

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0651.01 Chuck Brackney x2295

HOUSE BILL 12-1004

HOUSE SPONSORSHIP

Bradford,

SENATE SPONSORSHIP

King S.,

House Committees

Economic and Business Development

Senate Committees

A BILL FOR AN ACT

101 CONCERNING REQUIRING LOCAL BUILDING CODES TO ALLOW THE USE
102 OF LUMBER MILLED FROM CERTAIN TREES AS BUILDING
103 FRAMING MATERIAL.

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>.)

The bill requires county and municipal building codes to allow the use of lumber milled from lodgepole pine and Englemann spruce trees having a grade of "stud" or better as building framing material. County and municipal building codes must also encourage the use of lumber

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.

milled from these trees for this purpose.

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

2 **SECTION 1. Short title - legislative declaration.** (1) This act
3 shall be known and may be cited as the "Colorado Timber Act".

4 (2) (a) The general assembly hereby finds that:

5 (I) The state of Colorado has been in the midst of an epidemic of
6 beetle infestation since the 1990s;

7 (II) This infestation has affected more than three million acres of
8 Colorado's forests;

9 (III) Colorado's stock of lodgepole pine trees and Englemann
10 spruce trees have been particularly hard hit, with losses totaling over three
11 million trees for these species; and

12 (IV) Lumber from these trees is often not used in Colorado and is
13 shipped for sale out of state, in part because use of this lumber is
14 prohibited by local building codes.

15 (b) The general assembly declares that using the lumber from trees
16 that have been damaged by beetles but that is still structurally sound and
17 durable for building in Colorado would be beneficial to the state by:

18 (I) Providing a market for the lumber that is currently left unused
19 or shipped out of state;

20 (II) Providing jobs for harvesting, processing, and selling this
21 lumber in the state; and

22 (III) Keeping Colorado resources in Colorado.

23 (c) The general assembly therefore declares that:

24 (I) The ability to used beetle-killed lumber in Colorado is a matter
25 of statewide concern; and

1 (II) High-grade Colorado lumber should be allowed to be used in
2 all communities across the state for the framing of buildings.

3 **SECTION 2.** In Colorado Revised Statutes, 30-28-201, **add** (4)
4 as follows:

5 **30-28-201. Commissioners may adopt - emission performance**
6 **standards required - use of lumber milled from lodgepole pine and**
7 **Englemann spruce trees.** (4) ON AND AFTER THE EFFECTIVE DATE OF
8 THIS SUBSECTION (4), EVERY BOARD OF COUNTY COMMISSIONERS OF A
9 COUNTY THAT HAS ENACTED A BUILDING CODE, AND THEREAFTER EVERY
10 BOARD OF COUNTY COMMISSIONERS OF A COUNTY THAT ENACTS A
11 BUILDING CODE, SHALL ENACT A BUILDING CODE PROVISION TO PERMIT
12 THE USE OF LUMBER MILLED FROM LODGEPOLE PINE TREES OR
13 ENGLEMANN SPRUCE TREES HAVING A GRADE OF "STUD", "NO. 2", "NO. 1",
14 OR "SELECT STRUCTURAL" UNDER THE GRADING STANDARDS OF THE WEST
15 COAST LUMBER INSPECTION BUREAU OR ITS ANALOGOUS SUCCESSOR
16 ORGANIZATION AS SUITABLE MATERIAL FOR THE FRAMING OF BUILDINGS.
17 THE BUILDING CODE PROVISION MUST ALSO ENCOURAGE THE USE OF
18 LUMBER MILLED FROM THESE TREES FOR USE AS BUILDING FRAMING
19 MATERIAL.

20 **SECTION 3.** In Colorado Revised Statutes, 31-15-601, **add** (3)
21 as follows:

22 **31-15-601. Building and fire regulations - use of lumber milled**
23 **from lodgepole pine and Englemann spruce trees - emission**
24 **performance standards required.** (3) ON AND AFTER THE EFFECTIVE
25 DATE OF THIS SUBSECTION (3), EVERY GOVERNING BODY OF A
26 MUNICIPALITY THAT HAS ENACTED A BUILDING CODE, AND THEREAFTER
27 EVERY GOVERNING BODY THAT ENACTS A BUILDING CODE, SHALL ENACT

1 A BUILDING CODE PROVISION TO PERMIT THE USE OF LUMBER MILLED FROM
2 LODGEPOLE PINE TREES OR ENGLEMANN SPRUCE TREES HAVING A GRADE
3 OF "STUD", "NO. 2", "NO. 1", OR "SELECT STRUCTURAL" UNDER THE
4 GRADING STANDARDS OF THE WEST COAST LUMBER INSPECTION BUREAU
5 OR ITS ANALOGOUS SUCCESSOR ORGANIZATION AS SUITABLE MATERIAL
6 FOR THE FRAMING OF BUILDINGS. THE BUILDING CODE PROVISION MUST
7 ALSO ENCOURAGE THE USE OF LUMBER MILLED FROM THESE TREES FOR
8 USE AS BUILDING MATERIAL.

9 **SECTION 4. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.