

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0559.01 Richard Sweetman x4333

HOUSE BILL 12-1235

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, 2013, 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:

! The design and construction plans for the project ensure

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.

- that 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;
- ! The school district or district charter school shall perform the project to achieve the highest performance certification attainable as certified by an independent third party pursuant to the high performance standard certification program adopted by the state architect;
- ! 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
- ! 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 possesses a professional accreditation in energy-efficient design practices and who provides professional technical assistance to the school district or district charter school to facilitate the project.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-32-124.3 as
 3 follows:

4 **22-32-124.3. Energy-efficient design of school buildings and**
 5 **structures required.** (1) ON AND AFTER JANUARY 1, 2013, EACH SCHOOL
 6 DISTRICT AND EACH DISTRICT CHARTER SCHOOL SHALL ENSURE THAT EACH
 7 PROJECT TO CONSTRUCT OR SIGNIFICANTLY REDESIGN A BUILDING OR
 8 STRUCTURE, AT A MINIMUM, SATISFIES ONE OF THE FOLLOWING
 9 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

1 ACQUIRE SUCH A RATING FOR THE RESULTING BUILDING OR STRUCTURE;

2 (b) THE SCHOOL DISTRICT OR DISTRICT CHARTER SCHOOL SHALL
3 PERFORM THE PROJECT TO ACHIEVE THE HIGHEST PERFORMANCE
4 CERTIFICATION ATTAINABLE AS CERTIFIED BY AN INDEPENDENT THIRD
5 PARTY PURSUANT TO THE HIGH PERFORMANCE STANDARD CERTIFICATION
6 PROGRAM ADOPTED BY THE STATE ARCHITECT PURSUANT TO .SECTION
7 24-30-1305 (9), C.R.S.;

8 (c) THE SCHOOL DISTRICT OR DISTRICT CHARTER SCHOOL SHALL
9 CONSULT WITH THE GOVERNOR'S ENERGY OFFICE CONCERNING THE BEST
10 BUILDING PRACTICES FOR THE CONSTRUCTION OR REDESIGN PROJECT,
11 WHICH CONSULTATION SHALL COMMENCE BEFORE THE COMMENCEMENT
12 OF ANY ACTUAL BUILDING OR CONSTRUCTION AND SHALL CONTINUE UNTIL
13 THE COMPLETION OF THE PROJECT; OR

14 (d) THE SCHOOL DISTRICT OR DISTRICT CHARTER SCHOOL SHALL
15 DESIGNATE THE EXECUTION OF THE PROJECT TO A DESIGN AND
16 CONSTRUCTION TEAM THAT INCLUDES AT LEAST ONE PERSON WHO:

17 (I) POSSESSES A PROFESSIONAL ACCREDITATION IN
18 ENERGY-EFFICIENT DESIGN PRACTICES; AND

19 (II) PROVIDES PROFESSIONAL TECHNICAL ASSISTANCE TO THE
20 SCHOOL DISTRICT OR DISTRICT CHARTER SCHOOL TO FACILITATE THE
21 PROJECT.

22 (2) IF A SCHOOL DISTRICT OR DISTRICT CHARTER SCHOOL
23 CONSULTS WITH THE GOVERNOR'S ENERGY OFFICE PURSUANT TO
24 PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION, THE GOVERNOR'S
25 ENERGY OFFICE SHALL ADVISE THE SCHOOL DISTRICT OR DISTRICT
26 CHARTER SCHOOL CONCERNING THE BEST BUILDING PRACTICES FOR THE
27 CONSTRUCTION OR REDESIGN PROJECT. IT IS THE INTENT OF THE GENERAL

1 ASSEMBLY THAT THE GOVERNOR'S ENERGY OFFICE USE EXISTING
2 RESOURCES TO SATISFY THE REQUIREMENTS OF THIS SUBSECTION (2).

3 (3) AS USED IN THIS SECTION, "SIGNIFICANTLY REDESIGN A
4 BUILDING OR STRUCTURE" MEANS TO REDESIGN A BUILDING OR
5 STRUCTURE IN A MANNER THAT AFFECTS ONE OR MORE STRUCTURAL
6 CHANGES TO FIFTY PERCENT OR MORE OF THE SQUARE FOOTAGE OF THE
7 BUILDING OR STRUCTURE.

8 **SECTION 2. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly (August
11 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within such period, then the act, item, section, or part will not take effect
15 unless approved by the people at the general election to be held in
16 November 2012 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.