

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 11-0389.01 Richard Sweetman

HOUSE BILL 11-1204

HOUSE SPONSORSHIP

Kerr A.,

SENATE SPONSORSHIP

Johnston,

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT PUBLIC SCHOOL STRUCTURES**
102 **SATISFY MINIMUM ENERGY-EFFICIENT DESIGN STANDARDS.**

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>.)

After January 1, 2012, each school district and each district charter school shall ensure that each project to construct or significantly redesign a building or structure, at a minimum, satisfies one of the following conditions:

- (1) The design and construction plans for the project ensure that

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.

the resulting building or structure will qualify for the federal energy star label and, upon completion of the project, the school district or district charter school shall acquire such a rating for the resulting building or structure as a result of an audit performed by a qualified energy efficiency auditor;

(2) The school district or district charter school shall consult with the governor's energy office concerning the best building practices for the construction or redesign project, which consultation shall commence before the commencement of any actual building or construction and shall continue until the completion of the project; or

(3) The school district or district charter school shall designate the execution of the project to a design and construction team that includes at least one person who has expert knowledge of energy-efficient design and construction practices, who provides professional technical assistance to the school district or district charter school to facilitate the project, and who may be a representative of a local electrical utility.

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

2 **SECTION 1.** Article 32 of title 22, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW SECTION to read:

4 **22-32-124.3. Energy-efficient design of school buildings and**
5 **structures required.** (1) ON AND AFTER JANUARY 1, 2012, EACH
6 SCHOOL DISTRICT AND EACH DISTRICT CHARTER SCHOOL SHALL ENSURE
7 THAT EACH PROJECT TO CONSTRUCT OR SIGNIFICANTLY REDESIGN A
8 BUILDING OR STRUCTURE, AT A MINIMUM, SATISFIES ONE OF THE
9 FOLLOWING CONDITIONS:

10 (a) THE DESIGN AND CONSTRUCTION PLANS FOR THE PROJECT
11 ENSURE THAT THE RESULTING BUILDING OR STRUCTURE WILL QUALIFY FOR
12 THE FEDERAL ENERGY STAR LABEL AND, UPON COMPLETION OF THE
13 PROJECT, THE SCHOOL DISTRICT OR DISTRICT CHARTER SCHOOL SHALL
14 ACQUIRE SUCH A RATING FOR THE RESULTING BUILDING OR STRUCTURE AS
15 A RESULT OF AN AUDIT PERFORMED BY A QUALIFIED ENERGY EFFICIENCY
16 AUDITOR;

1 (b) THE SCHOOL DISTRICT OR DISTRICT CHARTER SCHOOL SHALL
2 CONSULT WITH THE GOVERNOR'S ENERGY OFFICE CONCERNING THE BEST
3 BUILDING PRACTICES FOR THE CONSTRUCTION OR REDESIGN PROJECT,
4 WHICH CONSULTATION SHALL COMMENCE BEFORE THE COMMENCEMENT
5 OF ANY ACTUAL BUILDING OR CONSTRUCTION AND SHALL CONTINUE UNTIL
6 THE COMPLETION OF THE PROJECT; OR

7 (c) THE SCHOOL DISTRICT OR DISTRICT CHARTER SCHOOL SHALL
8 DESIGNATE THE EXECUTION OF THE PROJECT TO A DESIGN AND
9 CONSTRUCTION TEAM THAT INCLUDES AT LEAST ONE PERSON WHO:

10 (I) HAS EXPERT KNOWLEDGE OF ENERGY-EFFICIENT DESIGN AND
11 CONSTRUCTION PRACTICES;

12 (II) PROVIDES PROFESSIONAL TECHNICAL ASSISTANCE TO THE
13 SCHOOL DISTRICT OR DISTRICT CHARTER SCHOOL TO FACILITATE THE
14 PROJECT; AND

15 (III) MAY BE A REPRESENTATIVE OF A LOCAL ELECTRICAL UTILITY.

16 (2) AS USED IN THIS SECTION, "SIGNIFICANTLY REDESIGN A
17 BUILDING OR STRUCTURE" MEANS TO REDESIGN A BUILDING OR
18 STRUCTURE IN A MANNER THAT AFFECTS ONE OR MORE STRUCTURAL
19 CHANGES TO SEVENTY-FIVE PERCENT OR MORE OF THE SQUARE FOOTAGE
20 OF THE BUILDING OR STRUCTURE.

21 **SECTION 2. Act subject to petition - effective date.** This act
22 shall take effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the
26 state constitution against this act or an item, section, or part of this act
27 within such period, then the act, item, section, or part shall not take effect

1 unless approved by the people at the general election to be held in
2 November 2012 and shall take effect on the date of the official
3 declaration of the vote thereon by the governor.