

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0662.01 Jed Franklin x5484

SENATE BILL 24-092

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SENATE SPONSORSHIP

**Pelton B.,**

HOUSE SPONSORSHIP

**Pugliese,**

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**Senate Committees**  
Local Government & Housing

**House Committees**

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A BILL FOR AN ACT

101 **CONCERNING COST EFFECTIVE ENERGY CODES.**

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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://leg.colorado.gov>.)*

The bill requires any provision of any energy code adopted by a county or municipality on or after January 1, 2026, to be cost effective. "Cost effective" means, using the existing energy efficiency standards and requirements as a base of comparison, that the economic benefits of the proposed energy efficiency standards and requirements will exceed the economic costs of those standards and requirements based upon an incremental multi-year analysis that:

- Considers the perspective of a typical first-time home

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

- buyer;
  - Considers benefits and costs over a 10-year period;
  - Does not assume fuel price increases in excess of the assumed general rate of inflation;
  - Ensures that the buyer of a home who would qualify to purchase the home before the addition of the energy efficiency standards will still qualify to purchase the same home after the additional cost of energy saving construction features; and
  - Ensures that the costs of principal, interest, taxes, insurance, and utilities will not be greater after the inclusion of the proposed cost of the additional energy saving construction features required by the proposed energy efficiency rules than under the provisions of the existing energy efficiency rules.
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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, 30-28-211, **amend**  
3 (6); and **add** (2)(a.6) and (11) as follows:

4           **30-28-211. Energy efficient building codes - legislative**  
5 **declaration - definitions.** (2) As used in this section, unless the context  
6 otherwise requires:

7           (a.6) "COST EFFECTIVE" MEANS, USING THE EXISTING ENERGY  
8 EFFICIENCY STANDARDS AND REQUIREMENTS AS A BASE OF COMPARISON,  
9 THAT THE ECONOMIC BENEFITS OF THE PROPOSED ENERGY EFFICIENCY  
10 STANDARDS AND REQUIREMENTS WILL EXCEED THE ECONOMIC COSTS OF  
11 THOSE STANDARDS AND REQUIREMENTS BASED UPON AN INCREMENTAL  
12 MULTI-YEAR ANALYSIS THAT:

13           (I) CONSIDERS THE PERSPECTIVE OF A TYPICAL FIRST-TIME HOME  
14 BUYER;

15           (II) CONSIDERS BENEFITS AND COSTS OVER A TEN-YEAR PERIOD;

16           (III) DOES NOT ASSUME FUEL PRICE INCREASES IN EXCESS OF THE  
17 ASSUMED GENERAL RATE OF INFLATION;

1 (IV) ENSURES THAT THE BUYER OF A HOME WHO WOULD QUALIFY  
2 TO PURCHASE THE HOME BEFORE THE ADDITION OF THE ENERGY  
3 EFFICIENCY STANDARDS WILL STILL QUALIFY TO PURCHASE THE SAME  
4 HOME AFTER THE ADDITIONAL COST OF ENERGY SAVING CONSTRUCTION  
5 FEATURES; AND

6 (V) ENSURES THAT THE COSTS OF PRINCIPAL, INTEREST, TAXES,  
7 INSURANCE, AND UTILITIES WILL NOT BE GREATER AFTER THE INCLUSION  
8 OF THE PROPOSED COST OF THE ADDITIONAL ENERGY SAVING  
9 CONSTRUCTION FEATURES REQUIRED BY THE PROPOSED ENERGY  
10 EFFICIENCY RULES THAN UNDER THE PROVISIONS OF THE EXISTING ENERGY  
11 EFFICIENCY RULES.

12 (6) Notwithstanding any other provision of this section, the board  
13 of county commissioners of a county that is required to adopt or update  
14 an energy code may make any amendments to the energy code that the  
15 board deems appropriate for local conditions, so long as the amendments  
16 do not decrease the effectiveness or energy efficiency of the energy code;  
17 EXCEPT THAT ANY SUCH AMENDMENTS MAY NOT CHANGE THE COST  
18 EFFECTIVENESS REQUIREMENT OF SUBSECTION (11) OF THIS SECTION.

19 (11) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,  
20 ANY PROVISION OF ANY ENERGY CODE ADOPTED PURSUANT TO THIS  
21 SECTION MUST BE COST EFFECTIVE.

22 **SECTION 2.** In Colorado Revised Statutes, 31-15-602, **amend**  
23 **(6); and add (2)(a.6) and (11) as follows:**

24 **31-15-602. Energy efficient building codes - legislative**  
25 **declaration - definitions - repeal.** (2) As used in this section, unless the  
26 context otherwise requires:

27 (a.6) "COST EFFECTIVE" MEANS, USING THE EXISTING ENERGY

1 EFFICIENCY STANDARDS AND REQUIREMENTS AS A BASE OF COMPARISON,  
2 THAT THE ECONOMIC BENEFITS OF THE PROPOSED ENERGY EFFICIENCY  
3 STANDARDS AND REQUIREMENTS WILL EXCEED THE ECONOMIC COSTS OF  
4 THOSE STANDARDS AND REQUIREMENTS BASED UPON AN INCREMENTAL  
5 MULTI-YEAR ANALYSIS THAT:

6 (I) CONSIDERS THE PERSPECTIVE OF A TYPICAL FIRST-TIME HOME  
7 BUYER;

8 (II) CONSIDERS BENEFITS AND COSTS OVER A TEN-YEAR PERIOD;

9 (III) DOES NOT ASSUME FUEL PRICE INCREASES IN EXCESS OF THE  
10 ASSUMED GENERAL RATE OF INFLATION;

11 (IV) ENSURES THAT THE BUYER OF A HOME WHO WOULD QUALIFY  
12 TO PURCHASE THE HOME BEFORE THE ADDITION OF THE ENERGY  
13 EFFICIENCY STANDARDS WILL STILL QUALIFY TO PURCHASE THE SAME  
14 HOME AFTER THE ADDITIONAL COST OF ENERGY SAVING CONSTRUCTION  
15 FEATURES; AND

16 (V) ENSURES THAT THE COSTS OF PRINCIPAL, INTEREST, TAXES,  
17 INSURANCE, AND UTILITIES WILL NOT BE GREATER AFTER THE INCLUSION  
18 OF THE PROPOSED COST OF THE ADDITIONAL ENERGY SAVING  
19 CONSTRUCTION FEATURES REQUIRED BY THE PROPOSED ENERGY  
20 EFFICIENCY RULES THAN UNDER THE PROVISIONS OF THE EXISTING ENERGY  
21 EFFICIENCY RULES.

22 (6) Notwithstanding any other provisions of this section, the  
23 governing body of any municipality that is required to adopt an energy  
24 code may make any amendments to the energy code that the governing  
25 body deems appropriate for local conditions, so long as the amendments  
26 do not decrease the effectiveness of the energy code; EXCEPT THAT ANY  
27 SUCH AMENDMENTS MAY NOT CHANGE THE COST EFFECTIVENESS

1 REQUIREMENT OF SUBSECTION (11) OF THIS SECTION.

2 (11) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,  
3 ANY PROVISION OF ANY ENERGY CODE ADOPTED PURSUANT TO THIS  
4 SECTION ON OR AFTER JANUARY 1, 2026, MUST BE COST EFFECTIVE.

5 **SECTION 3. Act subject to petition - effective date.** This act  
6 takes effect at 12:01 a.m. on the day following the expiration of the  
7 ninety-day period after final adjournment of the general assembly; except  
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
9 of the state constitution against this act or an item, section, or part of this  
10 act within such period, then the act, item, section, or part will not take  
11 effect unless approved by the people at the general election to be held in  
12 November 2024 and, in such case, will take effect on the date of the  
13 official declaration of the vote thereon by the governor.