

**Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 08-0783.01 Thomas Morris

SENATE BILL 08-147

SENATE SPONSORSHIP

Gordon,

HOUSE SPONSORSHIP

Hodge, and Weissmann

Senate Committees
Local Government

House Committees
Transportation & Energy

A BILL FOR AN ACT

101 **CONCERNING INCREASED ENERGY EFFICIENCY IN STATE-ASSISTED**
102 **FACILITIES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Repeals exemptions for low-income housing and facilities constructed with mineral impact revenues from the requirement that state-assisted facilities be designed, constructed, and renovated pursuant to a high performance standard certification program. Authorizes the department of personnel to rely on any national or locally appropriate fuel escalating methodology approved by the department in performing life-cycle cost analyses.

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

HOUSE
3rd Reading Unam ended
April 9, 2008

HOUSE
Am ended 2nd Reading
April 8, 2008

SENATE
3rd Reading Unam ended
February 26, 2008

SENATE
2nd Reading Unam ended
February 25, 2008

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

2 **SECTION 1.** 24-30-1301 (13) (b) (II) and (13) (b) (III), Colorado
3 Revised Statutes, are amended to read:

4 **24-30-1301. Definitions.** As used in this part 13, unless the
5 context otherwise requires:

6 (13) "State-assisted facility" means a facility constructed, or a
7 major facility constructed or renovated, in whole or in part, with state
8 funds or with funds guaranteed or insured by a state agency; except that,
9 for purposes of section 24-30-1305 (9):

10 (b) "State-assisted facility" does not include:

11 ~~(II) A facility financed by the Colorado housing and finance~~
12 ~~authority pursuant to part 7 of article 4 of title 29, C.R.S., or the division~~
13 ~~of housing in the department of local affairs~~ PUBLICLY-ASSISTED HOUSING
14 PROJECT, AS THAT TERM IS DEFINED IN SECTION 24-32-718, C.R.S.; or

15 (III) ~~A facility the source of funding for which is section~~
16 ~~39-29-110 (1) (b), C.R.S.~~

17 **SECTION 2.** 24-30-1305 (3) (b), Colorado Revised Statutes, is
18 amended to read:

19 **24-30-1305. Life-cycle cost - application - high performance**
20 **standards - report.** (3) The life-cycle cost analysis performed for each
21 major facility shall provide but not be limited to the following
22 information:

23 (b) The estimated annual operating cost of all utility requirements,
24 including consideration of possible escalating costs of energy. THE
25 DEPARTMENT MAY RELY ON ANY NATIONAL OR LOCALLY APPROPRIATE
26 FUEL ESCALATING METHODOLOGY APPROVED BY THE DEPARTMENT IN

1 PERFORMING LIFE-CYCLE COST ANALYSES.

2 **SECTION 3.** 24-32-718, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **24-32-718. Publicly-assisted housing - notice of termination -**
5 **database - high energy performance building standard program.**

6 (4) THE BOARD, IN CONSULTATION WITH THE DIVISION, SHALL ADOPT AND
7 UPDATE FROM TIME TO TIME A NATIONALLY-RECOGNIZED HIGH ENERGY
8 PERFORMANCE BUILDING STANDARD PROGRAM FOR PUBLICLY-ASSISTED
9 HOUSING PROJECTS. THE DIVISION SHALL PRESENT A REPORT ON THE
10 PROGRAM ANNUALLY TO THE GENERAL ASSEMBLY FOR COMMENT AND
11 REVIEW. THE STANDARD SHALL APPLY TO ALL NEW APPLICATIONS FOR
12 PUBLICLY-ASSISTED HOUSING PROJECTS MADE TO THE DIVISION ON OR
13 AFTER JANUARY 1, 2009; EXCEPT THAT THE EXECUTIVE DIRECTOR OF THE
14 DEPARTMENT OF LOCAL AFFAIRS MAY EXEMPT A PARTICULAR
15 PUBLICLY-ASSISTED HOUSING PROJECT FROM COMPLIANCE WITH THE
16 STANDARD UPON A DETERMINATION BY THE EXECUTIVE DIRECTOR THAT
17 EXTENUATING CIRCUMSTANCES EXIST SUCH AS TO PRECLUDE THE
18 IMPLEMENTATION OF THIS SUBSECTION (4).

19 **SECTION 4. Effective date - applicability.** (1) This act shall
20 take effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly that is
22 allowed for submitting a referendum petition pursuant to article V,
23 section 1 (3) of the state constitution, (August 6, 2008, if adjournment
24 sine die is on May 7, 2008); except that, if a referendum petition is filed
25 against this act or an item, section, or part of this act within such period,
26 then the act, item, section, or part, if approved by the people, shall take
27 effect on the date of the official declaration of the vote thereon by

- 1 proclamation of the governor.
- 2 (2) The provisions of this act shall apply to life-cycle cost analyses
- 3 performed on or after the applicable effective date of this act.