

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

SENATE BILL 08-147

BY SENATOR(S) Gordon, Bacon, Gibbs, Groff, Morse, Schwartz, Shaffer, Tochtrop, Veiga, Ward, and Williams;  
also REPRESENTATIVE(S) Hodge, Weissmann, Borodkin, Ferrandino, Fischer, Kerr A., Labuda, Levy, McFadyen, McGihon, Merrifield, Peniston, Primavera, Solano, and Todd.

CONCERNING INCREASED ENERGY EFFICIENCY IN STATE-ASSISTED FACILITIES.

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

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

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

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

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

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

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

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

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

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

(b) The estimated annual operating cost of all utility requirements, including consideration of possible escalating costs of energy. THE DEPARTMENT MAY RELY ON ANY NATIONAL OR LOCALLY APPROPRIATE FUEL ESCALATING METHODOLOGY APPROVED BY THE DEPARTMENT IN PERFORMING LIFE-CYCLE COST ANALYSES.

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

**24-32-718. Publicly-assisted housing - notice of termination - database - high energy performance building standard program.** (4) THE BOARD, IN CONSULTATION WITH THE DIVISION, SHALL ADOPT AND UPDATE FROM TIME TO TIME A NATIONALLY RECOGNIZED HIGH ENERGY PERFORMANCE BUILDING STANDARD PROGRAM FOR PUBLICLY-ASSISTED HOUSING PROJECTS. THE DIVISION SHALL PRESENT A REPORT ON THE PROGRAM ANNUALLY TO THE GENERAL ASSEMBLY FOR COMMENT AND REVIEW. THE STANDARD SHALL APPLY TO ALL NEW APPLICATIONS FOR PUBLICLY-ASSISTED HOUSING PROJECTS MADE TO THE DIVISION ON OR AFTER JANUARY 1, 2009; EXCEPT THAT THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS MAY EXEMPT A PARTICULAR PUBLICLY-ASSISTED HOUSING PROJECT FROM COMPLIANCE WITH THE STANDARD UPON A DETERMINATION BY THE EXECUTIVE DIRECTOR THAT EXTENUATING CIRCUMSTANCES EXIST SUCH AS TO PRECLUDE THE IMPLEMENTATION OF THIS SUBSECTION (4).

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

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

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Peter C. Groff  
PRESIDENT OF  
THE SENATE

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Andrew Romanoff  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO