

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

**REVISED**

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

LLS NO. 25-0159.01 Clare Haffner x6137

**SENATE BILL 25-039**

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**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

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**Senate Committees**

Agriculture & Natural Resources

**House Committees**

Agriculture, Water & Natural Resources

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**A BILL FOR AN ACT**

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

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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/>.)*

**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  
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.

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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 RENDERS 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.