

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

**REVISED**

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

LLS NO. 08-0783.01 Thomas Morris

**SENATE BILL 08-147**

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**SENATE SPONSORSHIP**

**Gordon,**

**HOUSE SPONSORSHIP**

**Hodge,** and Weissmann

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**Senate Committees**  
Local Government

**House Committees**  
Transportation & Energy

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**A BILL FOR AN ACT**

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

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**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  
Am ended 2nd Reading  
April 8, 2008

SENATE  
3rd Reading Unam ended  
February 26, 2008

SENATE  
2nd Reading Unam ended  
February 25, 2008

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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.