

First Regular Session
Sixty-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 01-0884.03 Jason Gelender

SENATE BILL 01-230

SENATE SPONSORSHIP

Linkhart

HOUSE SPONSORSHIP

Stafford

Senate Committees

Health, Environment, Children & Families

House Committees

A BILL FOR AN ACT

101 **CONCERNING RESIDENTIAL ENERGY EFFICIENCY, AND, IN CONNECTION**
102 **THEREWITH, REQUIRING FEDERAL GRANT MONEYS FROM**
103 **SOURCES THAT CURRENTLY FUND THE LOW-INCOME ENERGY**
104 **ASSISTANCE PROGRAM TO BE APPROPRIATED TO THE OFFICE OF**
105 **THE GOVERNOR TO FUND PROGRAMS DESIGNED TO MAKE**
106 **RESIDENTIAL ENERGY EFFICIENCY IMPROVEMENTS MORE**
107 **AFFORDABLE FOR LOW-INCOME INDIVIDUALS AND PROVIDERS OF**
108 **LOW-INCOME HOUSING.**

Bill Summary

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

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.

For state fiscal years commencing on or after July 1, 2001, requires the general assembly to appropriate a specified percentage of federal grants received from the same federal sources that funded the low-income energy assistance program during the 2000-01 state fiscal year to the office of the governor unless the governor informs the joint budget committee that the governor would prefer that some lesser amount of such moneys be appropriated. Requires the state to obtain any federal waivers necessary to ensure that the federal grants may be appropriated in said manner.

Authorizes the governor to allocate federal grant moneys appropriated to the office of the governor for programs designed to make residential energy efficiency improvements more affordable for low-income individuals and providers of low-income housing. Specifies that said moneys may be allocated:

- To the governor's office of energy management and conservation so that the office may fund cost-effective household energy efficiency or weatherization upgrades to the residences of low-income, senior, and physically disabled Coloradans who are eligible to receive federal home energy assistance payments and provide grants that will help providers of eligible multi-unit housing facilities to make cost-effective energy efficiency or weatherization upgrades to such housing facilities;
- To the Colorado housing and finance authority to fund home improvement loans that will help low-income, senior, and physically disabled Coloradans who are eligible for federal home energy assistance to reduce the total energy requirements of their homes; and
- To provide any other form of low-income home energy assistance consistent with federal requirements for the use of the moneys.

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

2 **SECTION 1.** Part 1 of article 20 of title 24, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

4 **24-20-111. Allocation of moneys for residential energy**
5 **efficiency.** (1) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY
6 1, 2001, FEDERAL GRANT MONEYS SHALL BE APPROPRIATED TO THE OFFICE
7 OF THE GOVERNOR PURSUANT TO SECTION 26-2-122.5 (4), C.R.S., FOR

1 PROGRAMS DESIGNED TO MAKE RESIDENTIAL ENERGY EFFICIENCY
2 IMPROVEMENTS MORE AFFORDABLE FOR LOW-INCOME INDIVIDUALS AND
3 PROVIDERS OF LOW-INCOME HOUSING.

4 (2) IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION, THE
5 GOVERNOR MAY ALLOCATE FEDERAL GRANT MONEYS:

6 (a) TO THE GOVERNOR'S OFFICE OF ENERGY MANAGEMENT AND
7 CONSERVATION FOR USE BY THE OFFICE TO FUND:

8 (I) COST-EFFECTIVE HOUSEHOLD ENERGY EFFICIENCY OR
9 WEATHERIZATION UPGRADES TO THE RESIDENCES OF LOW-INCOME, SENIOR,
10 AND PHYSICALLY DISABLED COLORADANS WHO ARE ELIGIBLE TO RECEIVE
11 PAYMENTS FOR HOME ENERGY ASSISTANCE PURSUANT TO 42 U.S.C. SEC.
12 8624 (b) (2); AND

13 (II) GRANTS THAT WILL HELP PROVIDERS OF ELIGIBLE MULTI-UNIT
14 HOUSING FACILITIES TO MAKE COST-EFFECTIVE ENERGY EFFICIENCY OR
15 WEATHERIZATION UPGRADES TO SUCH HOUSING FACILITIES;

16 (b) TO THE COLORADO HOUSING AND FINANCE AUTHORITY FOR USE
17 BY THE AUTHORITY TO FUND HOME IMPROVEMENT LOANS PURSUANT TO
18 SECTION 29-4-713 (1) (b), C.R.S., THAT WILL HELP LOW-INCOME, SENIOR,
19 AND PHYSICALLY DISABLED COLORADANS WHO ARE ELIGIBLE TO RECEIVE
20 PAYMENTS FOR HOME ENERGY ASSISTANCE PURSUANT TO 42 U.S.C. SEC.
21 8624 (b) (2) TO REDUCE THE TOTAL ENERGY REQUIREMENTS OF THEIR
22 HOMES; AND

23 (c) TO PROVIDE ANY OTHER FORM OF LOW-INCOME HOME ENERGY
24 ASSISTANCE CONSISTENT WITH FEDERAL REQUIREMENTS FOR THE USE OF
25 SUCH FEDERAL GRANT MONEYS.

26 (3) FOR PURPOSES OF THIS SECTION, "ELIGIBLE MULTI-UNIT
27 HOUSING FACILITY" MEANS A HOUSING FACILITY OF FIVE RESIDENTIAL

1 UNITS OR MORE WITHIN WHICH AT LEAST FIFTY PERCENT OF THE UNITS ARE
2 OCCUPIED BY RESIDENTS WHO ARE ELIGIBLE TO RECEIVE PAYMENTS FOR
3 HOME ENERGY ASSISTANCE PURSUANT TO 42 U.S.C. SEC. 8624 (b) (2). THE
4 TERM INCLUDES, BUT IS NOT LIMITED TO, A NONPROFIT AFFORDABLE
5 HOUSING FACILITY, A PUBLIC HOUSING FACILITY, A NURSING HOME OR
6 ASSISTED LIVING FACILITY, OR A RESIDENTIAL RENTAL PROPERTY OWNED
7 BY A LANDLORD WHO PARTICIPATES IN THE HOUSING CHOICE VOUCHER
8 PROGRAM FUNDED BY THE UNITED STATES DEPARTMENT OF HOUSING AND
9 URBAN DEVELOPMENT AND ADMINISTERED BY LOCAL HOUSING
10 AUTHORITIES IN ACCORDANCE WITH 42 U.S.C. SEC. 1437f.

11 **SECTION 2.** 26-2-122.5, Colorado Revised Statutes, is amended
12 BY THE ADDITION OF A NEW SUBSECTION, to read:

13 **26-2-122.5. Acceptance of available moneys to finance the**
14 **low-income energy assistance program and residential energy**
15 **efficiency programs - rules.** (4) FOR ANY STATE FISCAL YEAR
16 COMMENCING ON OR AFTER JULY 1, 2001, THE GENERAL ASSEMBLY SHALL
17 APPROPRIATE TWENTY-FIVE PERCENT OF ALL FEDERAL GRANTS RECEIVED
18 FROM THE SAME FEDERAL SOURCES THAT FUNDED THE LOW-INCOME
19 ENERGY ASSISTANCE PROGRAM DURING THE 2000-01 STATE FISCAL YEAR
20 TO THE OFFICE OF THE GOVERNOR FOR ALLOCATION BY THE GOVERNOR IN
21 ACCORDANCE WITH THE PROVISIONS OF SECTION 24-20-111, C.R.S.,
22 UNLESS THE GOVERNOR INFORMS THE JOINT BUDGET COMMITTEE OF THE
23 GENERAL ASSEMBLY THAT THE GOVERNOR WOULD PREFER THAT SOME
24 LESSER AMOUNT OF SUCH MONEYS BE APPROPRIATED. THE STATE SHALL
25 OBTAIN ANY FEDERAL WAIVERS NECESSARY TO ENSURE THAT FEDERAL
26 GRANTS MAY BE APPROPRIATED AS SPECIFIED IN THIS SUBSECTION (4).

27 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.