

**Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 24-0058.01 Christopher McMichael x4775

**HOUSE BILL 24-1315**

**HOUSE SPONSORSHIP**

**Brown and Amabile**, Bacon, Bird, Boesenecker, Clifford, Daugherty, Duran, Epps, Froelich, Garcia, Herod, Jodeh, Joseph, Lieder, Lindstedt, Mabrey, McCluskie, McCormick, Rutinel, Snyder, Story, Velasco, Weissman, Woodrow

**SENATE SPONSORSHIP**

**Cutter**, Buckner, Exum, Jaquez Lewis, Michaelson Jenet, Priola

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**House Committees**

Business Affairs & Labor  
Appropriations

**Senate Committees**

Local Government & Housing  
Appropriations

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**A BILL FOR AN ACT**

101      **CONCERNING A STUDY REGARDING STANDARDS FOR THE REMEDIATION**  
102              **OF RESIDENTIAL PREMISES AFTER A PROPERTY HAS BEEN**  
103              **DAMAGED IN A FIRE, AND, IN CONNECTION THEREWITH,**  
104              **STUDYING PROPERTIES DAMAGED BY SMOKE, SOOT, ASH, AND**  
105              **OTHER CONTAMINANTS AS A RESULT OF THE FIRE AND MAKING**  
106              **AN APPROPRIATION.**

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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 the division of insurance (division) to conduct a

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.*

SENATE  
3rd Reading Unamended  
May 7, 2024

SENATE  
2nd Reading Unamended  
May 6, 2024

HOUSE  
3rd Reading Unamended  
April 30, 2024

HOUSE  
Amended 2nd Reading  
April 29, 2024

study regarding the remediation of residential premises that have been damaged from smoke, soot, ash, and other contaminants as a result of a fire. The study focuses on existing practices for the remediation of homes that have been damaged by smoke, soot, ash, and other contaminants as a result of a fire and requires the division to make recommendations for establishing uniform standards related to such remediation. The division may contract with a third party to conduct all or part of the study. The division must submit a report of the study's findings and recommendations to certain committees of the general assembly by January 1, 2026.

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

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4           (a) Colorado has experienced record-breaking wildfires in recent  
5 years, including the Marshall Fire, which destroyed nearly 1,100 homes  
6 and damaged thousands of homes as a result of contamination from  
7 smoke, soot, ash, and other contaminants;

8           (b) Smoke, soot, ash, and other contaminants that emanate from  
9 fires cause damage to homes by depositing particulate matter, volatile  
10 organic compounds, and chemicals onto personal property and into the  
11 walls, floors, furnishings, surfaces, and other infrastructure of a home.  
12 Those contaminants not only compromise the integrity of the residential  
13 premises, but they also may pose significant, long-term health issues for  
14 residents long after the fire has been extinguished.

15           (c) As homeowners return to their homes and the areas that have  
16 been damaged after a fire, many homeowners face uncertainty as to  
17 whether their homes have been properly cleaned, repaired, or remediated  
18 to the point where the homes are safe to inhabit;

19           (d) Residents whose homes are damaged from smoke, soot, ash,  
20 and other contaminants as a result of a fire should be assured of the safety

1 and habitability of their homes, as well as their personal property and  
2 furnishings, which should be returned to a pre-loss condition that is safe  
3 and healthy for homeowners and residents;

4 (e) In addition, inadequate remediation of homes after a fire  
5 exacerbates pressure on the housing market because it forces some  
6 individuals to find new homes, takes residential premises off the market,  
7 and extends the time that families and individuals are displaced;

8 (f) Consistent standards are needed regarding the inspection,  
9 testing, and remediation of residential premises after a fire so that  
10 homeowners and residents are able to have and insurance carriers are able  
11 to insure safe and habitable homes after a fire;

12 (g) Furthermore, while homeowners insurance policies might  
13 cover certain damage resulting from a fire, the extent to which insurance  
14 carriers are covering the cleaning, repair, and remediation of homes is  
15 inconsistent, and many homeowners are concerned that they will incur an  
16 additional financial burden to remediate their homes to the point where  
17 they are clean and safe to inhabit; and

18 (h) It is in the best interest of Colorado to protect the health and  
19 safety of Colorado residents by ensuring that their homes are returned to  
20 a healthy, habitable, and safe condition after suffering damage from fires,  
21 including damage from residual smoke, soot, ash, and other contaminants.

22 (2) The general assembly further declares that in order to properly  
23 clean, repair, and remediate homes and provide clarity and assurances to  
24 the many stakeholders involved with the remediation of residential  
25 premises that have been damaged due to fire, smoke, soot, ash, and other  
26 contaminants, the division of insurance shall conduct a study and make  
27 recommendations regarding the establishment of uniform standards for

1 the remediation of residential premises that have been damaged by fires,  
2 including damage from smoke, soot, ash, and other contaminants, and  
3 regarding the extent to which the cleaning, repair, and remediation of  
4 those properties should be covered by homeowners insurance.

5 **SECTION 2.** In Colorado Revised Statutes, **add** 10-1-145 as  
6 follows:

7 **10-1-145. Study regarding standards for the remediation of**  
8 **residential premises after fire - required considerations - report -**  
9 **repeal.** (1) (a) THE DIVISION SHALL CONDUCT OR CAUSE TO BE  
10 CONDUCTED A STUDY THAT:

11 (I) EVALUATES METHODS OF INSPECTING, TESTING, AND  
12 REMEDIATING RESIDENTIAL PREMISES THAT HAVE BEEN DAMAGED BY  
13 SMOKE, SOOT, ASH, AND OTHER CONTAMINANTS AS A RESULT OF A FIRE;

14 (II) INCLUDES RECOMMENDATIONS REGARDING THE  
15 ESTABLISHMENT OF UNIFORM STANDARDS FOR THE INSPECTION, TESTING,  
16 AND REMEDIATION OF RESIDENTIAL PREMISES THAT HAVE BEEN DAMAGED  
17 BY SMOKE, SOOT, ASH, AND OTHER CONTAMINANTS AS A RESULT OF A FIRE;  
18 AND

19 (III) CONSIDERS THE EXTENT TO WHICH ANY RECOMMENDED  
20 UNIFORM STANDARDS RELATED TO THE REMEDIATION OF RESIDENTIAL  
21 PREMISES DAMAGED BY FIRE, INCLUDING DAMAGE FROM SMOKE, SOOT,  
22 ASH, AND OTHER CONTAMINANTS, IMPACT THE COST AND AVAILABILITY OF  
23 HOMEOWNERS INSURANCE.

24 (b) THE DIVISION MAY CONTRACT WITH A THIRD PARTY TO  
25 CONDUCT ALL OR PART OF THE STUDY.

26 (2) THE STUDY CONDUCTED PURSUANT TO THIS SECTION MUST  
27 CONSIDER:

1           (a) EXISTING PRACTICES AND METHODS FOR THE CLEANING,  
2 REPAIR, AND REMEDIATION OF RESIDENTIAL PREMISES, STRUCTURES,  
3 PERSONAL PROPERTY, AND HOME FURNISHINGS THAT HAVE BEEN  
4 DAMAGED BY SMOKE, SOOT, ASH, AND OTHER CONTAMINANTS AS A  
5 RESULT OF A FIRE;

6           (b) EXISTING STANDARDS, IF ANY, FOR THE TESTING, INSPECTION,  
7 AND REMEDIATION OF RESIDENTIAL PREMISES, STRUCTURES, HOME  
8 FURNISHINGS, AND PERSONAL PROPERTY THAT HAVE BEEN DAMAGED BY  
9 SMOKE, SOOT, ASH, AND OTHER CONTAMINANTS AS A RESULT OF A FIRE,  
10 INCLUDING ANY RELEVANT STANDARDS ESTABLISHED BY THE INSTITUTE  
11 OF INSPECTION CLEANING AND RESTORATION CERTIFICATION OR A  
12 SUCCESSOR ENTITY;

13           (c) GUIDELINES FOR DETERMINING WHETHER STRUCTURES, HOME  
14 FURNISHINGS, AND PERSONAL PROPERTY CAN BE REMEDIATED AFTER  
15 EXPERIENCING DAMAGE FROM SMOKE, SOOT, ASH, AND OTHER  
16 CONTAMINANTS TO LEVELS THAT ARE PROTECTIVE OF HEALTH AND  
17 SAFETY;

18           (d) EXISTING INDOOR AIR QUALITY HEALTH AND SAFETY  
19 STANDARDS, IF AVAILABLE, REGARDING THE HABITABILITY OF  
20 RESIDENTIAL PREMISES, SPECIFICALLY AFTER THOSE RESIDENTIAL  
21 PREMISES HAVE BEEN DAMAGED BY SMOKE, SOOT, ASH, AND OTHER  
22 CONTAMINANTS AS A RESULT OF A FIRE, INCLUDING, TO THE EXTENT  
23 PRACTICABLE, INDOOR AIR QUALITY HEALTH AND SAFETY STANDARDS FOR  
24 INDIVIDUALS WHO ARE MORE SUSCEPTIBLE TO HEALTH ISSUES DUE TO  
25 EXPOSURE TO SMOKE, SOOT, ASH, AND OTHER CONTAMINANTS; AND

26           (e) THE EXTENT TO WHICH TYPICAL HOMEOWNERS INSURANCE  
27 POLICIES COVER DAMAGES TO RESIDENTIAL PREMISES THAT ARE THE

1 RESULT OF A FIRE, INCLUDING DAMAGE FROM SMOKE, SOOT, ASH, AND  
2 OTHER CONTAMINANTS, AND THE EXTENT TO WHICH THOSE INSURANCE  
3 POLICIES EFFECTIVELY COVER THE COST OF CLEANING, REPAIR, AND  
4 REMEDIATION OF THE RESIDENTIAL PREMISES.

5 (3) THE DIVISION, OR A THIRD PARTY THE DIVISION CONTRACTS  
6 WITH, SHALL ENGAGE WITH RELEVANT STAKEHOLDERS IN CONDUCTING  
7 THE STUDY PURSUANT TO SUBSECTIONS (1) AND (2) OF THIS SECTION.  
8 RELEVANT STAKEHOLDERS MAY INCLUDE:

9 (a) REPRESENTATIVES FROM THE DEPARTMENT OF PUBLIC HEALTH  
10 AND ENVIRONMENT;

11 (b) INDIVIDUALS WHO OWN HOMES OR OTHER RESIDENTIAL  
12 PREMISES;

13 (c) REPRESENTATIVES FROM THE HOMEOWNERS INSURANCE  
14 INDUSTRY IN COLORADO;

15 (d) PUBLIC HEALTH EXPERTS;

16 (e) REPRESENTATIVES FROM THE INDUSTRIAL HYGIENIST INDUSTRY  
17 IN COLORADO; ■

18 (f) REPRESENTATIVES FROM THE RESIDENTIAL REMEDIATION AND  
19 RESTORATION INDUSTRY IN COLORADO; AND

20 (g) REPRESENTATIVES FROM ORGANIZATIONS THAT ADVOCATE FOR  
21 THE INTERESTS OF CONSUMERS OF HOMEOWNERS INSURANCE POLICIES.

22 (4) ON OR BEFORE JANUARY 1, 2026, THE DIVISION SHALL SUBMIT  
23 A REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH AND HUMAN  
24 SERVICES COMMITTEE AND THE SENATE LOCAL GOVERNMENT AND  
25 HOUSING COMMITTEE, OR THEIR SUCCESSOR COMMITTEES. THE REPORT  
26 MUST INCLUDE THE RESEARCH, FINDINGS, AND RECOMMENDATIONS OF THE  
27 STUDY CONDUCTED IN ACCORDANCE WITH SUBSECTIONS (1) AND (2) OF

1 THIS SECTION.

2 (5) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2027.

3 **SECTION 3. Appropriation.** For the 2024-25 state fiscal year,  
4 \$219,909 is appropriated to the department of regulatory agencies for use  
5 by the division of insurance. This appropriation is from the division of  
6 insurance cash fund created in section 10-1-103 (3)(a)(I), C.R.S., and is  
7 based on an assumption that the division will require an additional 0.2  
8 FTE. To implement this act, the division may use this appropriation for  
9 personal services. Of the amount appropriated in this section, any amount  
10 up to \$200,000 not expended prior to July 1, 2025, is further appropriated  
11 to the division for the 2025-26 state fiscal year for the same purpose.

12 **SECTION 4. Act subject to petition - effective date.** This act  
13 takes effect at 12:01 a.m. on the day following the expiration of the  
14 ninety-day period after final adjournment of the general assembly; except  
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
16 of the state constitution against this act or an item, section, or part of this  
17 act within such period, then the act, item, section, or part will not take  
18 effect unless approved by the people at the general election to be held in  
19 November 2024 and, in such case, will take effect on the date of the  
20 official declaration of the vote thereon by the governor.