

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

REREVISED

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

LLS NO. 25-0159.01 Clare Haffner x6137

SENATE BILL 25-039

SENATE SPONSORSHIP

Bridges and Pelton B., Marchman, Roberts, Simpson, Bright, Carson, Catlin, Coleman, Frizell, Jodeh, Kirkmeyer, Lundeen, Pelton R.

HOUSE SPONSORSHIP

Martinez and Johnson, McCormick, Bird, Clifford, Duran, Gonzalez R., Keltie, Lieder, Lindsay, Marshall, McCluskie, Soper, Titone

Senate Committees

Agriculture & Natural Resources

House Committees

Agriculture, Water & Natural Resources

A BILL FOR AN ACT

101 **CONCERNING EXEMPTIONS FROM ENERGY USE REPORTING**
102 **REQUIREMENTS FOR OWNERS OF AGRICULTURAL BUILDINGS.**

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/>.)

Water Resources and Agriculture Review Committee. Under current law, owners of certain large buildings (covered buildings) are required to annually collect and report each covered building's energy use to the Colorado energy office.

The bill clarifies that agricultural buildings are not covered buildings, and, therefore, owners of agricultural buildings are exempt

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.

HOUSE
3rd Reading Unamended
March 11, 2025

HOUSE
Amended 2nd Reading
March 10, 2025

SENATE
3rd Reading Unamended
February 12, 2025

SENATE
Amended 2nd Reading
February 11, 2025

from the energy use collecting and reporting requirements. The bill defines an agricultural building as a building or structure used to house agricultural implements, hay, unprocessed grain, poultry, livestock, or other agricultural products or inputs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-7-142, **amend**
3 (2)(j)(II)(B) and (2)(j)(II)(C); and **add** (2)(b.5), (2)(j)(II)(D), and (10) as
4 follows:

5 **25-7-142. Energy benchmarking - data collection and access**
6 **- utility requirements - task force - rules - reports - exemptions -**
7 **definitions - legislative declaration - repeal. (2) Definitions.** As used
8 in this section, unless the context otherwise requires:

9 (b.5) (I) "AGRICULTURAL BUILDING" MEANS A BUILDING OR
10 STRUCTURE USED TO HOUSE AGRICULTURAL IMPLEMENTS, HAY,
11 UNPROCESSED GRAIN, POULTRY, LIVESTOCK, OR OTHER AGRICULTURAL
12 PRODUCTS OR INPUTS PRIMARILY FOR THE PURPOSE OF MAINTAINING OR
13 OPERATING AN AGRICULTURAL PROCESS.

14 (II) AGRICULTURAL IMPLEMENTS INCLUDE AGRICULTURAL
15 EQUIPMENT AS DESCRIBED IN SECTION 39-3-122.

16 (III) AGRICULTURAL IMPLEMENTS DO NOT INCLUDE IMPLEMENTS
17 THAT ARE PRIMARILY FOR RENT OR SALE.

18 (j) (II) "Covered building" does not include:

19 (B) A building in which more than half of the gross floor area is
20 used for ~~manufacturing, industrial, or agricultural purposes; or~~
21 MANUFACTURING OR INDUSTRIAL PURPOSES;

22 (C) A single-family home, duplex, or triplex; OR

23 (D) AN AGRICULTURAL BUILDING.

1 **(10) Agricultural buildings exempted from benchmarking**

2 **requirements. (a)** AN OWNER OF AN AGRICULTURAL BUILDING MAY
3 SUBMIT FOR AN AFFIRMATIVE EXEMPTION FROM ANY REQUIREMENT TO
4 REPORT BENCHMARKING DATA.

5 **(b)** AN OWNER OF AN AGRICULTURAL BUILDING MAY SUBMIT FOR
6 AN EXEMPTION TO REMAIN VALID UNTIL THERE IS A CHANGE IN OWNERSHIP
7 OR A CHANGE THAT RENDERES THE BUILDING NO LONGER AN
8 AGRICULTURAL BUILDING.

9 **(c)** FOR THE DURATION OF ANY EXEMPTION, AN OWNER OF AN
10 AGRICULTURAL BUILDING SHALL CERTIFY, UPON REQUEST, THE EXEMPTION
11 STATUS OF ANY BUILDING FOR WHICH AN EXEMPTION HAS BEEN GRANTED.

12 **SECTION 2. 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 2026 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.