

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 19-0877.01 Duane Gall x4335

**HOUSE BILL 19-1231**

---

**HOUSE SPONSORSHIP**

**Froelich and Kipp**, Benavidez, Jaquez Lewis, Melton, Mullica, Titone, Valdez A.

**SENATE SPONSORSHIP**

**(None)**,

---

**House Committees**  
Energy & Environment

**Senate Committees**

---

**A BILL FOR AN ACT**

101      **CONCERNING EFFICIENCY STANDARDS FOR EQUIPMENT SOLD IN**  
102              **COLORADO, AND, IN CONNECTION THEREWITH, REQUIRING**  
103              **CERTAIN APPLIANCES, PLUMBING FIXTURES, AND OTHER**  
104              **PRODUCTS SOLD FOR RESIDENTIAL OR COMMERCIAL USE TO**  
105              **MEET ENERGY EFFICIENCY AND WATER EFFICIENCY 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://leg.colorado.gov>.)*

The bill updates and adopts standards for water efficiency and energy efficiency that apply to a list of consumer and commercial

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

HOUSE  
Amended 2nd Reading  
April 3, 2019


appliances and other products. The standards are based on state standards, federal Energy Star and WaterSense specifications, and industry standards in most cases or, where a standard is not incorporated by reference, the standard is specified by statute.

The standards apply to new products sold or installed in Colorado and are phased in over a period of 3 years, with general service lamps covered beginning in 2020, air compressors and portable air conditioners covered beginning in 2022, and all other listed products covered beginning in 2021. The bill also keeps in place the water efficiency standards on certain products that were added to the Colorado statutes in 2014. The sale of a noncomplying product after the effective date of the applicable standard is defined as a deceptive trade practice under the "Colorado Consumer Protection Act".

The executive director of the department of public health and environment is directed to collect and publish the standards that are incorporated by reference. The executive director is also authorized, but not required, to adopt rules incorporating more recent versions of standards or test methods in order to maintain or improve consistency with other state or federal agency standards, subject to a one-year grace period between adoption and enforcement of any new or amended standards.

---

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

2 

3 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**  
4 **with amendments,** article 7.5 of title 6 as follows:

5 **ARTICLE 7.5**

6 **Water and Energy Efficiency Standards**

7 **6-7.5-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
8 FINDS AND DETERMINES THAT EFFICIENCY STANDARDS FOR CERTAIN  
9 PRODUCTS SOLD OR INSTALLED IN COLORADO:

10 (a) ASSURE CONSUMERS AND BUSINESSES THAT SUCH PRODUCTS  
11 MEET MINIMUM EFFICIENCY PERFORMANCE LEVELS, THUS REDUCING  
12 ENERGY AND WATER WASTE AND SAVING CONSUMERS AND BUSINESSES  
13 MONEY ON UTILITY BILLS;

1 (b) PROTECT CONSUMERS AND BUSINESSES AGAINST  
2 MANUFACTURERS WHO WOULD OTHERWISE SELL, IN COLORADO, LESS  
3 EFFICIENT APPLIANCES THAT THEY CANNOT SELL IN STATES THAT HAVE  
4 HIGHER STANDARDS;

5 (c) SAVE ENERGY AND THUS REDUCE POLLUTION AND OTHER  
6 ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE PRODUCTION,  
7 DISTRIBUTION, AND USE OF ELECTRICITY, NATURAL GAS, AND OTHER  
8 FUELS;

9 (d) IMPROVE ELECTRIC SYSTEM RELIABILITY AND POTENTIALLY  
10 REDUCE THE NEED FOR NEW ENERGY AND WATER INFRASTRUCTURE BASED  
11 ON THE RESULTING ENERGY AND WATER SAVINGS;

12 (e) APPLY TO PRODUCTS AVAILABLE AT A PRICE EQUAL TO OR LESS  
13 THAN NONCOMPLIANT PRODUCTS, OR AVAILABLE AT A MINIMAL COST  
14 PREMIUM;

15 (f) HAVE SAVED COLORADANS BILLIONS OF GALLONS OF WATER  
16 SINCE 2014, WHEN WATERSENSE STANDARDS WERE ENACTED FOR  
17 PLUMBING FIXTURES, WITHOUT SACRIFICING QUALITY OR PRODUCT  
18 PERFORMANCE; AND

19 (g) CONTRIBUTE TO THE ECONOMY OF THIS STATE BY HELPING TO  
20 BETTER BALANCE SUPPLY AND DEMAND FOR BOTH ENERGY AND WATER,  
21 THUS REDUCING THE UPWARD PRESSURE ON PRICES FOR ELECTRICITY,  
22 NATURAL GAS, AND WATER CAUSED BY INCREASED DEMAND. IN ADDITION,  
23 EFFICIENCY STANDARDS ALLOW CONSUMERS AND BUSINESSES TO USE THE  
24 MONEY THEY SAVE ON UTILITY BILLS TO PURCHASE LOCAL GOODS AND  
25 SERVICES.

26 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE  
27 ADOPTION OF ENERGY AND WATER EFFICIENCY STANDARDS IN

1 ACCORDANCE WITH THIS ARTICLE 7.5 IS A MATTER OF STATE AND LOCAL  
2 CONCERN AND SERVES THE PUBLIC INTEREST OF THE PEOPLE OF  
3 COLORADO.

4 **6-7.5-102. Definitions.** AS USED IN THIS ARTICLE 7.5, UNLESS THE  
5 CONTEXT OTHERWISE REQUIRES:

6 (1) "AIR COMPRESSOR" MEANS A COMPRESSOR THAT:

7 (a) IS DESIGNED TO COMPRESS AIR;

8 (b) HAS AN INLET THAT IS OPEN TO THE ATMOSPHERE OR OTHER  
9 SOURCE OF AIR; AND

10 (c) CONSISTS OF A COMPRESSION ELEMENT, ALSO KNOWN AS A  
11 BARE COMPRESSOR; ONE OR MORE DRIVERS; MECHANICAL EQUIPMENT TO  
12 DRIVE THE COMPRESSION ELEMENT; AND ANY ANCILLARY EQUIPMENT.

13 (2) "ANSI" MEANS THE AMERICAN NATIONAL STANDARDS  
14 INSTITUTE OR ITS SUCCESSOR ORGANIZATION.

15 (3) "ANSI C79.1-2002" MEANS THE ANSI STANDARD FOR  
16 "ELECTRIC LAMPS - NOMENCLATURE FOR GLASS BULBS INTENDED FOR  
17 USE WITH ELECTRIC LAMPS", APPROVED SEPTEMBER 16, 2002.

18 (4) "APSP" MEANS THE ASSOCIATION OF POOL AND SPA  
19 PROFESSIONALS OR ITS SUCCESSOR ORGANIZATION.

20 (5) "CCR" MEANS THE CALIFORNIA CODE OF REGULATIONS, AS  
21 AMENDED.

22 (6) "COLD-ONLY UNIT" MEANS A WATER COOLER THAT DISPENSES  
23 COLD WATER ONLY.

24 (7) "COMMERCIAL DISHWASHER" MEANS A MACHINE DESIGNED TO  
25 CLEAN AND SANITIZE PLATES, POTS, PANS, GLASSES, CUPS, BOWLS,  
26 UTENSILS, AND TRAYS BY APPLYING SPRAYS OF DETERGENT SOLUTION,  
27 WITH OR WITHOUT BLASTING MEDIA GRANULES, AND A SANITIZING RINSE.

1 (8) "COMMERCIAL FRYER" MEANS AN APPLIANCE, INCLUDING A  
2 COOKING VESSEL, IN WHICH:

3 (a) OIL IS PLACED TO SUCH A DEPTH THAT THE FOOD TO BE COOKED  
4 IS ESSENTIALLY SUPPORTED BY DISPLACEMENT OF THE COOKING FLUID  
5 RATHER THAN BY THE BOTTOM OF THE VESSEL; AND

6 (b) HEAT IS DELIVERED TO THE COOKING FLUID BY MEANS OF  
7 EITHER:

8 (I) AN IMMERSED ELECTRIC ELEMENT OR BAND-WRAPPED VESSEL;  
9 OR

10 (II) HEAT TRANSFER FROM GAS BURNERS THROUGH EITHER THE  
11 WALLS OF THE VESSEL OR TUBES PASSING THROUGH THE COOKING FLUID.

12 (9) "COMMERCIAL HOT FOOD HOLDING CABINET" MEANS A  
13 HEATED, FULLY ENCLOSED COMPARTMENT WITH ONE OR MORE SOLID OR  
14 TRANSPARENT DOORS DESIGNED TO MAINTAIN THE TEMPERATURE OF HOT  
15 FOOD THAT HAS BEEN COOKED USING A SEPARATE APPLIANCE.  
16 "COMMERCIAL HOT FOOD HOLDING CABINET" DOES NOT INCLUDE HEATED  
17 GLASS MERCHANDISING CABINETS, DRAWER WARMERS, OR COOK AND  
18 HOLD APPLIANCES.

19 (10) "COMMERCIAL STEAM COOKER" MEANS A DEVICE WITH ONE  
20 OR MORE FOOD-STEAMING COMPARTMENTS IN WHICH THERMAL ENERGY  
21 IS TRANSFERRED FROM THE STEAM TO THE FOOD BY DIRECT CONTACT.  
22 "COMMERCIAL STEAM COOKER" INCLUDES COUNTERTOP MODELS,  
23 WALL-MOUNTED MODELS, AND FLOOR MODELS MOUNTED ON A STAND,  
24 PEDESTAL, OR CABINET-STYLE BASE.

25 (11) "COMPENSATION" MEANS MONEY OR ANY OTHER THING OF  
26 VALUE, REGARDLESS OF FORM, RECEIVED OR TO BE RECEIVED BY A PERSON  
27 FOR GOODS OR SERVICES RENDERED.

1 (12) "COMPRESSOR" MEANS A MACHINE OR APPARATUS THAT  
2 CONVERTS DIFFERENT TYPES OF ENERGY INTO THE POTENTIAL ENERGY OF  
3 GAS PRESSURE FOR DISPLACEMENT AND COMPRESSION OF GASEOUS MEDIA  
4 TO ANY HIGHER PRESSURE VALUES ABOVE ATMOSPHERIC PRESSURE AND  
5 HAS A PRESSURE RATIO AT FULL-LOAD OPERATING PRESSURE GREATER  
6 THAN 1.3 ATMOSPHERES.

7 (13) "COMPUTER" AND "COMPUTER MONITOR" HAVE THE  
8 MEANINGS SET FORTH IN 20 CCR SEC. 1602 (v).

9 (14) "COOK AND COLD UNIT" MEANS A WATER COOLER THAT  
10 DISPENSES BOTH COLD AND ROOM-TEMPERATURE WATER.

11 (15) "ENERGY STAR PROGRAM" MEANS THE FEDERAL PROGRAM  
12 AUTHORIZED BY 42 U.S.C. SEC. 6294a, AS AMENDED.

13 (16) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF  
14 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OR THE  
15 EXECUTIVE DIRECTOR'S DESIGNEE.

16 (17) "FAUCET" MEANS:

17 (a) A LAVATORY FAUCET, KITCHEN FAUCET, METERING FAUCET, OR  
18 PUBLIC LAVATORY FAUCET; AND

19 (b) A REPLACEMENT AERATOR FOR A LAVATORY FAUCET, PUBLIC  
20 LAVATORY FAUCET, OR KITCHEN FAUCET.

21 (18) "FLUSHOMETER-VALVE WATER CLOSET" MEANS A TYPE OF  
22 COMMERCIAL TOILET THAT USES A VALVE FOR FLUSHING BY OPERATION OF  
23 A HANDLE THAT DISCHARGES A DEFINITE QUANTITY OF WATER UNDER  
24 PRESSURE DIRECTLY INTO THE FIXTURE.

25 (19) "GENERAL SERVICE LAMP":

26 (a) MEANS A LAMP THAT:

27 (I) HAS A BASE THAT COMPLIES WITH ANSI STANDARDS;

- 1 (II) IS ABLE TO OPERATE AT A VOLTAGE:
- 2 (A) OF TWELVE OR TWENTY-FOUR VOLTS;
- 3 (B) AT OR BETWEEN ONE HUNDRED AND ONE HUNDRED THIRTY
- 4 VOLTS;
- 5 (C) AT OR BETWEEN TWO HUNDRED TWENTY AND TWO HUNDRED
- 6 FORTY VOLTS; OR
- 7 (D) OF TWO HUNDRED SEVENTY-SEVEN VOLTS FOR INTEGRATED
- 8 LAMPS OR ANY VOLTAGE FOR NONINTEGRATED LAMPS;
- 9 (III) HAS AN INITIAL LUMEN OUTPUT GREATER THAN OR EQUAL TO
- 10 THREE HUNDRED TEN LUMENS, OR TWO HUNDRED THIRTY-TWO LUMENS
- 11 FOR MODIFIED SPECTRUM GENERAL SERVICE INCANDESCENT LAMPS, AND
- 12 LESS THAN OR EQUAL TO THREE THOUSAND THREE HUNDRED LUMENS;
- 13 (IV) IS NOT A LIGHT FIXTURE OR AN LED DOWNLIGHT RETROFIT
- 14 KIT; AND
- 15 (V) IS USED IN GENERAL LIGHTING APPLICATIONS;
- 16 (b) INCLUDES GENERAL SERVICE INCANDESCENT LAMPS, COMPACT
- 17 FLUORESCENT LAMPS, GENERAL SERVICE LED LAMPS, AND GENERAL
- 18 SERVICE ORGANIC LED LAMPS;
- 19 (c) DOES NOT INCLUDE:
- 20 (I) APPLIANCE LAMPS;
- 21 (II) BLACK LIGHT LAMPS;
- 22 (III) BUG LAMPS;
- 23 (IV) COLORED LAMPS;
- 24 (V) G-SHAPE LAMPS WITH A DIAMETER OF FIVE INCHES OR MORE
- 25 AS DEFINED IN ANSI C79.1-2002;
- 26 (VI) GENERAL SERVICE FLUORESCENT LAMPS;
- 27 (VII) HIGH-INTENSITY DISCHARGE LAMPS;

- 1 (VIII) INFRARED LAMPS;
- 2 (IX) J, JC, JCD, JCS, JCV, JCX, JD, JS, AND JT-SHAPE LAMPS
- 3 THAT DO NOT HAVE EDISON SCREW BASES;
- 4 (X) LAMPS THAT HAVE A WEDGE BASE OR PREFOCUS BASE;
- 5 (XI) LEFT-HAND THREAD LAMPS;
- 6 (XII) MARINE LAMPS;
- 7 (XIII) MARINE SIGNAL SERVICE LAMPS;
- 8 (XIV) MINE SERVICE LAMPS;
- 9 (XV) MR-SHAPE LAMPS THAT:
- 10 (A) HAVE A FIRST NUMBER SYMBOL EQUAL TO SIXTEEN (DIAMETER
- 11 EQUAL TO TWO INCHES), AS DEFINED IN ANSI C79.1-2002;
- 12 (B) OPERATE AT TWELVE VOLTS; AND
- 13 (C) HAVE A LUMEN OUTPUT GREATER THAN OR EQUAL TO EIGHT
- 14 HUNDRED;
- 15 (XVI) OTHER FLUORESCENT LAMPS NOT DESCRIBED IN
- 16 SUBSECTION (19)(b) OF THIS SECTION;
- 17 (XVII) PLANT LIGHT LAMPS;
- 18 (XVIII) R20 SHORT LAMPS;
- 19 (XIX) REFLECTOR LAMPS THAT HAVE A FIRST NUMBER SYMBOL
- 20 LESS THAN SIXTEEN (DIAMETER LESS THAN TWO INCHES) AS DEFINED IN
- 21 ANSI C79.1-2002 AND THAT DO NOT HAVE E26/E24, E26d, E26/50x39,
- 22 E26/53x39, E29/28, E29/53x39, E39, E39d, EP39, OR EX39 BASES;
- 23 (XX) S-SHAPE OR G-SHAPE LAMPS THAT HAVE A FIRST NUMBER
- 24 SYMBOL LESS THAN OR EQUAL TO TWELVE AND ONE-HALF (DIAMETER LESS
- 25 THAN OR EQUAL TO 1.5625 INCHES) AS DEFINED IN ANSI C79.1-2002;
- 26 (XXI) SIGN SERVICE LAMPS;
- 27 (XXII) SILVER BOWL LAMPS;



- 1 (XXIII) SHOWCASE LAMPS;
- 2 (XXIV) SPECIALTY MR LAMPS;
- 3 (XXV) T-SHAPE LAMPS THAT:
- 4 (A) HAVE A FIRST NUMBER SYMBOL LESS THAN OR EQUAL TO
- 5 EIGHT (DIAMETER LESS THAN OR EQUAL TO ONE INCH), AS DEFINED IN
- 6 ANSI C79.1-2002;
- 7 (B) HAVE A NOMINAL OVERALL LENGTH LESS THAN TWELVE
- 8 INCHES; AND
- 9 (C) ARE NOT COMPACT FLUORESCENT LAMPS; OR
- 10 (XXVI) TRAFFIC SIGNAL LAMPS.
- 11 (20) "GPM" MEANS GALLONS PER MINUTE.
- 12 (21) "HIGH COLOR RENDERING INDEX (CRI) FLUORESCENT LAMP"
- 13 MEANS A FLUORESCENT LAMP WITH A CRI OF EIGHTY-SEVEN OR GREATER
- 14 THAT IS NOT A COMPACT FLUORESCENT LAMP.
- 15 (22) "HOT AND COLD UNIT" MEANS A WATER COOLER THAT
- 16 DISPENSES BOTH HOT AND COLD WATER. IT MAY ALSO DISPENSE
- 17 ROOM-TEMPERATURE WATER.
- 18 (23) "ICC" MEANS THE INTERNATIONAL CODE COUNCIL OR ITS
- 19 SUCCESSOR ORGANIZATION.
- 20 (24) (a) "LAMP" MEANS A DEVICE THAT EMITS LIGHT AND IS USED
- 21 TO ILLUMINATE AN INDOOR OR OUTDOOR SPACE.
- 22 (b) "LAMP" DOES NOT INCLUDE A HEAT LAMP.
- 23 (25) "LED" MEANS LIGHT-EMITTING DIODE.
- 24 (26) "LOW-EFFICIENCY PLUMBING FIXTURE" MEANS ANY OF THE
- 25 FOLLOWING PLUMBING FIXTURES OR FITTINGS THAT IS NOT A
- 26 WATERSENSE-LISTED PLUMBING FIXTURE:
- 27 (a) A LAVATORY FAUCET;

- 1 (b) A SHOWER HEAD;
- 2 (c) A FLUSHING URINAL;
- 3 (d) A FLUSHOMETER-VALVE WATER CLOSET; OR
- 4 (e) A TANK-TYPE TOILET OR TANK-TYPE WATER CLOSET.
- 5 (27) "METERING FAUCET" MEANS A FITTING THAT, WHEN TURNED
- 6 ON, WILL GRADUALLY SHUT OFF THE FLOW OF WATER OVER A PERIOD OF
- 7 SEVERAL SECONDS.
- 8 (28) "NEMA" MEANS THE NATIONAL ELECTRICAL
- 9 MANUFACTURERS ASSOCIATION OR IT SUCCESSOR ORGANIZATION.
- 10 (29) "PORTABLE AIR CONDITIONER" MEANS A PORTABLE ENCASED
- 11 ASSEMBLY, OTHER THAN A PACKAGED TERMINAL AIR CONDITIONER,
- 12 DUCTLESS PORTABLE AIR CONDITIONER, ROOM AIR CONDITIONER, OR
- 13 DEHUMIDIFIER, THAT:
- 14 (a) DELIVERS COOLED, CONDITIONED AIR TO AN ENCLOSED SPACE;
- 15 (b) IS POWERED BY SINGLE-PHASE ELECTRIC CURRENT;
- 16 (c) INCLUDES A SOURCE OF REFRIGERATION;
- 17 (d) MAY BE A SINGLE-DUCT OR DUAL-DUCT PORTABLE AIR
- 18 CONDITIONER; AND
- 19 (e) MAY INCLUDE ADDITIONAL MEANS FOR AIR CIRCULATION AND
- 20 HEATING.
- 21 (30) "PORTABLE ELECTRIC SPA" MEANS A FACTORY-BUILT
- 22 ELECTRIC SPA OR HOT TUB. IT MAY OR MAY NOT INCLUDE ANY
- 23 COMBINATION OF INTEGRAL CONTROLS, WATER HEATING, AND WATER
- 24 CIRCULATING EQUIPMENT.
- 25 (31) "PRESSURE REGULATOR" MEANS A DEVICE THAT MAINTAINS
- 26 CONSTANT OPERATING PRESSURE IMMEDIATELY DOWNSTREAM FROM A
- 27 SPRAY SPRINKLER BODY, GIVEN HIGHER PRESSURE UPSTREAM OF THE

1 DEVICE.

2 (32) "PSI" MEANS POUNDS PER SQUARE INCH.

3 (33) "PUBLIC LAVATORY FAUCET" MEANS A FITTING DESIGNED AND  
4 MARKETED FOR INSTALLATION IN A NONRESIDENTIAL BATHROOM, WHICH  
5 BATHROOM IS EXPOSED TO WALK-IN TRAFFIC.

6 (34) "REPLACEMENT AERATOR" MEANS AN AERATOR SOLD AS A  
7 REPLACEMENT, SEPARATE FROM THE FAUCET TO WHICH IT IS INTENDED TO  
8 BE ATTACHED.

9 (35) "RESIDENTIAL VENTILATING FAN" MEANS AN INLINE FAN  
10 DESIGNED TO BE USED IN A BATHROOM OR UTILITY ROOM AND WHOSE  
11 PURPOSE IS TO MOVE AIR FROM INSIDE THE BUILDING TO THE OUTDOORS.  
12 IT MAY BE CEILING-MOUNTED, WALL-MOUNTED, OR REMOTELY MOUNTED.

13 (36) "SPRAY SPRINKLER BODY" MEANS THE EXTERIOR CASE OR  
14 SHELL OF A SPRINKLER, WHICH CASE OR SHELL:

15 (a) INCORPORATES A MEANS OF CONNECTION TO THE PIPING  
16 SYSTEM; AND

17 (b) IS DESIGNED TO CONVEY WATER TO A NOZZLE OR ORIFICE.

18 (37) "UNINTERRUPTIBLE POWER SUPPLY" MEANS A POWER SYSTEM  
19 FOR MAINTAINING CONTINUITY OF LOAD POWER IN CASE OF INPUT POWER  
20 FAILURE. IT MAY CONSIST OF A COMBINATION OF ONE OR MORE BATTERY  
21 CHARGERS, CONVERTORS, SWITCHES, AND BATTERIES OR OTHER ENERGY  
22 STORAGE DEVICES.

23 (38) "WATER COOLER" MEANS A FREESTANDING DEVICE THAT  
24 CONSUMES ENERGY TO COOL OR HEAT, OR BOTH COOL AND HEAT, POTABLE  
25 WATER.

26 (39) "WATERSENSE-LISTED PLUMBING FIXTURE" MEANS A  
27 PLUMBING FIXTURE OR PLUMBING FIXTURE FITTING THAT HAS BEEN:

1 (a) TESTED BY AN ACCREDITED THIRD-PARTY CERTIFYING BODY OR  
2 LABORATORY IN ACCORDANCE WITH THE FEDERAL ENVIRONMENTAL  
3 PROTECTION AGENCY'S WATERSENSE PROGRAM OR A SUCCESSOR  
4 PROGRAM;

5 (b) CERTIFIED BY THE BODY OR LABORATORY AS MEETING THE  
6 PERFORMANCE AND EFFICIENCY REQUIREMENTS OF THE WATERSENSE  
7 PROGRAM; AND

8 (c) AUTHORIZED BY THE WATERSENSE PROGRAM TO USE ITS  
9 LABEL.

10 (40) "WATERSENSE PROGRAM" MEANS THE FEDERAL PROGRAM  
11 AUTHORIZED BY 42 U.S.C. SEC. 6294b.

12 **6-7.5-103. Low-efficiency plumbing fixtures.** (1) (a) EFFECTIVE  
13 SEPTEMBER 1, 2019, A PERSON SHALL NOT SELL [REDACTED] A NEW  
14 LOW-EFFICIENCY PLUMBING FIXTURE, OTHER THAN A  
15 FLUSHOMETER-VALVE WATER CLOSET, IN COLORADO.

16 (b) EFFECTIVE JANUARY 1, 2021, A PERSON SHALL NOT SELL [REDACTED] A  
17 NEW LOW-EFFICIENCY FLUSHOMETER-VALVE WATER CLOSET IN  
18 COLORADO.

19 (2) THIS SECTION DOES NOT PREEMPT ANY ACTION OF A  
20 MUNICIPALITY, COUNTY, OR CITY AND COUNTY THAT PRESCRIBES  
21 ADDITIONAL OR MORE RESTRICTIVE WATER CONSERVATION OR ENERGY  
22 EFFICIENCY REQUIREMENTS AFFECTING THE SALE, INSTALLATION, OR USE  
23 OF PLUMBING FIXTURES, APPLIANCES, OR OTHER PRODUCTS IF THE  
24 REQUIREMENTS COMPLY WITH THE STANDARD SPECIFIED IN SUBSECTION  
25 (1) OF THIS SECTION.

26 **6-7.5-104. Scope and applicability.** (1) SUBJECT TO SUBSECTION  
27 (2) OF THIS SECTION AND AS FURTHER SPECIFIED IN SECTION 6-7.5-105,

1 THIS ARTICLE 7.5 APPLIES TO THE FOLLOWING PRODUCTS SOLD AS NEW ■  
2 IN COLORADO:

- 3 (a) AIR COMPRESSORS;
- 4 (b) COMMERCIAL DISHWASHERS;
- 5 (c) COMMERCIAL FRYERS;
- 6 (d) COMMERCIAL HOT FOOD HOLDING CABINETS;
- 7 (e) COMMERCIAL STEAM COOKERS;
- 8 (f) COMPUTERS AND COMPUTER MONITORS;
- 9 (g) FAUCETS;
- 10 (h) FLUSHOMETER-VALVE WATER CLOSETS;
- 11 (i) GENERAL SERVICE LAMPS;
- 12 (j) HIGH CRI FLUORESCENT LAMPS;
- 13 (k) PORTABLE AIR CONDITIONERS;
- 14 (l) PORTABLE ELECTRIC SPAS;
- 15 (m) RESIDENTIAL VENTILATING FANS;
- 16 (n) SPRAY SPRINKLER BODIES;
- 17 (o) UNINTERRUPTIBLE POWER SUPPLIES; AND
- 18 (p) WATER COOLERS.

19 (2) THIS ARTICLE 7.5 DOES NOT APPLY TO:

- 20 ■
- 21 (a) PRODUCTS INSTALLED IN MOBILE MANUFACTURED HOMES AT
- 22 THE TIME OF CONSTRUCTION; ■
- 23 (b) PRODUCTS DESIGNED EXPRESSLY FOR INSTALLATION AND USE
- 24 IN RECREATIONAL VEHICLES; OR
- 25 (c) PRODUCTS HELD IN INVENTORY ON OR BEFORE THE EFFECTIVE
- 26 DATE OF THE APPLICABLE STANDARD FOR EACH CATEGORY OF PRODUCT
- 27 SET FORTH IN THIS ARTICLE 7.5.

1           (3) THIS ARTICLE 7.5 IS NOT ENFORCEABLE AGAINST AN EMPLOYEE  
2           OF A CONTRACTOR WHO INSTALLS, REPAIRS, OR REPLACES APPLIANCES  
3           AND COLLECTS FROM THE CUSTOMER AN AMOUNT REPRESENTING BOTH  
4           PARTS AND LABOR.

5           **6-7.5-105. Standards - effective dates - publication of material**  
6           **incorporated by reference.** (1) THE EXECUTIVE DIRECTOR NEED NOT  
7           ADOPT BY RULE, BUT SHALL COLLECT AND MAKE PUBLICLY AVAILABLE IN  
8           HARD COPY, THROUGH A WEBSITE, OR BOTH, THE FEDERAL RULES AND  
9           OTHER RULES AND STANDARDS REFERRED TO IN THIS SECTION. THE  
10          REFERENCES IN THIS SECTION ARE TO THE RULES AND STANDARDS AS THEY  
11          EXISTED ON THE DATES SPECIFIED OR, IF NOT SO SPECIFIED, AS THEY  
12          EXISTED ON AUGUST 2, 2019, AND DO NOT INCLUDE LATER EDITIONS OR  
13          REVISIONS.

14          (2) ON OR AFTER JANUARY 1, 2020, A PERSON SHALL NOT SELL OR  
15          OFFER FOR SALE IN COLORADO A GENERAL SERVICE LAMP UNLESS IT  
16          EITHER:

- 17               (a) IS SUBJECT TO FEDERAL PREEMPTION; OR
- 18               (b) MEETS OR EXCEEDS A LAMP EFFICACY OF FORTY-FIVE LUMENS  
19               PER WATT, WHEN TESTED IN ACCORDANCE WITH THE APPLICABLE FEDERAL  
20               TEST PROCEDURES FOR GENERAL SERVICE LAMPS PRESCRIBED IN 10 CFR  
21               430.23 (gg), AS IN EFFECT ON JANUARY 3, 2017.

22          (3) ON OR AFTER JANUARY 1, 2021, THE FOLLOWING NEW  
23          PRODUCTS SHALL NOT BE SOLD, LEASED, OR RENTED IN COLORADO UNLESS  
24          THE EFFICIENCY OF THE NEW PRODUCT MEETS OR EXCEEDS THE  
25          FOLLOWING EFFICIENCY STANDARDS, AS APPLICABLE:

- 26               (a) COMMERCIAL DISHWASHERS INCLUDED IN THE SCOPE OF THE  
27               ENERGY STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION FOR

1 COMMERCIAL DISHWASHERS, VERSION 2.0, MUST MEET THE QUALIFICATION  
2 CRITERIA OF THAT SPECIFICATION.

3 (b) COMMERCIAL FRYERS INCLUDED IN THE SCOPE OF THE ENERGY  
4 STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION FOR  
5 COMMERCIAL FRYERS, VERSION 2.0, MUST MEET THE QUALIFICATION  
6 CRITERIA OF THAT SPECIFICATION.

7 (c) COMMERCIAL HOT FOOD HOLDING CABINETS MUST HAVE A  
8 MAXIMUM IDLE ENERGY RATE OF FORTY WATTS PER CUBIC FOOT OF  
9 INTERIOR VOLUME, AS DETERMINED BY THE "IDLE ENERGY RATE-DRY  
10 TEST" IN ASTM STANDARD F2140-11, "TEST METHOD FOR THE  
11 PERFORMANCE OF HOT FOOD HOLDING CABINETS", PUBLISHED BY ASTM  
12 INTERNATIONAL, FORMERLY KNOWN AS THE AMERICAN SOCIETY FOR  
13 TESTING AND MATERIALS. INTERIOR VOLUME MUST BE MEASURED AS  
14 PRESCRIBED IN THE ENERGY STAR PROGRAM REQUIREMENTS PRODUCT  
15 SPECIFICATION FOR COMMERCIAL HOT FOOD HOLDING CABINETS, VERSION  
16 2.0.

17 (d) COMMERCIAL STEAM COOKERS MUST MEET THE REQUIREMENTS  
18 OF THE ENERGY STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION  
19 FOR COMMERCIAL STEAM COOKERS, VERSION 1.2.

20 (e) COMPUTERS AND COMPUTER MONITORS MUST MEET THE  
21 REQUIREMENTS OF SECTION 1605.3 (v) OF TITLE 20 OF THE CCR, AND  
22 COMPLIANCE WITH THOSE REQUIREMENTS MUST BE AS MEASURED IN  
23 ACCORDANCE WITH TEST METHODS PRESCRIBED IN SECTION 1604 (v) OF  
24 THOSE REGULATIONS.

25 (f) FAUCETS, EXCEPT FOR METERING FAUCETS, MUST MEET THE  
26 FOLLOWING STANDARDS WHEN TESTED IN ACCORDANCE WITH 10 CFR 430,  
27 SUBPART B, APPENDIX S, AND COMPLIANCE WITH THOSE STANDARDS MUST

1 BE ESTABLISHED USING THE "UNIFORM TEST METHOD FOR MEASURING  
2 THE WATER CONSUMPTION OF FAUCETS AND SHOWERHEADS", AS IN  
3 EFFECT ON JANUARY 3, 2017:

4 (I) RESIDENTIAL KITCHEN FAUCETS AND REPLACEMENT AERATORS  
5 MUST NOT EXCEED A MAXIMUM FLOW RATE OF 1.8 GPM AT SIXTY PSI,  
6 WITH OPTIONAL TEMPORARY FLOW OF 2.2 GPM, PROVIDED THEY DEFAULT  
7 TO A MAXIMUM FLOW RATE OF 1.8 GPM AT SIXTY PSI AFTER EACH USE.

8 (II) PUBLIC LAVATORY FAUCETS AND REPLACEMENT AERATORS  
9 MUST NOT EXCEED A MAXIMUM FLOW RATE OF 0.5 GPM AT SIXTY PSI.

10 (g) FLUSHOMETER-VALVE WATER CLOSETS INCLUDED WITHIN THE  
11 SCOPE OF THE WATERSENSE SPECIFICATION FOR FLUSHOMETER-VALVE  
12 WATER CLOSETS, VERSION 1.0, MUST MEET THE WATER EFFICIENCY AND  
13 PERFORMANCE CRITERIA AND OTHER REQUIREMENTS OF THAT  
14 SPECIFICATION.

15 (h) HIGH CRI FLUORESCENT LAMPS MUST MEET THE MINIMUM  
16 EFFICACY REQUIREMENTS CONTAINED IN 10 CFR 430.32 (n)(4) AS IN  
17 EFFECT ON JANUARY 3, 2017, AS MEASURED IN ACCORDANCE WITH 10 CFR  
18 430, SUBPART B, APPENDIX R, "UNIFORM TEST METHOD FOR MEASURING  
19 AVERAGE LAMP EFFICACY (LE), COLOR RENDERING INDEX (CRI), AND  
20 CORRELATED COLOR TEMPERATURE (CCT) OF ELECTRIC LAMPS", AS IN  
21 EFFECT ON JANUARY 3, 2017.

22 (i) PORTABLE ELECTRIC SPAS MUST MEET THE REQUIREMENTS OF  
23 THE "AMERICAN NATIONAL STANDARD FOR PORTABLE ELECTRIC SPA  
24 ENERGY EFFICIENCY" (ANSI/APSP/ICC-14).

25 (j) NEW RESIDENTIAL VENTILATING FANS MUST MEET THE  
26 QUALIFICATION CRITERIA OF THE ENERGY STAR PROGRAM REQUIREMENTS  
27 PRODUCT SPECIFICATION FOR RESIDENTIAL VENTILATING FANS, VERSION



1 3.2.

2 (k) SPRAY SPRINKLER BODIES THAT ARE NOT SPECIFICALLY  
3 EXCLUDED FROM THE SCOPE OF THE WATERSENSE SPECIFICATION FOR  
4 SPRAY SPRINKLER BODIES, VERSION 1.0, MUST INCLUDE AN INTEGRAL  
5 PRESSURE REGULATOR AND MUST MEET THE WATER EFFICIENCY AND  
6 PERFORMANCE CRITERIA AND OTHER REQUIREMENTS OF THAT  
7 SPECIFICATION.

8 (l) UNINTERRUPTIBLE POWER SUPPLIES THAT UTILIZE A NEMA  
9 1-15P OR 5-15P INPUT PLUG AND HAVE AN ALTERNATING CURRENT  
10 OUTPUT MUST HAVE AN AVERAGE LOAD-ADJUSTED EFFICIENCY THAT  
11 MEETS OR EXCEEDS THE VALUES SHOWN ON PAGE 193 OF THE  
12 PREPUBLICATION FINAL RULE "ENERGY CONSERVATION PROGRAM:  
13 ENERGY CONSERVATION STANDARDS FOR UNINTERRUPTIBLE POWER  
14 SUPPLIES" ISSUED BY THE UNITED STATES DEPARTMENT OF ENERGY ON  
15 DECEMBER 28, 2016, AS MEASURED IN ACCORDANCE WITH TEST  
16 PROCEDURES PRESCRIBED IN 10 CFR 430, SUBPART B, APPENDIX Y,  
17 "UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION  
18 OF BATTERY CHARGERS", AS IN EFFECT ON JANUARY 11, 2017.

19 (m) WATER COOLERS INCLUDED IN THE SCOPE OF THE ENERGY  
20 STAR PROGRAM REQUIREMENTS PRODUCT SPECIFICATION FOR WATER  
21 COOLERS, VERSION 2.0, MUST HAVE AN "ON" MODE WITH NO-WATER-DRAW  
22 ENERGY CONSUMPTION LESS THAN OR EQUAL TO THE FOLLOWING VALUES  
23 AS MEASURED IN ACCORDANCE WITH THE TEST REQUIREMENTS OF THAT  
24 PROGRAM:

25 (I) 0.16 KILOWATT-HOURS PER DAY FOR COLD-ONLY UNITS AND  
26 COOK AND COLD UNITS;

27 (II) 0.87 KILOWATT-HOURS PER DAY FOR STORAGE-TYPE HOT AND

1 COLD UNITS; AND

2 (III) 0.18 KILOWATT-HOURS PER DAY FOR ON-DEMAND HOT AND  
3 COLD UNITS.

4 (4) ON OR AFTER FEBRUARY 1, 2022, THE FOLLOWING NEW  
5 PRODUCTS SHALL NOT BE SOLD, LEASED, OR RENTED IN COLORADO UNLESS  
6 THE EFFICIENCY OF THE NEW PRODUCT MEETS OR EXCEEDS THE  
7 FOLLOWING EFFICIENCY STANDARDS, AS APPLICABLE:

8 (a) AIR COMPRESSORS THAT MEET THE TWELVE CRITERIA LISTED  
9 ON PAGE 350 TO 351 OF THE "ENERGY CONSERVATION STANDARDS FOR  
10 AIR COMPRESSORS" FINAL RULE ISSUED BY THE UNITED STATES  
11 DEPARTMENT OF ENERGY ON DECEMBER 5, 2016, MUST MEET THE  
12 REQUIREMENTS IN TABLE 1 ON PAGE 352 FOLLOWING THE INSTRUCTIONS  
13 ON PAGE 353 AND AS MEASURED IN ACCORDANCE WITH 10 CFR 431,  
14 SUBPART T, APPENDIX A, "UNIFORM TEST METHOD FOR CERTAIN AIR  
15 COMPRESSORS", AS IN EFFECT ON JULY 3, 2017.

16 (b) NEW PORTABLE AIR CONDITIONERS MUST HAVE A COMBINED  
17 ENERGY EFFICIENCY RATIO (CEER), AS MEASURED IN ACCORDANCE WITH  
18 10 CFR 430, SUBPART B, APPENDIX CC, "UNIFORM TEST METHOD FOR  
19 MEASURING THE ENERGY CONSUMPTION OF PORTABLE AIR  
20 CONDITIONERS", AS IN EFFECT ON JANUARY 3, 2017, THAT IS GREATER  
21 THAN OR EQUAL TO:

22 
$$1.04 \times \text{SACC} / (3.7117 \times \text{SACC}^{0.6384})$$

23 WHERE SACC IS THE SEASONALLY ADJUSTED COOLING CAPACITY IN  
24 BRITISH THERMAL UNITS PER HOUR.

25

26 **6-7.5-106. New and revised standards - rules.** THE EXECUTIVE  
27 DIRECTOR MAY ADOPT BY RULE A MORE RECENT VERSION OF ANY

1 STANDARD OR TEST METHOD ESTABLISHED IN SECTION 6-7.5-105,  
2 INCLUDING ANY PRODUCT DEFINITION ASSOCIATED WITH THE STANDARD  
3 OR TEST METHOD, IN ORDER TO MAINTAIN OR IMPROVE CONSISTENCY WITH  
4 OTHER COMPARABLE STANDARDS IN OTHER STATES, SO LONG AS THE  
5 RESULTING EFFICIENCY IS EQUAL TO OR GREATER THAN THE EFFICIENCY  
6 ACHIEVED USING THE PRIOR STANDARD OR TEST METHOD. THE EXECUTIVE  
7 DIRECTOR SHALL ALLOW AT LEAST A ONE-YEAR DELAY BETWEEN THE  
8 ADOPTION BY RULE AND THE ENFORCEMENT OF ANY NEW STANDARD OR  
9 TEST METHOD.

10 **6-7.5-107. Protection against repeal of federal standards.**

11 (1) IF ANY OF THE ENERGY OR WATER CONSERVATION STANDARDS ISSUED  
12 OR APPROVED FOR PUBLICATION BY THE OFFICE OF THE UNITED STATES  
13 SECRETARY OF ENERGY AS OF JANUARY 1, 2018, AS SET FORTH IN 10 CFR  
14 430-431 AND PROMULGATED PURSUANT TO THE "ENERGY POLICY AND  
15 CONSERVATION ACT", PUB.L. 94-163, ARE WITHDRAWN, REPEALED, OR  
16 OTHERWISE VOIDED, THE MINIMUM ENERGY OR WATER EFFICIENCY LEVEL  
17 PERMITTED FOR PRODUCTS PREVIOUSLY SUBJECT TO FEDERAL ENERGY OR  
18 WATER CONSERVATION STANDARDS MUST BE THE PREVIOUSLY APPLICABLE  
19 FEDERAL STANDARDS, AND NO SUCH NEW PRODUCT MAY BE SOLD OR  
20 OFFERED FOR SALE, LEASE, RENTAL, OR INSTALLATION IN COLORADO  
21 UNLESS IT MEETS OR EXCEEDS SUCH STANDARDS.

22 (2) THIS SECTION DOES NOT APPLY TO A FEDERAL ENERGY OR  
23 WATER CONSERVATION STANDARD SET ASIDE BY A COURT UPON THE  
24 PETITION OF A PERSON THAT WILL BE ADVERSELY AFFECTED BY THE  
25 STANDARD, AS PROVIDED IN 42 U.S.C. SEC. 6306 (b).

26 **6-7.5-108. Utility programs during transition period.**

27 (1) SHOULD ONE OR MORE PRODUCTS DESCRIBED IN THIS ARTICLE 7.5 BE

1 SUBJECT TO WITHDRAWAL, REPEAL, OR OTHER ACTIONS THAT DECLARE A  
2 FEDERAL STANDARD INVALID AS DESCRIBED IN SECTION 6-7.5-107, THE  
3 PUBLIC UTILITIES COMMISSION SHALL PERMIT A THREE-YEAR PHASEOUT  
4 FOR A UTILITY OPERATING ENERGY EFFICIENCY PROGRAMS THAT CREATE  
5 INCENTIVES FOR OR OTHERWISE ENCOURAGE THE USE OF HIGH-EFFICIENCY  
6 VERSIONS OF THE AFFECTED PRODUCTS. THIS PHASEOUT SHALL COMMENCE  
7 ON OR AFTER THE DATE SPECIFIED IN SECTION 6-7.5-105; SHALL APPLY  
8 ONLY TO ENERGY SAVINGS THAT WILL BE MANDATED UNDER THIS ARTICLE  
9 7.5; SHALL OCCUR IN EQUAL REDUCTIONS FOR EACH TRANSITION YEAR;  
10 AND MUST PERMIT AN ORDERLY ADJUSTMENT OF THE APPLIANCE OR  
11 LIGHTING MARKET TO ENSURE THAT RESIDENTS AND BUSINESSES IN  
12 COLORADO ARE NOT NEGATIVELY AFFECTED BY CHANGES IN PRODUCT  
13 SELECTION, BUSINESS PRACTICES, AND ENERGY EFFICIENCY PROGRAM  
14 OPPORTUNITIES RELATED TO THE AFFECTED APPLIANCES OR LIGHTING  
15 PRODUCTS.

16 (2) FOR PRODUCTS LISTED IN THIS ARTICLE 7.5 THAT ARE NOT  
17 SUBJECT TO WITHDRAWAL OR REPEAL, THE PUBLIC UTILITIES COMMISSION  
18 SHALL ALLOW AT LEAST A ONE-YEAR TRANSITION FOR UTILITY-SPONSORED  
19 ENERGY EFFICIENCY PROGRAMS STARTING ON OR AFTER THE DATE  
20 SPECIFIED IN SECTION 6-7.5-105.

21 **6-7.5-109. Testing, certification, labeling, and enforcement -**

22 **rules.** (1) UNLESS A PRODUCT APPEARS IN A PUBLIC DATABASE OF  
23 COMPLIANT PRODUCTS MAINTAINED BY OTHER STATES OR FEDERAL  
24 AGENCIES WITH EQUIVALENT OR MORE STRINGENT EFFICIENCY  
25 STANDARDS, THE MANUFACTURERS OF PRODUCTS COVERED BY THIS  
26 ARTICLE 7.5 SHALL DEMONSTRATE THAT THE PRODUCTS COMPLY WITH  
27 THIS ARTICLE 7.5 BY DOING ANY ONE OR MORE OF THE FOLLOWING:

1 (a) SUBMITTING TEST SAMPLE RESULTS TO THE EXECUTIVE  
2 DIRECTOR, USING TEST METHODS AND PROCEDURES ADOPTED PURSUANT  
3 TO THIS ARTICLE 7.5;

4 (b) AFFIXING A MARK, LABEL, OR TAG TO THE PRODUCT AND  
5 PACKAGING AT THE TIME OF SALE OR INSTALLATION THAT DEMONSTRATES  
6 COMPLIANCE WITH OTHER STATE OR FEDERAL AGENCIES THAT HAVE  
7 EQUIVALENT OR MORE STRINGENT EFFICIENCY STANDARDS; OR

8 (c) SUBMITTING SUCH OTHER PROOF AS THE EXECUTIVE DIRECTOR  
9 MAY DEEM APPROPRIATE TO SHOW THAT THE PRODUCT COMPLIES WITH  
10 EQUIVALENT OR MORE STRINGENT EFFICIENCY STANDARDS ADOPTED BY  
11 OTHER STATES OR FEDERAL AGENCIES.

12 (2) THE EXECUTIVE DIRECTOR MAY ADOPT RULES AS NECESSARY  
13 TO ENSURE THE PROPER IMPLEMENTATION AND ENFORCEMENT OF THIS  
14 ARTICLE 7.5.

15 **6-7.5-110. Penalties - civil action by attorney general.** (1) A  
16 PERSON SHALL NOT SELL OR OFFER TO SELL ANY NEW CONSUMER PRODUCT  
17 THAT IS REQUIRED TO MEET A STANDARD ESTABLISHED IN THIS ARTICLE  
18 7.5 BUT THAT THE PERSON KNOWS DOES NOT MEET THAT STANDARD.

19 (2) WHENEVER THE ATTORNEY GENERAL HAS PROBABLE CAUSE TO  
20 BELIEVE THAT ANY PERSON OR GROUP OF PERSONS HAS VIOLATED OR  
21 CAUSED ANOTHER TO VIOLATE SUBSECTION (1) OF THIS SECTION, THE  
22 ATTORNEY GENERAL MAY BRING A CIVIL ACTION ON BEHALF OF THE STATE  
23 TO SEEK THE IMPOSITION OF CIVIL PENALTIES AS FOLLOWS:

24 (a) ANY PERSON WHO VIOLATES OR CAUSES ANOTHER TO VIOLATE  
25 SUBSECTION (1) OF THIS SECTION SHALL FORFEIT AND PAY TO THE  
26 GENERAL FUND OF THIS STATE A CIVIL PENALTY OF NOT MORE THAN TWO  
27 THOUSAND DOLLARS FOR EACH SUCH VIOLATION. FOR PURPOSES OF THIS

1 SUBSECTION (2)(a), A VIOLATION CONSTITUTES A SEPARATE VIOLATION  
2 WITH RESPECT TO EACH CONSUMER OR TRANSACTION INVOLVED; EXCEPT  
3 THAT THE MAXIMUM CIVIL PENALTY SHALL NOT EXCEED FIVE HUNDRED  
4 THOUSAND DOLLARS FOR ANY RELATED SERIES OF VIOLATIONS.

5 (b) ANY PERSON WHO VIOLATES OR CAUSES ANOTHER TO VIOLATE  
6 ANY PROVISION OF THIS ARTICLE 7.5, WHERE SUCH VIOLATION WAS  
7 COMMITTED AGAINST AN ELDERLY PERSON, SHALL FORFEIT AND PAY TO  
8 THE GENERAL FUND OF THE STATE A CIVIL PENALTY OF NOT MORE THAN  
9 TEN THOUSAND DOLLARS FOR EACH SUCH VIOLATION. FOR PURPOSES OF  
10 THIS SUBSECTION (2)(b), A VIOLATION OF THIS SECTION CONSTITUTES A  
11 SEPARATE VIOLATION WITH RESPECT TO EACH ELDERLY PERSON  
12 INVOLVED.

13 **SECTION 2. Act subject to petition - effective date.** This act  
14 takes effect at 12:01 a.m. on the day following the expiration of the  
15 ninety-day period after final adjournment of the general assembly (August  
16 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
17 referendum petition is filed pursuant to section 1 (3) of article V of the  
18 state constitution against this act or an item, section, or part of this act  
19 within such period, then the act, item, section, or part will not take effect  
20 unless approved by the people at the general election to be held in  
21 November 2020 and, in such case, will take effect on the date of the  
22 official declaration of the vote thereon by the governor.