

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0443.01 Esther van Mourik x4215

HOUSE BILL 12-1166

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HOUSE SPONSORSHIP

Jones,

SENATE SPONSORSHIP

Bacon,

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House Committees  
Transportation

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING TRACKING THE UTILITY DATA OF A STATE-ASSISTED  
102 FACILITY THAT HAS ATTAINED HIGH PERFORMANCE AS PART OF  
103 ITS CAPITAL CONSTRUCTION PROJECT.

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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 <http://www.leg.state.co.us/billsummaries>.)*

The bill requires each state agency or department to use commercial utility tracking software to monitor, track, and verify utility vendor bill data pertaining to its state-assisted facilities and annually report to the office of the state architect any necessary information, as

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.*

determined by the state architect, that the state agency or department uses to ensure that the increased initial costs of the high performance standard certification are recouped. The annual report must also include information related to building performance based on the state-assisted facility's utility consumption. The bill also removes existing law that allows a state-assisted facility to be exempted from complying with the high performance standard requirements for extenuating circumstances that might exist.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and declares that:

4 (a) Part of addressing the budget challenges facing our state  
5 government includes employing measures to steward public resources in  
6 order to save money, water, and energy, and to ensure that those savings  
7 are attained;

8 (b) The daily activities of state government have a significant  
9 impact on the quality of the state's budget, public health, environment,  
10 and use of its natural resources. To achieve greening government goals  
11 and to measure progress toward those goals, further reductions in state  
12 agency consumption of water and energy are necessary, and to be  
13 effective, systematic collection of reduction data must be implemented.

14 (c) The evaluation, upgrading, and optimized operation of  
15 state-assisted facilities will expand opportunities for skilled jobs in  
16 construction trades, engineering, operations, sales, and innovative  
17 technologies;

18 (d) Investing in energy efficiency contributes to stable, long-term  
19 economic growth, encourages job creation, and enhances stewardship of  
20 natural resources;

21 (e) While previous legislation has required a state agency or

1 department to perform any substantial renovation, design, or new  
2 construction of a state-assisted facility to achieve the highest performance  
3 standard certification attainable, the state agencies and departments are  
4 not statutorily required to track the data needed to measure whether the  
5 certification is indeed attained; and

6 (f) In order to manage our state-assisted facilities to attain the  
7 highest performance standard possible, it is important to measure the  
8 resource usage of such facilities carefully and to evaluate whether the  
9 facilities are performing at an optimum level.

10 **SECTION 2.** In Colorado Revised Statutes, 24-30-1305, **amend**  
11 (9) (b); and **repeal** (9) (c) (IV) as follows:

12 **24-30-1305. Life-cycle cost - application - high performance**  
13 **standards - report.** (9) (b) (I) A state agency or department controlling  
14 the substantial renovation, design, or new construction of a state-assisted  
15 facility shall, pursuant to the program adopted in paragraph (a) of this  
16 subsection (9), perform the substantial renovation, design, or new  
17 construction to achieve the highest performance certification attainable  
18 as certified by an independent third party pursuant to the high  
19 performance standard certification program. For purposes of this  
20 paragraph (b), a certification is attainable if the increased initial costs of  
21 the substantial renovation, design, or new construction, including the time  
22 value of money, can be recouped from decreased operational costs within  
23 fifteen years.

24 (II) EACH STATE AGENCY OR DEPARTMENT SHALL USE  
25 COMMERCIAL UTILITY TRACKING SOFTWARE TO MONITOR, TRACK, AND  
26 VERIFY UTILITY VENDOR BILL DATA PERTAINING TO ITS STATE-ASSISTED  
27 FACILITIES AND SHALL ANNUALLY REPORT TO THE OFFICE OF THE STATE

1 ARCHITECT, OR AN ANALOGOUS SUCCESSOR OFFICE IN THE DEPARTMENT,  
2 ANY NECESSARY INFORMATION, AS DETERMINED BY THE STATE  
3 ARCHITECT, THAT THE STATE AGENCY OR DEPARTMENT USES TO ENSURE  
4 THAT THE INCREASED INITIAL COSTS ARE IN FACT RECOUPED. THE ANNUAL  
5 REPORT SHALL ALSO INCLUDE INFORMATION RELATED TO BUILDING  
6 PERFORMANCE BASED ON THE STATE-ASSISTED FACILITY'S UTILITY  
7 CONSUMPTION.

8 (c) (IV) ~~A state-assisted facility may be exempted from complying~~  
9 ~~with this section upon a determination by the executive director that~~  
10 ~~extenuating circumstances exist such as to preclude the implementation~~  
11 ~~of this subsection (9).~~

12 **SECTION 3. Safety clause.** The general assembly hereby finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, and safety.