION**  
102           **THEREWITH, REQUIRING THE COLORADO ENERGY OFFICE TO**  
103           **PROMULGATE THREE MODEL CODES, REQUIRING LOCAL**  
104           **GOVERNMENTS AND CERTAIN STATE AGENCIES TO ADOPT CODES**  
105           **THAT ARE CONSISTENT WITH TWO OF THE MODEL CODES, AND**  
106           **AUTHORIZING LOCAL GOVERNMENTS AND CERTAIN STATE**  
107           **AGENCIES TO ADOPT CODES THAT ARE CONSISTENT WITH THE**  
108           **THIRD MODEL CODE.**

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**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*

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

<http://leg.colorado.gov>.)

The bill requires the Colorado energy office (office) to issue 3 sets of model code language:

- Model electric and solar ready code language;
- Near zero carbon code language; and
- Model green code language.

On or before January 1, 2025, municipalities, counties, the office of the state architect, and the division of housing 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 issued by the office.

On or before January 1, 2030, municipalities, counties, the office of the state architect, and the division of housing shall adopt and enforce an energy code that achieves equivalent or better carbon emissions performance than the near zero carbon code issued by the office.

At any time, municipalities, counties, the office of the state architect, and the division of housing may adopt a code consistent with the model green code issued by the office.

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

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

5 **30-28-211. Energy efficient building codes - legislative**  
6 **declaration - definitions.** (1) The general assembly hereby finds and  
7 declares that there is statewide interest in requiring an effective energy  
8 efficient building code for the following reasons:

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

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

13 (b) "Energy code" means ~~at a minimum, one of the three most~~  
14 ~~recent versions of the international energy conservation code published~~

1 ~~by the international code council~~ A SUBSET OF BUILDING CODES RELATED  
2 TO THE TOTAL ENERGY PERFORMANCE AND CARBON EMISSIONS OF  
3 RESIDENTIAL AND COMMERCIAL BUILDINGS THAT APPLY TO ALL NEW  
4 CONSTRUCTION, RENOVATIONS, AND ADDITIONS FOR WHICH THE BUILDING  
5 CODE APPLIES OTHER THAN THE REPLACEMENT OF HEATING SYSTEMS IN  
6 EXISTING BUILDINGS.

7 (b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE  
8 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.

9 (3) Every board of county commissioners ~~when adopting or~~  
10 ~~updating a building code pursuant to section 30-28-201~~ shall adopt and  
11 enforce an energy code that applies to:

12 (a) The construction of, and renovations and additions to, all  
13 commercial and residential buildings in the county to which the building  
14 code applies; AND

15 (b) ANY COMMERCIAL OR RESIDENTIAL BUILDING IN THE COUNTY  
16 FOR WHICH A BUILDING PERMIT APPLICATION IS RECEIVED SUBSEQUENT TO  
17 THE DATE THE ENERGY CODE BECOMES EFFECTIVE.

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 ISSUED BY THE OFFICE PURSUANT TO  
24 SECTION 24-38.5-113 (2); AND

25 (II) ON OR BEFORE JANUARY 1, 2030, AN ENERGY CODE THAT  
26 ACHIEVES EQUIVALENT OR BETTER CARBON EMISSIONS PERFORMANCE  
27 THAN THE NEAR ZERO CARBON CODE LANGUAGE ISSUED BY THE OFFICE

1 PURSUANT TO SECTION 24-38.5-113 (3).

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

9 (c) IN ADDITION TO THE ENERGY CODES DESCRIBED IN SUBSECTION  
10 (3.5)(a) OF THIS SECTION, A BOARD OF COUNTY COMMISSIONERS MAY  
11 ADOPT A MODEL GREEN CODE BASED ON LANGUAGE ISSUED BY THE OFFICE  
12 PURSUANT TO SECTION 24-38.5-113 (4). THIS MODEL GREEN CODE MAY  
13 EITHER BE A MANDATORY REQUIREMENT FOR BUILDERS OR A VOLUNTARY  
14 OPTION.

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

18 (5) The following buildings are exempt from subsections (3) ~~and~~  
19 ~~(4)~~ AND (3.5) of this section:

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

23 (a) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM  
24 SERVICES TO HELP THE BOARD OF COUNTY COMMISSIONERS OF ANY  
25 COUNTY OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION;  
26 OR

27 (b) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS

1 TOWARDS ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE  
2 GAS EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES OR OTHER  
3 ENERGY EFFICIENCY PROGRAM SERVICES PROVIDED BY THE UTILITY TO  
4 HELP THE BOARD OF COUNTY COMMISSIONERS OF ANY COUNTY OR  
5 BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

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

9 **31-15-602. Energy efficient building codes - legislative**  
10 **declaration - definitions.** (1) The general assembly hereby finds and  
11 declares that there is statewide interest in requiring an effective energy  
12 efficient building code for the following reasons:

13 (i) HIGHLY ENERGY EFFICIENT AND LOW-CARBON NEW BUILDINGS  
14 ARE CRITICAL FOR MEETING THE GREENHOUSE GAS POLLUTION REDUCTION  
15 TARGETS ESTABLISHED IN SECTION 25-7-102 (2)(g).

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

17 (b) "Energy code" means ~~at a minimum, one of the three most~~  
18 ~~recent versions of the international energy conservation code published~~  
19 ~~by the international code council~~ A SUBSET OF BUILDING CODES RELATED  
20 TO THE TOTAL ENERGY PERFORMANCE AND CARBON EMISSIONS OF  
21 RESIDENTIAL AND COMMERCIAL BUILDINGS THAT APPLY TO ALL NEW  
22 CONSTRUCTION, RENOVATIONS, AND ADDITIONS FOR WHICH THE BUILDING  
23 CODE APPLIES OTHER THAN THE REPLACEMENT OF HEATING SYSTEMS IN  
24 EXISTING BUILDINGS.

25 (b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE  
26 ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.

27 (3) The governing body of any municipality ~~when adopting or~~

1 ~~updating any other building codes~~ shall adopt and enforce an energy code  
2 that applies to:

3 (a) The construction of, and renovations and additions to, all  
4 commercial and residential buildings in the municipality to which the  
5 building code applies; AND

6 (b) ANY COMMERCIAL OR RESIDENTIAL BUILDING IN THE  
7 MUNICIPALITY FOR WHICH A BUILDING PERMIT APPLICATION IS RECEIVED  
8 SUBSEQUENT TO THE DATE THE ENERGY CODE BECOMES EFFECTIVE.

9 (3.5) (a) A GOVERNING BODY OF A MUNICIPALITY SHALL ADOPT  
10 AND ENFORCE THE FOLLOWING ENERGY CODES:

11 (I) ON OR BEFORE JANUARY 1, 2025, AN ENERGY CODE THAT  
12 ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021  
13 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC  
14 AND SOLAR READY CODE LANGUAGE ISSUED BY THE OFFICE PURSUANT TO  
15 SECTION 24-38.5-113 (2); AND

16 (II) ON OR BEFORE JANUARY 1, 2030, AN ENERGY CODE THAT  
17 ACHIEVES EQUIVALENT OR BETTER CARBON EMISSIONS PERFORMANCE  
18 THAN THE NEAR ZERO CARBON CODE LANGUAGE ISSUED BY THE OFFICE  
19 PURSUANT TO SECTION 24-38.5-113 (3).

20 (b) UNTIL A GOVERNING BOARD OF A MUNICIPALITY ADOPTS AND  
21 ENFORCES AN ENERGY CODE PURSUANT TO SUBSECTION (3.5)(a) OF THIS  
22 SECTION, WHEN ADOPTING OR UPDATING A BUILDING CODE PURSUANT TO  
23 SECTION 30-28-201, A GOVERNING BOARD OF A MUNICIPALITY SHALL  
24 ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR  
25 BETTER ENERGY PERFORMANCE THAN ONE OF THE THREE MOST RECENT  
26 EDITIONS OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

27 (c) IN ADDITION TO THE ENERGY CODES DESCRIBED IN SUBSECTION

1 (3.5)(a) OF THIS SECTION, A GOVERNING BOARD OF A MUNICIPALITY MAY  
2 ADOPT A MODEL GREEN CODE BASED ON LANGUAGE ISSUED BY THE OFFICE  
3 PURSUANT TO SECTION 24-38.5-113 (4). THIS MODEL GREEN CODE MAY  
4 EITHER BE A MANDATORY REQUIREMENT FOR BUILDERS OR A VOLUNTARY  
5 OPTION.

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

9 (5) The following buildings are exempt from subsections (3),  
10 (3.5), and (4) of this section:

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

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

17 (b) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS  
18 TOWARDS ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE  
19 GAS EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES OR OTHER  
20 ENERGY EFFICIENCY PROGRAM SERVICES PROVIDED BY THE UTILITY TO  
21 HELP THE GOVERNING BODY OF ANY MUNICIPALITY OR BUILDERS COMPLY  
22 WITH THE REQUIREMENTS OF THIS SECTION.

23 **SECTION 3.** In Colorado Revised Statutes, 24-30-1303, **add**  
24 (1)(ff) as follows:

25 **24-30-1303. Office of the state architect - responsibilities.**

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

27 (ff) (I) (A) ON OR BEFORE JANUARY 1, 2025, ADOPT AND ENFORCE

1 AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY  
2 PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY CONSERVATION  
3 CODE AND THE MODEL ELECTRIC AND SOLAR READY CODE LANGUAGE  
4 ISSUED BY THE COLORADO ENERGY OFFICE PURSUANT TO SECTION  
5 24-38.5-113 (2). THIS ENERGY CODE MUST APPLY TO ALL CONSTRUCTION  
6 BY STATE AGENCIES, OTHER THAN THE REPLACEMENT OF HEATING  
7 SYSTEMS IN EXISTING BUILDINGS, ON STATE-OWNED PROPERTIES OR  
8 FACILITIES OR PROPERTIES OR FACILITIES THAT ARE LEASED BY THE STATE  
9 UNDER A FINANCED PURCHASE OF AN ASSET OR CERTIFICATE OF  
10 PARTICIPATION AGREEMENT .

11 (B) ON OR BEFORE JANUARY 1, 2030, ADOPT AND ENFORCE AN  
12 ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER CARBON  
13 EMISSIONS PERFORMANCE THAN THE NEAR ZERO CARBON CODE LANGUAGE  
14 ISSUED BY THE COLORADO ENERGY OFFICE PURSUANT TO SECTION  
15 24-38.5-113 (3). THIS ENERGY CODE MUST APPLY TO ALL CONSTRUCTION  
16 BY STATE AGENCIES, OTHER THAN THE REPLACEMENT OF HEATING  
17 SYSTEMS IN EXISTING BUILDINGS, ON STATE-OWNED PROPERTIES OR  
18 FACILITIES OR PROPERTIES OR FACILITIES THAT ARE LEASED BY THE STATE  
19 UNDER A FINANCED PURCHASE OF AN ASSET OR CERTIFICATE OF  
20 PARTICIPATION AGREEMENT.

21 (II) IF IT SO CHOOSES AND AT ANY TIME, IN ADDITION TO THE  
22 ENERGY CODES DESCRIBED IN SUBSECTION (1)(ff)(I) OF THIS SECTION,  
23 ADOPT A MODEL GREEN CODE BASED ON LANGUAGE ISSUED BY THE  
24 COLORADO ENERGY OFFICE PURSUANT TO SECTION 24-38.5-113 (4). THIS  
25 ENERGY CODE MAY EITHER BE A MANDATORY REQUIREMENT FOR  
26 BUILDERS OR A VOLUNTARY OPTION.

27 (III) NOTWITHSTANDING ANY OTHER PROVISION OF THIS

1 SUBSECTION (1)(ff), THE OFFICE OF THE STATE ARCHITECT MAY MAKE ANY  
2 AMENDMENTS TO AN ENERGY CODE THAT THE OFFICE OF THE STATE  
3 ARCHITECT DEEMS APPROPRIATE, SO LONG AS THE AMENDMENTS DO NOT  
4 DECREASE THE EFFECTIVENESS OR ENERGY EFFICIENCY OF THE ENERGY  
5 CODE.

6 (IV) NOTHING IN THIS SUBSECTION (1)(ff) RESTRICTS THE ABILITY  
7 OF AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC  
8 UTILITIES COMMISSION TO:

9 (A) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM  
10 SERVICES TO HELP THE OFFICE OF THE STATE ARCHITECT OR BUILDERS  
11 COMPLY WITH THE REQUIREMENTS OF THIS SECTION; OR

12 (B) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD  
13 ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS  
14 EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES OR OTHER  
15 ENERGY EFFICIENCY PROGRAM SERVICES PROVIDED BY THE UTILITY TO  
16 HELP THE OFFICE OF THE STATE ARCHITECT OR BUILDERS COMPLY WITH  
17 THE REQUIREMENTS OF THIS SECTION.

18 **SECTION 4.** In Colorado Revised Statutes, 24-32-3305, **amend**  
19 **(3); and add (3.5) as follows:**

20 **24-32-3305. Rules - advisory committee - energy code -**  
21 **enforcement.** (3) EXCEPT WHEN ADOPTING AN ENERGY CODE PURSUANT  
22 TO SUBSECTION (3.5) OF THIS SECTION, the board must consult with and  
23 obtain the advice of an advisory committee on residential and  
24 nonresidential structures in the drafting and promulgation of rules. The  
25 committee consists of twelve members appointed by the division from the  
26 following professional and technical disciplines: One from architecture,  
27 one from structural engineering, three from building code enforcement,

1 one from mechanical engineering or contracting, one from electrical  
2 engineering or contracting, one from the plumbing industry, one from the  
3 construction design or producer industry, two from manufactured  
4 housing, and one from organized labor. Committee members shall be  
5 reimbursed for actual and necessary expenses incurred while engaged in  
6 official duties.

7 (3.5) (a) (I) ON OR BEFORE JANUARY 1, 2025, THE DIVISION SHALL  
8 ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR  
9 BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY  
10 CONSERVATION CODE AND THE MODEL ELECTRIC AND SOLAR READY CODE  
11 LANGUAGE ISSUED BY THE COLORADO ENERGY OFFICE PURSUANT TO  
12 SECTION 24-38.5-113 (2). THIS ENERGY CODE MUST APPLY TO  
13 FACTORY-BUILT STRUCTURES; MANUFACTURED HOMES; AND HOTELS,  
14 MOTELS, AND MULTI-FAMILY STRUCTURES IN AREAS OF THE STATE WHERE  
15 NO CONSTRUCTION STANDARDS FOR HOTELS, MOTELS, AND MULTI-FAMILY  
16 STRUCTURES EXIST, BUT MUST NOT APPLY TO THE REPLACEMENT OF  
17 HEATING SYSTEMS IN EXISTING BUILDINGS.

18 (II) ON OR BEFORE JANUARY 1, 2030, THE DIVISION SHALL ADOPT  
19 AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER CARBON  
20 EMISSIONS PERFORMANCE THAN THE NEAR ZERO CARBON CODE LANGUAGE  
21 ISSUED BY THE COLORADO ENERGY OFFICE PURSUANT TO SECTION  
22 24-38.5-113 (3). THIS ENERGY CODE MUST APPLY TO FACTORY-BUILT  
23 STRUCTURES; MANUFACTURED HOMES; AND HOTELS, MOTELS, AND  
24 MULTI-FAMILY STRUCTURES IN AREAS OF THE STATE WHERE NO  
25 CONSTRUCTION STANDARDS FOR HOTELS, MOTELS, AND MULTI-FAMILY  
26 STRUCTURES EXIST, BUT MUST NOT APPLY TO THE REPLACEMENT OF  
27 HEATING SYSTEMS IN EXISTING BUILDINGS.

1 (b) IN ADDITION TO THE ENERGY CODES DESCRIBED IN SUBSECTION  
2 (1)(a) OF THIS SECTION, AT ANY TIME, THE DIVISION MAY ADOPT THE  
3 MODEL GREEN CODE LANGUAGE ISSUED BY THE COLORADO ENERGY  
4 OFFICE PURSUANT TO SECTION 24-38.5-113 (4). THIS GREEN CODE MAY  
5 EITHER BE A MANDATORY REQUIREMENT FOR BUILDERS OR A VOLUNTARY  
6 OPTION.

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

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

15 (I) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM  
16 SERVICES TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE  
17 REQUIREMENTS OF THIS SECTION; OR

18 (II) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD  
19 ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS  
20 EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES OR OTHER  
21 ENERGY EFFICIENCY PROGRAM SERVICES PROVIDED BY THE UTILITY TO  
22 HELP THE DIVISION OR BUILDERS COMPLY WITH THE REQUIREMENTS OF  
23 THIS SECTION.

24 **SECTION 5.** In Colorado Revised Statutes, **add** 24-38.5-113 as  
25 follows:

26 **24-38.5-113. Model energy codes - definitions.** (1) AS USED IN  
27 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1           (a) "ELECTRIC VEHICLE CAPABLE" MEANS A DEDICATED PARKING  
2 SPACE THAT HAS THE ELECTRICAL PANEL CAPACITY AND CONDUIT  
3 INSTALLED DURING CONSTRUCTION TO ENABLE THE FUTURE INSTALLATION  
4 OF ELECTRIC VEHICLE CHARGING WITH TWO HUNDRED FORTY-VOLT OR  
5 GREATER AND FORTY-AMPERE OR GREATER CIRCUITS.

6           (b) "ELECTRIC VEHICLE READY" MEANS A DEDICATED PARKING  
7 SPACE THAT HAS ALL THE REQUIRED ELECTRICAL HARDWARE INSTALLED  
8 DURING CONSTRUCTION TO INCLUDE FULL CIRCUIT INSTALLATIONS OF TWO  
9 HUNDRED FORTY-VOLT OR GREATER AND FORTY-AMPERE OR GREATER  
10 PANEL CAPACITY, RACEWAY WIRING, AND RECEPTACLE AND CIRCUIT  
11 OVERPROTECTION DEVICES TO ENABLE THE FUTURE INSTALLATION OF  
12 ELECTRIC VEHICLE CHARGING EQUIPMENT.

13           (c) "ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLED" MEANS A  
14 DEDICATED PARKING SPACE THAT HAS CONDUCTORS, INCLUDING THE  
15 UNGROUNDED, GROUNDED, AND EQUIPMENT GROUNDING CONDUCTORS,  
16 AND ELECTRIC VEHICLE CONNECTORS, ATTACHMENT PLUGS, AND ALL  
17 OTHER FITTINGS, DEVICES, POWER OUTLETS, OR APPARATUS INSTALLED  
18 SPECIFICALLY FOR THE PURPOSE OF TRANSFERRING ENERGY BETWEEN THE  
19 PREMISES WIRING AND AN ELECTRIC VEHICLE.

20           (d) "MIXED FUEL USE BUILDING" MEANS A RESIDENTIAL OR  
21 COMMERCIAL BUILDING THAT IS DESIGNED AND BUILT WITH EQUIPMENT  
22 THAT USES FOSSIL GAS OR ANOTHER TYPE OF FOSSIL FUEL ON SITE IN  
23 ADDITION TO ELECTRICITY.

24           (e) "NEAR ZERO CARBON CODE" MEANS AN ENERGY CODE IN  
25 WHICH THE AMOUNT OF DIRECT AND INDIRECT CARBON EMISSIONS  
26 ASSOCIATED WITH A BUILDING'S ENERGY CONSUMPTION IS AT LEAST  
27 EIGHTY PERCENT LESS THAN THAT OF A TYPICAL BUILDING OF SIMILAR SIZE

1 AND USE CONSTRUCTED IN THE STATE IN 2015 THAT IS COMPLIANT WITH  
2 THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE.

3 (f) "PROVISIONS FOR ELECTRICAL SERVICE CAPACITY" MEANS:

4 (I) BUILDING ELECTRICAL SERVICE, SIZED FOR THE ANTICIPATED  
5 LOAD OF ELECTRIC VEHICLE CHARGING STATIONS, THAT HAS OVER  
6 CURRENT PROTECTION DEVICES NECESSARY FOR ELECTRIC VEHICLE  
7 CHARGING STATIONS OR HAS ADEQUATE SPACE TO ADD OVER CURRENT  
8 PROTECTION DEVICES;

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

16 (III) SPACE WITHIN A BUILDING TO ADD ADDITIONAL BUILDING  
17 ELECTRICAL SERVICE FOR INSTALLATION OF ELECTRICAL SERVICE  
18 CAPACITY FOR ELECTRIC VEHICLE CHARGING STATIONS.

19 (g) "STATE AGENCIES" MEANS THE OFFICE OF THE STATE AUDITOR  
20 AND THE DIVISION OF HOUSING.

21 (2) (a) BEFORE JULY 1, 2023, THE COLORADO ENERGY OFFICE  
22 SHALL ISSUE ELECTRIC AND SOLAR READY CODE LANGUAGE.

23 (b) THE MODEL ELECTRIC AND SOLAR READY CODE LANGUAGE  
24 ISSUED BY THE COLORADO ENERGY OFFICE MUST INCLUDE THE FOLLOWING  
25 PROVISIONS FOR NEW RESIDENTIAL OR COMMERCIAL BUILDINGS SUBJECT  
26 TO THE CODE:

27 (I) SOLAR READY REQUIREMENTS THAT PRESCRIBE THE

1 STRUCTURAL DESIGN FOR ROOF LOAD AND CONDUIT ROUTING TO AN  
2 ELECTRICAL SERVICE PANEL;

3 (II) ELECTRIC VEHICLE READY, ELECTRIC VEHICLE CAPABLE, AND  
4 ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLED REQUIREMENTS FOR  
5 RESIDENTIAL BUILDINGS;

6 (III) ELECTRIC VEHICLE READY, ELECTRIC VEHICLE CAPABLE, AND  
7 ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLED REQUIREMENTS FOR  
8 MULTIFAMILY AND COMMERCIAL BUILDINGS WITH PROVISIONS FOR  
9 ELECTRICAL SERVICE CAPACITY IN TWENTY PERCENT OR MORE OF THE  
10 VEHICLE PARKING SPACES IN THE GARAGE OR PARKING AREA;

11 (IV) REQUIREMENTS THAT NEW RESIDENTIAL OR COMMERCIAL  
12 BUILDINGS BE CONSTRUCTED AS HIGHLY EFFICIENT ALL-ELECTRIC  
13 BUILDINGS OR HIGHLY EFFICIENT MIXED FUEL USE BUILDINGS; AND

14 (V) REQUIREMENTS THAT MIXED FUEL USE BUILDINGS PROVIDE  
15 DEDICATED ELECTRIC PANEL SPACE, ELECTRICAL WIRE, ELECTRICAL  
16 RECEPTACLES, AND ADEQUATE PANEL CAPACITY FOR THE FUTURE  
17 INSTALLATION OF ENERGY EFFICIENT ELECTRIC SPACE HEATING AND  
18 COOLING, WATER HEATING, COOKING, AND CLOTHES DRYING EQUIPMENT.

19 (3) (a) ON OR BEFORE JANUARY 1, 2025, THE COLORADO ENERGY  
20 OFFICE SHALL ISSUE A MODEL NEAR ZERO CARBON CODE. THE COLORADO  
21 ENERGY OFFICE SHALL CONSULT WITH LOCAL GOVERNMENTS, BUILDERS,  
22 AND OTHER STAKEHOLDERS AS IT DEVELOPS THE MODEL NEAR ZERO  
23 CARBON CODE AND SHALL ISSUE A DRAFT MODEL NEAR ZERO CARBON  
24 CODE FOR PUBLIC COMMENT BEFORE ISSUING A FINAL MODEL NEAR ZERO  
25 CARBON CODE.

26 (b) THE NEAR ZERO CARBON CODE ISSUED BY THE COLORADO  
27 ENERGY OFFICE MUST:

1 (I) PROVIDE PATHWAYS FOR ALL-ELECTRIC AND MIXED FUEL USE  
2 RESIDENTIAL AND COMMERCIAL BUILDINGS TO COMPLY WITH;

3 (II) REQUIRE MIXED FUEL USE BUILDINGS TO ACHIEVE EQUIVALENT  
4 CARBON EMISSIONS TO EFFICIENT ALL-ELECTRIC BUILDINGS;

5 (III) INCLUDE PATHWAYS TO ALLOW ONSITE AND OFFSITE  
6 RENEWABLE ENERGY GENERATION OR HIGHER LEVELS OF ENERGY  
7 EFFICIENCY IN MIXED FUEL USE BUILDINGS TO ACHIEVE CARBON EMISSIONS  
8 PERFORMANCE EQUIVALENT TO THAT OF ALL-ELECTRIC BUILDINGS;

9 (IV) ALLOW THE REPLACEMENT OF NATURAL GAS OR PROPANE  
10 SPACE HEATING SYSTEMS IN EXISTING BUILDINGS, AT THE END OF THOSE  
11 SYSTEMS' LIFETIMES, WITH THE MOST EFFICIENT NATURAL GAS OR  
12 PROPANE HEATING SYSTEMS AVAILABLE IN THE MARKETPLACE WITHOUT  
13 ACHIEVING CARBON EMISSIONS EQUIVALENT TO THAT OF HIGH-EFFICIENCY  
14 ELECTRIC SPACE HEATING SYSTEMS;

15 (V) TAKE INTO ACCOUNT THE CARBON DIOXIDE EMISSIONS  
16 INTENSITY OF THE GAS SUPPLIED TO A MIXED FUEL USE HOME OR  
17 COMMERCIAL BUILDING, IF THE OWNER OF THE BUILDING PURCHASES GAS  
18 FROM A GAS UTILITY;

19 (VI) INCLUDE ADJUSTMENTS IN CODE REQUIREMENTS BY CLIMATE  
20 ZONE;

21 (VII) INCLUDE ADJUSTMENTS IN CODE REQUIREMENTS BASED ON  
22 THE SQUARE FOOTAGE OF NEW RESIDENTIAL BUILDINGS;

23 (VIII) TAKE INTO ACCOUNT HOME AFFORDABILITY IN  
24 ESTABLISHING THE CODE REQUIREMENTS;

25 (IX) INCLUDE BOTH PRESCRIPTIVE AND PERFORMANCE PATHS IN  
26 THE NEAR ZERO CARBON CODE REQUIREMENTS FOR ALL-ELECTRIC AND  
27 MIXED FUEL USE RESIDENTIAL AND COMMERCIAL BUILDINGS; AND

1 (X) ALLOW MUNICIPALITIES TO COMPLY WITH THE NEAR ZERO  
2 ENERGY AND CARBON CODE REQUIREMENTS BY EITHER ADOPTING THEIR  
3 OWN CODES OR OPTING INTO COMPLIANT CODES THAT HAVE BEEN  
4 ADOPTED AT THEIR COUNTY LEVEL.

5 (4) BEFORE JULY 1, 2024, THE COLORADO ENERGY OFFICE SHALL  
6 ISSUE MODEL GREEN CODE LANGUAGE THAT LOCAL GOVERNMENTS AND  
7 STATE AGENCIES MAY ADOPT AT LEAST IN PART TO SATISFY SECTIONS  
8 24-30-1303 (1)(ff)(II), 24-32-3305 (3.5)(b), 30-28-211 (3.5)(c), AND  
9 31-15-602 (3.5)(c).

10 (5) ENERGY AND NEAR ZERO CARBON CODE LANGUAGE ISSUED BY  
11 THE COLORADO ENERGY OFFICE PURSUANT TO THIS SECTION OR ADOPTED  
12 BY LOCAL GOVERNMENTS MUST NOT PROHIBIT THE USE OF A REFRIGERANT  
13 LISTED AS ACCEPTABLE UNDER SECTION 761k OF THE FEDERAL "CLEAN  
14 AIR ACT" IF THE EQUIPMENT IS LISTED AND INSTALLED PURSUANT TO THE  
15 USE CONDITIONS IMPOSED WITHIN SECTION 761k OF THE FEDERAL "CLEAN  
16 AIR ACT".

17 (6) THE COLORADO ENERGY OFFICE SHALL PROVIDE ENERGY CODE  
18 TRAINING TO ASSIST LOCAL GOVERNMENTS, BUILDERS, AND CONTRACTORS  
19 IN ADOPTING AND IMPLEMENTING THE ENERGY AND NEAR ZERO CARBON  
20 CODES DESCRIBED IN THIS SECTION. IF THE COLORADO ENERGY OFFICE IS  
21 ABLE TO OBTAIN FUNDING, THE COLORADO ENERGY OFFICE SHALL ALSO  
22 PROVIDE FINANCIAL ASSISTANCE THROUGH AN APPLICATION PROCESS TO  
23 SUPPORT THE ADOPTION BY LOCAL GOVERNMENTS OF THE ENERGY AND  
24 NEAR ZERO CARBON CODES DESCRIBED IN THIS SECTION.

25 **SECTION 6. Act subject to petition - effective date.** This act  
26 takes effect at 12:01 a.m. on the day following the expiration of the  
27 ninety-day period after final adjournment of the general assembly; except

1 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
2 of the state constitution against this act or an item, section, or part of this  
3 act within such period, then the act, item, section, or part will not take  
4 effect unless approved by the people at the general election to be held in  
5 November 2022 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.