

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

May 6, 2021

Committee on Energy & Environment.

After consideration on the merits, the Committee recommends the following:

HB21-1286 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 7, line 16, strike "AND".
- 2 Page 7, strike line 18 and substitute "17-1-102 (7.3);
- 3 (III) A LOCAL JAIL AS DEFINED IN SECTION 17-1-102 (7);
- 4 (IV) A MUNICIPAL JAIL AS AUTHORIZED IN SECTION 31-15-401
- 5 (1)(j); AND
- 6 (V) A JUVENILE DETENTION FACILITY GOVERNED BY PART 4 OF
- 7 ARTICLE 2 OF TITLE 19."
- 8 Page 14, line 14, strike "A" and substitute "AN ELECTRONIC".
- 9 Page 16, strike lines 14 through 18 and substitute:
- 10 "(II) FOR A COVERED BUILDING OWNED BY THE STATE, A LOCAL
- 11 GOVERNMENT, A SPECIAL DISTRICT REGULATED UNDER TITLE 32, A STATE
- 12 INSTITUTION OF HIGHER EDUCATION, A SCHOOL DISTRICT CREATED
- 13 PURSUANT TO ARTICLE 30 OF TITLE 22, OR A CHARTER SCHOOL
- 14 AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22, THE
- 15 OWNER NEED COMPLY WITH THE PERFORMANCE REQUIREMENTS SET FORTH
- 16 IN THIS SUBSECTION (8) ONLY IF THE OWNER COMPLETES WORK ON A
- 17 CONSTRUCTION OR RENOVATION PROJECT THAT HAS AN ESTIMATED COST
- 18 OF AT LEAST FIVE HUNDRED THOUSAND DOLLARS AND IMPACTS AT LEAST
- 19 TWENTY-FIVE PERCENT OF THE COVERED BUILDING'S SQUARE FOOTAGE."
- 20 Page 17, line 13, after "THE" insert "TWENTY-FIFTH PERCENTILE".

1 Page 18, line 16, after "THE" insert "TWENTY-FIFTH PERCENTILE".

2 Page 19, after line 19 insert:

3 "(II) IN AT LEAST TWO OF THE MOST RECENT FIVE YEARS, THE  
4 COVERED BUILDING MET ONE OR MORE OF THE CONDITIONS FOR FINANCIAL  
5 HARDSHIP;"

6 Renumber succeeding subparagraphs accordingly.

7 Page 19, line 22, strike "EIGHTY" and substitute "SIXTY-SIX".

8 Page 21, strike line 11 and substitute:

9 "(10) **Performance standard rules - task force**  
10 **recommendations for implementation - repeal.** (a) (I) NOLATER THAN  
11 NOVEMBER 1, 2021, THE DIRECTOR OF THE OFFICE SHALL APPOINT,  
12 CONVENE, AND FACILITATE A TASK FORCE TO DEVELOP AND PROVIDE  
13 CONSENSUS RECOMMENDATIONS TO THE COMMISSION, THE GENERAL  
14 ASSEMBLY, AND THE GOVERNOR ON MODIFICATIONS TO THE  
15 IMPLEMENTATION OF BENCHMARKING AND PERFORMANCE STANDARDS.

16 (II) THE TASK FORCE MAY CONSIDER RECOMMENDATIONS RELATED  
17 TO:

18 (A) WORKFORCE AVAILABILITY AND DEVELOPMENT RELATED TO  
19 BUILDING ENERGY PERFORMANCE;

20 (B) FINANCIAL AND NONFINANCIAL COSTS AND BENEFITS OF  
21 UPGRADED BUILDING ENERGY PERFORMANCE;

22 (C) AVAILABILITY OF PROGRAMS, TECHNICAL ASSISTANCE, AND  
23 INCENTIVES TO SUPPORT BUILDING OWNERS, UTILITIES, AND LOCAL  
24 GOVERNMENTS;

25 (D) OPPORTUNITIES TO IMPROVE COMMERCIAL BUILDING ENERGY  
26 USE IN COLORADO; AND

27 (E) FUTURE ACTIONS THAT THE COMMISSION AND THE GENERAL  
28 ASSEMBLY MAY TAKE RELATED TO IMPLEMENTING THE BENCHMARKING  
29 AND PERFORMANCE STANDARDS.

30 (III) THE TASK FORCE SHALL DEVELOP AND DELIVER TO THE  
31 COMMISSION, THE GENERAL ASSEMBLY, AND THE GOVERNOR:

32 (A) INTERIM CONSENSUS RECOMMENDATIONS NO LATER THAN  
33 DECEMBER 1, 2022; AND

34 (B) FINAL CONSENSUS RECOMMENDATIONS NO LATER THAN



1 DECEMBER 1, 2024.

2 (IV) THE TASK FORCE CONSISTS OF THE FOLLOWING MEMBERS:

3 (A) THE DIRECTOR OF THE OFFICE OR THE DIRECTOR'S DESIGNEE;

4 (B) THE DIRECTOR OF ENVIRONMENTAL PROGRAMS IN THE  
5 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OR THE DIRECTOR'S  
6 DESIGNEE;

7 (C) TWO MEMBERS WHO ARE BUILDING OWNERS OR WHO  
8 REPRESENT BUILDING OWNERS, WITH ONE REPRESENTING COMMERCIAL  
9 BUILDINGS AND ONE REPRESENTING MULTIFAMILY RESIDENTIAL  
10 BUILDINGS;

11 (D) TWO MEMBERS WHO HAVE DIRECT EXPERIENCE IN, OR ARE  
12 MEMBERS OF ORGANIZATIONS REPRESENTING WORKERS IN, MECHANICAL,  
13 PLUMBING, OR ELECTRICAL WORK;

14 (E) TWO MEMBERS REPRESENTING DESIGN PROFESSIONALS,  
15 DEVELOPERS, BUILDING ENGINEERS, CONSTRUCTION ORGANIZATIONS, OR  
16 BUILDING CONTRACTORS;

17 (F) TWO MEMBERS OF ENVIRONMENTAL CONSERVATION OR  
18 ENVIRONMENTAL JUSTICE GROUPS WITH EXPERIENCE IN ENERGY  
19 EFFICIENCY OR THE BUILT ENVIRONMENT;

20 (G) ONE MEMBER FROM A LOCAL GOVERNMENT THAT HAS  
21 ENACTED OR ADOPTED A BENCHMARKING OR BUILDING ENERGY  
22 PERFORMANCE ORDINANCE OR RESOLUTION; AND

23 (H) ONE MEMBER FROM A LOCAL GOVERNMENT THAT HAS NOT  
24 ENACTED OR ADOPTED A BENCHMARKING OR BUILDING ENERGY  
25 PERFORMANCE ORDINANCE OR RESOLUTION.

26 (V) THIS SUBSECTION (10)(a) IS REPEALED, EFFECTIVE JULY 1,  
27 2025.

28 (b) ON OR AFTER DECEMBER".

29 Reletter succeeding paragraphs accordingly.

30 Page 21, line 17, strike "PROPERTIES," and substitute "BUILDINGS,".

31 Page 21, line 18, strike "BY" and substitute "AS MEASURED IN".

32 Page 23, after line 12 insert:

33 "SECTION 2. In Colorado Revised Statutes, 24-38.5-102.4,  
34 amend (2)(b)(VII); and add (2)(b)(VII.5) as follows:

35 24-38.5-102.4. Energy fund - creation - use of fund -  
36 definitions - repeal. (2) (b) The Colorado energy office may expend



- 1 money from the energy fund:  
2 (VII) To educate the general public on energy issues and  
3 opportunities; and  
4 (VII.5) TO IMPLEMENT THE BUILDING PERFORMANCE PROGRAM  
5 DEFINED IN SECTION 24-38.5-110 (2)(b) AND DESCRIBED IN THAT SECTION  
6 AND SECTION 25-7-142; AND".
- 7 Renumber succeeding sections accordingly.
- 8 Page 26, strike lines 19 through 22 and substitute "FIRST VIOLATION AND  
9 UP TO FIVE THOUSAND DOLLARS FOR A SUBSEQUENT VIOLATION."

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