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SENATE BILL 25-002

BY SENATOR(S) Bridges and Exum, Cutter, Gonzales J., Hinrichsen, Kipp, Michaelson Jenet, Wallace, Winter F.;
also REPRESENTATIVE(S) Boesenecker and Stewart R., Brown, Froelich, Lindsay, Paschal, Ricks, Rydin, Smith.

CONCERNING THE DEVELOPMENT OF REGIONAL BUILDING CODES THAT
ACCOUNT FOR LOCAL CLIMATIC AND GEOGRAPHIC CONDITIONS FOR
THE CONSTRUCTION AND INSTALLATION OF RESIDENTIAL AND
NONRESIDENTIAL FACTORY-BUILT STRUCTURES, AND, IN CONNECTION
THEREWITH, MAKING AN APPROPRIATION.

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

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

(a) Coloradans are overwhelmingly burdened with the cost of housing;

(b) Forty-five percent of renters, 329,000 residents, spend more than 30% of their income on rent;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(c) A household in Colorado must earn at least \$70,840 annually to afford the median rent of \$1,771 without being cost-burdened;

(d) To purchase a median-priced home, which is \$550,300, with a 20% down payment, and avoid being cost-burdened, a household must earn \$129,178 annually;

(e) The average cost of construction of a new home as of November 2024 was approximately \$483,000, which is an increase from \$419,000 in 2023;

(f) In 2021, the general assembly enacted House Bill 21-1329, which directed the executive committee of the legislative council to create a task force to meet during 2021 and issue a report with recommendations to the general assembly and the governor on policies to create transformative changes in the area of housing;

(g) In 2022, the general assembly enacted House Bill 22-1282, which authorized investment in companies pursuing innovative construction methods, resulting in the establishment of the innovative housing incentive program;

(h) Innovative housing incentive program investments are intended to create new housing units, which lower housing costs and encourage innovation; and

(i) Off-site construction partners participating in the innovative housing incentive program, including modular manufacturers, have expressed concerns that regulatory barriers are preventing intended growth in housing units, reducing the cost and time-saving potential of off-site construction.

(2) Therefore, the general assembly further finds and declares that it seeks to address the shortage and cost of housing by enacting regional standards for factory-built structures, rather than standards related to a specific address, which will increase the supply of housing and lower housing costs by lowering the cost of factory-built housing construction and encouraging partners to take advantage of the economies of scale afforded through factory-built construction.

SECTION 2. In Colorado Revised Statutes, 12-155-106, **add** (6) as follows:

12-155-106. Colorado plumbing code - amendments - variances - Colorado fuel gas code. (6) (a) NOTWITHSTANDING ANY AUTHORITY GRANTED TO THE BOARD BY THIS SECTION AND AFTER RULES ARE ADOPTED BY THE STATE HOUSING BOARD PURSUANT TO SECTION 24-32-3304 (1)(h)(III), THE BOARD DOES NOT HAVE JURISDICTION OVER AND THE RULES OF THE BOARD DO NOT APPLY TO ANY ACTIVITY REQUIRED TO UNDERTAKE OR COMPLETE THE CONSTRUCTION OR INSTALLATION OF A FACTORY-BUILT STRUCTURE, AS DEFINED IN SECTION 24-32-3302 (11).

(b) PLUMBING INSTALLATIONS THAT CONNECT THESE STRUCTURES TO EXTERNAL UTILITY SOURCES AND THAT ARE NOT CONSIDERED ACTIONS TO COMPLETE THE INSTALLATION OF A FACTORY-BUILT STRUCTURE AS REQUIRED BY A REGISTERED INSTALLER MUST BE COMPLETED BY A LICENSED PLUMBER UNDER A REGISTERED PLUMBING CONTRACTOR.

(c) THE INSTALLATION OF GAS PIPING ON THE SERVICE SIDE MUST BE COMPLETED BY A QUALIFIED GAS PIPING INSTALLER.

(d) THE INSPECTION AND INSPECTORS OF THESE INSTALLATIONS, OTHER THAN THOSE AUTHORIZED TO BE PERFORMED BY A REGISTERED INSTALLER, ARE REGULATED IN ARTICLE 155 OF TITLE 12 AND MUST BE PERFORMED BY LICENSED PLUMBING INSPECTORS.

SECTION 3. In Colorado Revised Statutes, 12-115-107, **add** (5) as follows:

12-115-107. Board powers and duties - rules - definition. (5) (a) NOTWITHSTANDING ANY AUTHORITY GRANTED TO THE BOARD BY THIS SECTION AND AFTER RULES ARE ADOPTED BY THE STATE HOUSING BOARD PURSUANT TO SECTION 24-32-3304 (1)(h)(III), THE BOARD DOES NOT HAVE JURISDICTION OVER AND THE RULES OF THE BOARD DO NOT APPLY TO ACTIVITY REQUIRED TO UNDERTAKE OR COMPLETE THE CONSTRUCTION OR INSTALLATION OF A FACTORY-BUILT STRUCTURE, AS DEFINED IN SECTION 24-32-3302 (11).

(b) ELECTRICAL INSTALLATIONS THAT CONNECT THESE STRUCTURES TO EXTERNAL UTILITY SOURCES AND THAT ARE NOT CONSIDERED ACTIONS

TO COMPLETE THE INSTALLATION OF A FACTORY-BUILT STRUCTURE AS REQUIRED BY A REGISTERED INSTALLER MUST BE COMPLETED BY A LICENSED ELECTRICIAN UNDER A REGISTERED ELECTRICAL CONTRACTOR.

(c) THE INSPECTION AND INSPECTORS OF THESE INSTALLATIONS, OTHER THAN THOSE AUTHORIZED TO BE PERFORMED BY A REGISTERED INSTALLER, ARE REGULATED IN ARTICLE 115 OF TITLE 12 AND MUST BE PERFORMED BY LICENSED ELECTRICAL INSPECTORS.

SECTION 4. In Colorado Revised Statutes, 24-33.5-1204.5, **add** (3) as follows:

24-33.5-1204.5. Powers and duties of administrator - rules.

(3) NOTWITHSTANDING ANY AUTHORITY GRANTED TO THE ADMINISTRATOR BY THIS SECTION AND AFTER RULES ARE ADOPTED BY THE STATE HOUSING BOARD PURSUANT TO SECTION 24-32-3304 (1)(h)(III), THE ADMINISTRATOR DOES NOT HAVE JURISDICTION OVER AND THE RULES OF THE ADMINISTRATOR DO NOT APPLY TO ACTIVITY REQUIRED TO UNDERTAKE OR COMPLETE THE CONSTRUCTION OR INSTALLATION OF A FACTORY-BUILT STRUCTURE, AS DEFINED IN SECTION 24-32-3302 (11).

SECTION 5. In Colorado Revised Statutes, 24-32-3302, **amend** (17) introductory portion as follows:

24-32-3302. Definitions. As used in this part 33, unless the context otherwise requires:

(17) "Installer" means any person ~~who performs~~ OR BUSINESS ENTITY AUTHORIZED TO PERFORM the installation of:

SECTION 6. In Colorado Revised Statutes, 24-32-3304, **amend** (1)(f) and (1)(g); and **add** (1)(h) as follows:

24-32-3304. State housing board - powers and duties - rules.

(1) The board has the following powers and duties pursuant to this part 33:

(f) To promulgate rules establishing standards for tiny homes that cover the manufacture of, assembly of, and installation of tiny homes; ~~and~~

(g) To promulgate uniform foundation construction standards for

manufactured homes, factory-built structures, or tiny homes in those areas of the state where no standards exist; AND

(h) ON OR BEFORE JULY 1, 2026, TO ADOPT RULES:

(I) (A) ESTABLISHING REGIONAL BUILDING CODE STANDARDS ACCOUNTING FOR LOCAL CLIMATIC AND GEOGRAPHIC CONDITIONS, AND FIRE PROTECTION AND SUPPRESSION ACTIVITIES FOR THE CONSTRUCTION AND INSTALLATION OF FACTORY-BUILT STRUCTURES DEVELOPED BY THE ADVISORY COMMITTEE CREATED IN SECTION 24-32-3305 (3), WHICH SHALL SUPERSEDE A CONFLICTING ORDINANCE, CODE, REGULATION, OR OTHER LAW OF A LOCAL GOVERNMENT UNLESS A LOCAL GOVERNMENT ADOPTS THE RULES ISSUED BY THE BOARD;

(B) THE REGIONAL BUILDING CODES STANDARDS SHALL INCLUDE, AT A MINIMUM, WIND SHEAR, SNOW LOAD, WILDFIRE RISK, THERMAL ZONE, RADON MITIGATION, OR AUTOMATIC FIRE SPRINKLER SYSTEM REQUIREMENTS.

(II) ESTABLISHING REQUIREMENTS BASED ON THE RECOMMENDATIONS DEVELOPED BY THE ADVISORY COMMITTEE CREATED IN SECTION 24-32-3305 (3), INCLUDING THE CONTINUED AUTHORIZATION OF A LOCAL GOVERNMENT CERTIFIED BY THE DIVISION TO PERFORM INSPECTIONS OF A FACTORY-BUILT STRUCTURE ON BEHALF OF THE DIVISION;

(III) ESTABLISHING REQUIREMENTS BASED ON THE RECOMMENDATIONS DEVELOPED BY THE ADVISORY COMMITTEE CREATED IN SECTION 24-32-3305 (3), INCLUDING REGISTRATION, RESPONSIBILITY, AND ACCOUNTABILITY REQUIREMENTS FOR A MANUFACTURER, INSTALLER, SELLER, OR GENERAL CONTRACTOR WHO DEVELOPS THE INSTALLATION SITE OR COMPLETES THE CONSTRUCTION OF A FACTORY-BUILT STRUCTURE AT THE INSTALLATION SITE, INCLUDING OFFERING EDUCATION, TRAINING, AND CERTIFICATION OPPORTUNITIES;

(A) A BUILDING CONTRACTOR, AS DEFINED IN SECTION 30-11-125 (1)(a), IS NOT REQUIRED TO BE REGISTERED WITH OR CERTIFIED BY THE STATE WHEN CONDUCTING BUSINESS IN A JURISDICTION WITH AN ESTABLISHED LICENSING PROGRAM FOR BUILDING CONTRACTORS; AND

(B) A BUILDING CONTRACTOR, AS DEFINED IN SECTION 30-11-125

(1)(a), LICENSED BY A LOCAL GOVERNMENT SHALL COMPLETE EDUCATION AND TRAINING ABOUT FACTORY-BUILT CONSTRUCTION AS DEVELOPED BY THE DIVISION OF HOUSING AND ADMINISTERED IN COLLABORATION WITH THE LOCAL GOVERNMENT;

(IV) COVERING ELECTRICAL OR PLUMBING CODES REQUIRED TO UNDERTAKE OR COMPLETE THE CONSTRUCTION OR INSTALLATION OF A FACTORY-BUILT STRUCTURE;

(V) ALLOWING THE DIVISION TO CONTRACT FOR THIRD-PARTY REVIEW AND APPROVAL OF A FINAL DESIGN AND CONSTRUCTION PLAN FOR A FACTORY-BUILT STRUCTURE ON BEHALF OF THE DIVISION;

(VI) ALLOWING THE DIVISION TO CREATE A PROCESS FOR VETTING AND APPROVING THE ABILITY OF A THIRD PARTY TO REVIEW AND APPROVE A FINAL DESIGN AND CONSTRUCTION PLAN FOR A FACTORY-BUILT STRUCTURE ON BEHALF OF THE DIVISION; AND

(VII) REQUIRING THE DIVISION TO CAUSE AN AUDIT TO BE PERFORMED ON A THIRD PARTY THAT REVIEWS AND APPROVES DESIGN AND CONSTRUCTION PLANS, ON A THIRD PARTY THAT CONDUCTS INSPECTIONS ON ITS BEHALF, OF CONTRACTS OF SELLERS TO VERIFY COMPLIANCE, AND TO ENSURE PROTECTION OF DOWN PAYMENTS MADE BY PURCHASERS THAT ARE RETAINED BY THE SELLER OR MANUFACTURER.

SECTION 7. In Colorado Revised Statutes, 24-32-3305, **amend** (3)(a) introductory portion, (3)(a)(III), (3)(a)(V), (3)(a)(VI), (3)(a)(VIII), (3)(a)(IX), and (3)(a)(X); **add** (3)(a)(XII), (3)(a)(XIII), (3)(a)(XIV), (3)(a)(XV), (3)(a)(XVI), (3)(c), (3)(d), (3)(e), and (4); and **repeal** (3)(a)(IV), (3)(a)(VII), and (3.3) as follows:

24-32-3305. Rules - advisory committee - enforcement - regional building codes - study. (3) (a) Except when adopting an energy code pursuant to subsection (3.5) of this section, the board must consult with and obtain the advice of an advisory committee on factory-built structures and tiny homes in the drafting and promulgation of rules. The committee consists of ~~fifteen~~ NINETEEN members appointed by the division from the following professional and technical disciplines:

(III) ~~Three~~ FOUR from building code enforcement, REPRESENTING A LOCAL BUILDING DEPARTMENT FROM EACH OF THE FOLLOWING CLIMATE ZONES ACROSS THE STATE:

(A) ONE FROM CLIMATE ZONE 4;

(B) ONE FROM CLIMATE ZONE 5;

(C) ONE FROM CLIMATE ZONE 6; AND

(D) ONE FROM CLIMATE ZONE 7;

(IV) ~~One from mechanical engineering or contracting;~~

(V) ~~One from electrical engineering or contracting~~ LICENSED ELECTRICIAN WHO MAY BE EMPLOYED BY THE DEPARTMENT OF REGULATORY AGENCIES;

(VI) ~~One from the plumbing industry~~ LICENSED PLUMBER WHO MAY BE EMPLOYED BY THE DEPARTMENT OF REGULATORY AGENCIES;

(VII) ~~One from the construction design or producer industry;~~

(VIII) ~~Two~~ THREE from ~~manufactured housing~~ FACTORY-BUILT STRUCTURE CONSTRUCTION REPRESENTING THE FOLLOWING OCCUPANCY CLASSIFICATIONS:

(A) ONE FROM THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS;

(B) ONE FROM THE INTERNATIONAL BUILDING CODE FOR RESIDENTIAL STRUCTURES; AND

(C) ONE FROM THE INTERNATIONAL BUILDING CODE FOR FACTORY AND INDUSTRIAL STRUCTURES;

(IX) ~~Two~~ ONE from the tiny home industry;

(X) One from energy conservation; ~~and~~

(XII) ONE DEVELOPER SPECIALIZING IN THE USE OF FACTORY-BUILT STRUCTURES IN PROJECTS;

(XIII) ONE FROM CLIMATE RESILIENCY;

(XIV) ONE REGISTERED INSTALLER;

(XV) ONE REGISTERED SELLER; AND

(XVI) ONE INDIVIDUAL REPRESENTING EMERGENCY SERVICES OR MANAGEMENT.

(c) (I) THE ADVISORY COMMITTEE SHALL DEVELOP REGIONAL BUILDING CODES STANDARDS ACCOUNTING FOR LOCAL CLIMATIC AND GEOGRAPHIC CONDITIONS AND FIRE SUPPRESSION ACTIVITIES TO ENSURE SAFETY AND TO APPLY THE MOST STRINGENT OF THESE REQUIREMENTS FOR THE CONSTRUCTION AND INSTALLATION OF FACTORY-BUILT STRUCTURES AND SUBMIT THE RECOMMENDED REGIONAL BUILDING CODES IN THE FORM OF RECOMMENDED ADMINISTRATIVE RULES FOR CONSIDERATION AND ADOPTION BY THE BOARD.

(II) THE REGIONAL BUILDING CODES STANDARDS SHALL INCLUDE, AT A MINIMUM, WIND SHEAR, SNOW LOAD, WILDFIRE RISK, THERMAL ZONE, RADON MITIGATION, OR AUTOMATIC FIRE SPRINKLER SYSTEM REQUIREMENTS.

(d) (I) THE ADVISORY COMMITTEE SHALL DEVELOP IMPLEMENTATION REQUIREMENTS, INCLUDING THE CONTINUED AUTHORIZATION OF A LOCAL GOVERNMENT TO PERFORM INSPECTIONS OF FACTORY-BUILT STRUCTURES ON BEHALF OF THE DIVISION OF HOUSING; AND

(II) THE ADVISORY COMMITTEE SHALL DEVELOP IMPLEMENTATION REQUIREMENTS, INCLUDING REGISTRATION, RESPONSIBILITY, AND ACCOUNTABILITY REQUIREMENTS FOR MANUFACTURERS, INSTALLERS, SELLERS, OR GENERAL CONTRACTORS WHO DEVELOP THE INSTALLATION SITE OR COMPLETE THE CONSTRUCTION OF FACTORY-BUILT STRUCTURES AT THE INSTALLATION SITE, INCLUDING OFFERING EDUCATION, TRAINING, AND CERTIFICATION OPPORTUNITIES, AND SUBMIT THE IMPLEMENTATION REQUIREMENTS IN THE FORM OF RECOMMENDED ADMINISTRATIVE RULES FOR CONSIDERATION AND ADOPTION BY THE BOARD.

(e) DURING THE 2026 LEGISLATIVE SESSION, THE DEPARTMENT OF LOCAL AFFAIRS SHALL PRESENT THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE RELATED TO THE DEVELOPMENT OF REGIONAL BUILDING CODES ACCOUNTING FOR LOCAL CLIMATIC AND GEOGRAPHIC CONDITIONS AND FIRE SUPPRESSION ACTIVITIES, AND IMPROVED COORDINATION BETWEEN THE STATE AND LOCAL PERMITTING PROCESS ONSITE FOR THE CONSTRUCTION AND INSTALLATION OF FACTORY-BUILT STRUCTURES, TO THE SENATE LOCAL GOVERNMENT AND HOUSING COMMITTEE AND THE HOUSE TRANSPORTATION, HOUSING, AND LOCAL GOVERNMENT COMMITTEE PRIOR TO CONSIDERATION AND ADOPTION BY THE STATE HOUSING BOARD. THE DEPARTMENT OF LOCAL AFFAIRS SHALL REPORT ON THE OUTCOMES AS PART OF ITS 2031 "SMART ACT" HEARING.

~~(3.3) The department shall create for factory-built structures, including those that would be considered accessory dwelling units, model public safety code requirements related to geographic or climatic conditions, such as weight restrictions for roof snow loads, wind shear factors, or wildfire risk, for local governments to consider and adopt pursuant to section 24-32-3318 (2)(a).~~

(4) ANY FUTURE STATEWIDE ADOPTED CODES CONTEMPLATED IN STATUTE MUST BE VETTED THROUGH THE ADVISORY COMMITTEE FOR CONSIDERATION FOR ADOPTION BY THE BOARD.

SECTION 8. In Colorado Revised Statutes, 30-28-115, **amend** (3)(b)(I) introductory portion, (3)(b)(I)(A), (3)(b)(I)(B), (3)(b)(II), and (3)(b)(III); and **add** (3)(b)(I.5) as follows:

30-28-115. Public welfare to be promoted - legislative declaration - construction - definition. (3) (b) (I) No county may have or enact zoning regulations, subdivision regulations, or any other regulation affecting development, which exclude or have the effect of excluding homes OR STRUCTURES from the county that are:

(A) ~~Homes~~ FACTORY-BUILT STRUCTURES, AS DEFINED IN SECTION 24-32-3302 (11) AND certified by the division of housing created in section 24-32-704 or a party authorized to act on its behalf;

(B) MANUFACTURED homes certified by the United States department of housing and urban development through its office of

manufactured housing programs, a successor agency, or a party authorized to act on its behalf; or

(I.5) A COUNTY SHALL NOT IMPOSE MORE RESTRICTIVE STANDARDS ON FACTORY-BUILT STRUCTURES THAN THOSE THE COUNTY APPLIES TO SITE-BUILT HOMES IN THE SAME RESIDENTIAL ZONES. AS USED IN THIS SUBSECTION (3)(b)(I.5), "RESTRICTIVE STANDARDS" MEANS ZONING REGULATIONS, SUBDIVISION REGULATIONS, AND ANY OTHER REGULATION AFFECTING DEVELOPMENT, INCLUDING STANDARDS RELATED TO:

(A) HOME SIZE OR SECTIONAL REQUIREMENTS;

(B) IMPROVEMENT LOCATION;

(C) MINIMUM FLOOR SPACE;

(D) PERMANENT FOUNDATIONS;

(E) SETBACK STANDARDS; AND

(F) SIDE-YARD STANDARDS.

(II) Nothing in this subsection (3) ~~shall prevent~~ PREVENTS a county from enacting any zoning, developmental, use, aesthetic, or historical standard, including, but not limited to, requirements relating to permanent foundations, minimum floor space, unit size or sectional requirements, and improvement location, side yard, and setback standards to the extent that such standards or requirements are applicable to existing SIMILAR HOUSING OR STRUCTURES or new SITE-BUILT housing within the specific use district of the county.

(III) Nothing in this subsection (3) ~~shall preclude~~ PRECLUDES any county from enacting county building code provisions for unique public safety requirements such as snow load roof, wind shear, WILDFIRE RISK, and energy conservation factors, unless ~~the home is~~ IT IS A FACTORY-BUILT STRUCTURE certified by the division of housing created in section 24-32-704 or a party authorized to act on its behalf or A MANUFACTURED HOME CERTIFIED BY the United States department of housing and urban development through its office of manufactured housing programs, a successor agency, or a party authorized to act on its behalf. A county must

comply with ~~section 24-32-3318 when enacting building code provisions for a manufactured home as defined in section 24-32-3302 (20)~~ THE REQUIREMENTS ESTABLISHED BY THE DIVISION OF HOUSING FOR FACTORY-BUILT STRUCTURES AND THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR MANUFACTURED HOMES.

SECTION 9. In Colorado Revised Statutes, 31-23-301, **amend** (5)(b)(I) introductory portion, (5)(b)(I)(A), (5)(b)(I)(B), (5)(b)(II), and (5)(b)(III); and **add** (5)(b)(I.5) as follows:

31-23-301. Grant of power - definition. (5) (b) (I) No municipality may have or enact zoning regulations, subdivision regulations, or any other regulation affecting development that exclude or have the effect of excluding homes OR STRUCTURES from the municipality that are:

(A) ~~Homes~~ FACTORY-BUILT STRUCTURES, AS DEFINED IN SECTION 24-32-3302 (11) AND certified by the division of housing created in section 24-32-704 or a party authorized to act on its behalf;

(B) MANUFACTURED homes certified by the United States department of housing and urban development through its office of manufactured housing programs, a successor agency, or a party authorized to act on its behalf; or

(I.5) A MUNICIPALITY SHALL NOT IMPOSE MORE RESTRICTIVE STANDARDS ON FACTORY-BUILT STRUCTURES THAN THOSE THE MUNICIPALITY APPLIES TO SITE-BUILT HOMES IN THE SAME RESIDENTIAL ZONES. AS USED IN THIS SUBSECTION (5)(b)(I.5), "RESTRICTIVE STANDARDS" MEANS ZONING REGULATIONS, SUBDIVISION REGULATIONS, AND ANY OTHER REGULATION AFFECTING DEVELOPMENT, INCLUDING STANDARDS RELATED TO:

(A) HOME SIZE OR SECTIONAL REQUIREMENTS;

(B) IMPROVEMENT LOCATION;

(C) MINIMUM FLOOR SPACE;

(D) PERMANENT FOUNDATIONS;

(E) SETBACK STANDARDS; AND

(F) SIDE-YARD STANDARDS.

(II) Nothing in this subsection (5) ~~shall prevent~~ PREVENTS a municipality from enacting any zoning, developmental, use, aesthetic, or historical standard, including, but not limited to, requirements relating to permanent foundations, minimum floor space, unit size or sectional requirements, and improvement location, side yard, and setback standards to the extent that such standards or requirements are applicable to existing SIMILAR HOUSING OR STRUCTURES or new SITE-BUILT housing within the specific use district of the municipality.

(III) Nothing in this subsection (5) ~~shall preclude~~ PRECLUDES any municipality from enacting municipal building code provisions for unique public safety requirements such as snow load roof, wind shear, WILDFIRE RISK, and energy conservation factors, unless ~~the home is~~ IT IS A FACTORY-BUILT STRUCTURE certified by the division of housing created in section 24-32-704 or a party authorized to act on its behalf OR A MANUFACTURED HOME CERTIFIED BY the United States department of housing and urban development through its office of manufactured housing programs, a successor agency, or a party authorized to act on its behalf. A municipality must comply with section 24-32-3318 when enacting building code provisions for a manufactured home as ~~defined in section 24-32-3302~~ (20) REGULATED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND IT MUST ALSO COMPLY WITH THE REQUIREMENTS ESTABLISHED BY THE DIVISION OF HOUSING FOR FACTORY-BUILT STRUCTURES.

SECTION 10. In Colorado Revised Statutes, 24-32-3309, **amend** (1)(b)(II) and (1)(b)(III); and **add** (1)(b)(IV) as follows:

24-32-3309. Fees - building regulation fund - rules.

(1) (b) Notwithstanding any provision of this section to the contrary:

(II) On April 1, 2015, the state treasurer must deduct three hundred thousand dollars from the general fund and transfer such sum to the fund;
and

(III) On July 1, 2016, the state treasurer must deduct two hundred

thousand dollars from the general fund and transfer such sum to the fund;
AND

(IV) ON JULY 1, 2025, THE STATE TREASURER SHALL DEDUCT SIX HUNDRED THOUSAND DOLLARS FROM THE INNOVATIVE HOUSING INCENTIVE PROGRAM FUND CREATED IN SECTION 24-48.5-132 (5)(a) AND TRANSFER THE MONEY TO THE FUND.

SECTION 11. In Colorado Revised Statutes, **amend** 24-32-3310 as follows:

24-32-3310. Local enforcement. (1) Nothing in this part 33 may interfere with the right of local governments to enforce local rules governing the installation of factory-built housing pursuant to section 24-32-3318 that bear the insignia of approval issued by the division pursuant to section 24-32-3311 (1)(a) if the local rules are not inconsistent with state rules adopted pursuant to section 24-32-3305.

(2) THIS SECTION IS REPEALED, EFFECTIVE ONLY IF THE BOARD ADOPTS RULES ESTABLISHING REQUIREMENTS BASED ON THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE PURSUANT TO SECTION 24-32-3305 (3)(c) TO (3)(e), COLORADO REVISED STATUTES. THE BOARD SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF THE DATE ON WHICH THE CONDITION SPECIFIED IN THIS SECTION HAS OCCURRED BY EMAILING THE NOTICE TO REVISOROFSTATUTES.GA@COLEG.GOV. THIS SECTION IS REPEALED UPON THE DATE IDENTIFIED IN THE NOTICE THAT THE BOARD HAS ADOPTED RULES ESTABLISHING REQUIREMENTS BASED ON THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE PURSUANT TO SECTION 24-32-3305 (3)(c) TO (3)(e), COLORADO REVISED STATUTES, OR, IF THE NOTICE DOES NOT SPECIFY THAT DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.

SECTION 12. In Colorado Revised Statutes, 24-32-3311, **amend** (4); and **add** (7) and (8) as follows:

24-32-3311. Certification of factory-built structures - rules.
(4) A factory-built structure bearing an insignia of approval issued by the division and affixed by the division or an authorized quality assurance representative pursuant to this part 33 is deemed to be designed and constructed in compliance with the requirements of all codes and standards

enacted or adopted by the state ~~and accounting for any local government installation requirements adopted in compliance with sections 24-32-3310 and 24-32-3318~~ that are applicable to the construction of factory-built structures, to the extent that the design and construction relates to work performed in a factory or work on a factory-built structure that is completed at the installation site as reflected in the approved plans for the factory-built structure. The determination by the division of the scope of such approval is final. An insignia of approval affixed to the factory-built structure does not expire unless the design and construction of the factory-built structure has been modified from approved plans.

(7) (a) THE ADVISORY COMMITTEE SHALL DEVELOP PROCESSES REQUIRED FOR ELECTRICAL OR PLUMBING CODE COMPLIANCE WHEN UNDERTAKING OR COMPLETING THE CONSTRUCTION OR INSTALLATION OF A FACTORY-BUILT STRUCTURE.

(b) ANY FUTURE RENOVATION, ALTERATION, OR REPAIR OF THE FACTORY-BUILT STRUCTURE, INCLUDING ELECTRICAL AND PLUMBING, THAT IS PROPOSED FOLLOWING THE INSTALLATION AT THE SITE IS SUBJECT TO ALL CODES AND RULES OF THE APPROPRIATE GOVERNMENTAL AGENCIES HAVING JURISDICTION OVER THE STRUCTURE AND IS SUBJECT TO THE JURISDICTION OF THE STATE ELECTRICAL BOARD OR STATE PLUMBING BOARD AND THE CORRESPONDING PROFESSIONAL PRACTICE ACTS OF THOSE LICENSED PROFESSIONS.

(c) NOTWITHSTANDING ANY OTHER LAW, FACTORY-BUILT STRUCTURES CERTIFIED BY THE DIVISION PRIOR TO THE EFFECTIVE DATE OF REGIONAL BUILDING CODE STANDARDS ADOPTED PURSUANT SECTION 24-32-3304 (1)(h) ARE SUBJECT TO ANY STATE OR LOCAL GOVERNMENT RULES CONCERNING UNIQUE PUBLIC SAFETY REQUIREMENTS RELATED TO GEOGRAPHIC CONDITIONS, SUCH AS WEIGHT RESTRICTIONS FOR ROOF SNOW LOADS, WIND SHEAR FACTORS, OR WILDFIRE RISK RELATING TO THE CONSTRUCTION AND INSTALLATION OF THE STRUCTURES EXISTING BEFORE THE EFFECTIVE DATE OF THE REGIONAL BUILDING CODE STANDARDS.

(8) THE BOARD SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING, BY EMAILING THE NOTICE TO REVISOROFSTATUTES.GA@COLEG.GOV, OF THE DATE ON WHICH THE BOARD ADOPTS RULES ESTABLISHING REQUIREMENTS BASED ON THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE PURSUANT TO SECTION 24-32-3305 (3)(c) TO (3)(e).

SECTION 13. In Colorado Revised Statutes, 24-32-3318, **amend** (1) and (2)(a) as follows:

24-32-3318. Local installation standards preempted.

(1) (a) Except as authorized in section 24-32-3329, a local government shall not adopt less stringent standards for an installation than those promulgated by the division. A local government shall not, without express consent by the division, adopt different standards than the standards for an installation promulgated by the division.

(b) THIS SUBSECTION (1) IS REPEALED ONLY IF THE BOARD ADOPTS RULES ESTABLISHING REQUIREMENTS BASED ON THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE PURSUANT TO SECTION 24-32-3305 (3)(c) TO (3)(e). THE BOARD SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF THE DATE ON WHICH THE CONDITION SPECIFIED IN THIS SUBSECTION HAS OCCURRED BY EMAILING THE NOTICE TO REVISOROFSTATUTES.GA@COLEG.GOV. THIS SUBSECTION (1) IS REPEALED UPON THE DATE IDENTIFIED IN THE NOTICE THAT THE BOARD HAS ADOPTED RULES ESTABLISHING REQUIREMENTS BASED ON THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE PURSUANT TO SECTION 24-32-3305 (3)(c) TO (3)(e), OR, IF THE NOTICE DOES NOT SPECIFY THAT DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.

(2) (a) Nothing in this section prohibits a local government from enacting standards for ~~tiny homes~~, mobile homes ~~or modular homes~~ concerning unique public safety requirements related to geographic or climatic conditions, such as weight restrictions for roof snow loads, wind shear factors, or wildfire risk, as otherwise permitted by law.

SECTION 14. In Colorado Revised Statutes, 24-75-402, **add** (5)(III) as follows:

24-75-402. Cash funds - limit on uncommitted reserves - reduction in the amount of fees - exclusions - definitions.

(5) Notwithstanding any provision of this section to the contrary, the following cash funds are excluded from the limitations in this section:

(III) THE BUILDING REGULATION FUND CREATED IN SECTION 24-32-3309 (1)(a)(III).

SECTION 15. In Colorado Revised Statutes, 24-32-3311, **amend** (6) as follows:

24-32-3311. Certification of factory-built structures - rules.

(6) All work at the installation site that is unrelated to the installation of a factory-built structure or unrelated to completing construction of a factory-built structure at the installation site as reflected in the approved plans for the factory-built structure, including additions, modifications, and repairs to a factory-built structure, SUCH AS A FOUNDATION SYSTEM AND ANY SITE-BUILT COMPONENT THAT IS CONNECTED TO THE FACTORY-BUILT STRUCTURE LIKE A GARAGE OR DECK, is subject to applicable local government rules.

SECTION 16. In Colorado Revised Statutes, 24-32-3315, **amend** (3), (4), and (5) as follows:

24-32-3315. Installers of manufactured homes and tiny homes - registration - fees - educational requirements - rules. (3) A person applying for registration or certification as an installer OR ON BEHALF OF A BUSINESS ENTITY TO PERFORM INSTALLATIONS, whether an initial or renewal application, must submit the application on a form provided by the division and verified by a declaration dated and signed by the applicant under penalty of perjury. The application must contain, in addition to any other information the division may reasonably require, the name, address, ~~e-mail~~ EMAIL address, and telephone number of the applicant. The division shall make the application and declaration available for public inspection.

(4) In order to be registered initially as an installer OR TO HAVE A BUSINESS ENTITY REGISTERED TO PERFORM INSTALLATIONS, an applicant must:

(5) A registration issued pursuant to this section is valid for one year from the date of issuance and cannot be transferred or assigned to another person OR BUSINESS ENTITY. The amount of the registration fee must be no more than two hundred fifty dollars. If any of the application information for the registered installer changes after the issuance of a registration, the registered installer must notify the division in writing within thirty days from the date of the change. The division may suspend, revoke, or deny renewal of a registration if the registered installer fails to notify the division of any change in the application.

SECTION 17. Appropriation. For the 2025-26 state fiscal year, \$182,264 is appropriated to the department of local affairs for use by the division of housing. This appropriation is from the building regulation fund created in section 24-32-3309 (1)(a)(III), C.R.S., and is based on an assumption that the division will require an additional 1.0 FTE. To implement this act, the division may use this appropriation for manufactured buildings program.

SECTION 18. Effective Date. (1) Except as otherwise provided in this section, this act takes effect upon passage.

(2) Section 24-32-3311 (4), amended in section 12 of this act, and section 24-32-3311 (7), enacted in section 12 of this act, take effect only if the revisor of statutes receives notice pursuant to 24-32-3311 (8), enacted in section 12 of this act. Section 24-32-3311 (4) and (7) take effect upon the date identified in such notice, or, if the notice does not specify that date, upon the date of the notice to the revisor of statutes.

SECTION 19. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO