

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0276.04 Jed Franklin x5484

SENATE BILL 25-002

SENATE SPONSORSHIP

Bridges and Exum,

HOUSE SPONSORSHIP

Boesenecker and Stewart R.,

Senate Committees

Local Government & Housing
Appropriations

House Committees

A BILL FOR AN ACT

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

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 provides that after the state housing board (board) adopts rules about any activity required to undertake or complete the

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.

construction or installation of a factory-built nonresidential structure, a factory-built residential structure, or a factory-built tiny home (factory-built structure), the state plumbing board, the state electrical board, and the state fire suppression administrator do not have jurisdiction over and their rules do not apply to a factory-built structure.

On or before July 1, 2026, the advisory committee on factory-built structures (advisory committee) is required to develop regional building codes for factory-built structures and implementation requirements and submit the recommended codes to the board.

On or before July 1, 2026, the board must adopt rules:

- Implementing regional building code recommendations from the advisory committee that account for local climatic and geographic conditions for the construction and installation of factory-built structures, which supersede any conflicting ordinance, code, regulation, or other law of a local government unless the local government adopts the rules of the board;
- Covering the implementation requirements developed by the advisory committee, including authorizing a local government certified by the division of housing (division) to perform inspections of factory-built structures on behalf of the division and 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;
- Covering electrical, plumbing, or fire suppression activity required to undertake or complete the construction or installation of a factory-built structure;
- Allowing the division to contract for third-party review and approval of a final design plan for a factory-built structure on behalf of the division;
- Allowing the division to create a process for vetting and approving the ability of a third party to review and approve a final design plan for a factory-built structure on behalf of the division; and
- Requiring the division to cause an audit to be performed on a third party that reviews and approves design plans.

On or before July 1, 2026, the advisory committee is required to conduct a study on behalf of the division about whether the international building code or residential code standards that apply to site requirements should be incorporated into state statutes and rules and to determine whether the state should regulate non-factory-built components that are connected to a factory-built structure at the installation site and are currently under local jurisdiction. The division is required to deliver the study to the board

when complete.

A county or municipality may not:

- Enact a regulation that excludes factory-built structures and manufactured homes from the county or municipality;
- Impose more restrictive standards on factory-built structures and manufactured homes than those that the county or municipality applies to site-built homes in the same residential zones in the county or municipality; or
- Enact or enforce a regulation, law, or ordinance affecting the installation or construction of a factory-built structure or manufactured home.

A county or municipality may:

- Enact land use regulations to the extent that the regulations are applicable to existing housing or structures or new site-built housing in the county or municipality; and
- Enact a building code provision for unique public safety requirements unless the provision applies to a factory-built structure or manufactured home.

A county or municipality must comply with the requirements established by the division for factory-built structures and by the United States department of housing and urban development for manufactured homes.

The bill requires the state treasurer to transfer \$600,000 on July 1, 2025, from the innovative housing incentive program fund to the building regulation fund.

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) Coloradans are overwhelmingly burdened with the cost of
5 housing;

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

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

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

1 earn \$129,178 annually;

2 (e) The average cost of construction of a new home as of
3 November 2024 was approximately \$483,000, which is an increase from
4 \$419,000 in 2023;

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

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

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

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

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

1 afforded through factory-built construction.

2 **SECTION 2.** In Colorado Revised Statutes, 12-115-106, **add** (6)
3 as follows:

4 **12-155-106. Colorado plumbing code - amendments -**
5 **variances - Colorado fuel gas code.** (6) (a) NOTWITHSTANDING ANY
6 AUTHORITY GRANTED TO THE BOARD BY THIS SECTION AND AFTER RULES
7 ARE ADOPTED BY THE STATE HOUSING BOARD PURSUANT TO SECTION
8 24-32-3304 (1)(h)(III), THE BOARD DOES NOT HAVE JURISDICTION OVER
9 AND THE RULES OF THE BOARD DO NOT APPLY TO ANY ACTIVITY REQUIRED
10 TO UNDERTAKE OR COMPLETE THE CONSTRUCTION OR INSTALLATION OF
11 A FACTORY-BUILT STRUCTURE, AS DEFINED IN SECTION 24-32-3302 (11).

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

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

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

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

25 **12-115-107. Board powers and duties - rules - definition.** (5)
26 (a) NOTWITHSTANDING ANY AUTHORITY GRANTED TO THE BOARD BY THIS
27 SECTION AND AFTER RULES ARE ADOPTED BY THE STATE HOUSING BOARD

1 PURSUANT TO SECTION 24-32-3304 (1)(h)(III), THE BOARD DOES NOT
2 HAVE JURISDICTION OVER AND THE RULES OF THE BOARD DO NOT APPLY
3 TO ACTIVITY REQUIRED TO UNDERTAKE OR COMPLETE THE CONSTRUCTION
4 OR INSTALLATION OF A FACTORY-BUILT STRUCTURE, AS DEFINED IN
5 SECTION 24-32-3302 (11).

6 (b) ELECTRICAL INSTALLATIONS THAT CONNECT THESE
7 STRUCTURES TO EXTERNAL UTILITY SOURCES AND THAT ARE NOT
8 CONSIDERED ACTIONS TO COMPLETE THE INSTALLATION OF A
9 FACTORY-BUILT STRUCTURE AS REQUIRED BY A REGISTERED INSTALLER
10 MUST BE COMPLETED BY A LICENSED ELECTRICIAN UNDER A REGISTERED
11 ELECTRICAL CONTRACTOR.

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

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

18 **24-33.5-1204.5. Powers and duties of administrator - rules.**

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

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

1 **24-32-3302. Definitions.** As used in this part 33, unless the
2 context otherwise requires:

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

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

7 **24-32-3304. State housing board - powers and duties - rules.**

8 (1) The board has the following powers and duties pursuant to this part
9 33:

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

12 (g) To promulgate uniform foundation construction standards for
13 manufactured homes, factory-built structures, or tiny homes in those areas
14 of the state where no standards exist; AND

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

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

24 (B) THE REGIONAL BUILDING STANDARDS MAY INCLUDE WIND
25 SHEAR, SNOW LOAD, WILDFIRE RISK, THERMAL ZONE, RADON MITIGATION,
26 OR AUTOMATIC FIRE SPRINKLER SYSTEM REQUIREMENTS.

27 (II) IMPLEMENTING THE RECOMMENDED REQUIREMENTS

1 DEVELOPED BY THE ADVISORY COMMITTEE CREATED IN SECTION
2 24-32-3305 (3), INCLUDING THE CONTINUED AUTHORIZATION OF A LOCAL
3 GOVERNMENT CERTIFIED BY THE DIVISION TO PERFORM INSPECTIONS OF A
4 FACTORY-BUILT STRUCTURE ON BEHALF OF THE DIVISION, AND
5 REGISTRATION, RESPONSIBILITY, AND ACCOUNTABILITY REQUIREMENTS
6 FOR A MANUFACTURER, INSTALLER, SELLER, OR GENERAL CONTRACTOR
7 WHO DEVELOPS THE INSTALLATION SITE OR COMPLETES THE
8 CONSTRUCTION OF A FACTORY-BUILT STRUCTURE AT THE INSTALLATION
9 SITE, INCLUDING OFFERING EDUCATION, TRAINING, AND CERTIFICATION
10 OPPORTUNITIES;

11 ==
12 (III) COVERING ELECTRICAL OR PLUMBING CODES REQUIRED TO
13 UNDERTAKE OR COMPLETE THE CONSTRUCTION OR INSTALLATION OF A
14 FACTORY-BUILT STRUCTURE;

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

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

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

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

6 **24-32-3305. Rules - advisory committee - enforcement -**
7 **regional building codes - study.** (3) (a) Except when adopting an energy
8 code pursuant to subsection (3.5) of this section, the board must consult
9 with and obtain the advice of an advisory committee on factory-built
10 structures and tiny homes in the drafting and promulgation of rules. The
11 committee consists of ~~fifteen~~ NINETEEN members appointed by the
12 division from the following professional and technical disciplines:

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

16 (A) ONE FROM CLIMATE ZONE 4;

17 (B) ONE FROM CLIMATE ZONE 5;

18 (C) ONE FROM CLIMATE ZONE 6; AND

19 (D) ONE FROM CLIMATE ZONE 7;

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

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

25 (VII) One from the ~~construction design or producer industry~~
26 DIVISION OF FIRE PREVENTION AND CONTROL;

27 (VIII) ~~Two~~ THREE from ~~manufactured housing~~ FACTORY-BUILT

1 STRUCTURE CONSTRUCTION REPRESENTING THE FOLLOWING OCCUPANCY
2 CLASSIFICATIONS:
3 (A) ONE FROM THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-
4 AND TWO-FAMILY DWELLINGS;
5 (B) ONE FROM THE INTERNATIONAL BUILDING CODE FOR
6 RESIDENTIAL STRUCTURES; AND
7 (C) ONE FROM THE INTERNATIONAL BUILDING CODE FOR FACTORY
8 AND INDUSTRIAL STRUCTURES;
9 (IX) ~~Two~~ ONE from the tiny home industry;
10 (X) One from energy conservation; and
11 (XII) ONE DEVELOPER SPECIALIZING IN THE USE OF
12 FACTORY-BUILT STRUCTURES IN PROJECTS;
13 (XIII) ONE FROM CLIMATE RESILIENCY;
14 (XIV) ONE REGISTERED INSTALLER; AND
15 (XV) ONE REGISTERED SELLER.
16 (c) (I) THE ADVISORY COMMITTEE SHALL DEVELOP REGIONAL
17 BUILDING CODES ACCOUNTING FOR LOCAL CLIMATIC AND GEOGRAPHIC
18 CONDITIONS AND FIRE SUPPRESSION ACTIVITIES TO ENSURE SAFETY AND TO
19 APPLY THE MOST STRINGENT OF THESE REQUIREMENTS FOR THE
20 CONSTRUCTION AND INSTALLATION OF FACTORY-BUILT STRUCTURES AND
21 SUBMIT THE RECOMMENDED REGIONAL BUILDING CODES IN THE FORM OF
22 RECOMMENDED ADMINISTRATIVE RULES FOR CONSIDERATION AND
23 ADOPTION BY THE BOARD.
24 (II) THE REGIONAL BUILDING CODES AND STANDARDS MAY
25 INCLUDE WIND SHEAR, SNOW LOAD, WILDFIRE RISK, THERMAL ZONE,
26 RADON MITIGATION, OR AUTOMATIC FIRE SPRINKLER SYSTEM
27 REQUIREMENTS.

1 (d) THE ADVISORY COMMITTEE SHALL DEVELOP IMPLEMENTATION
2 REQUIREMENTS, INCLUDING AUTHORIZING A LOCAL GOVERNMENT TO
3 PERFORM INSPECTIONS OF FACTORY-BUILT STRUCTURES ON BEHALF OF THE
4 DIVISION OF HOUSING, AND REGISTRATION, RESPONSIBILITY, AND
5 ACCOUNTABILITY REQUIREMENTS FOR MANUFACTURERS, INSTALLERS,
6 SELLERS, OR GENERAL CONTRACTORS WHO DEVELOP THE INSTALLATION
7 SITE OR COMPLETE THE CONSTRUCTION OF FACTORY-BUILT STRUCTURES
8 AT THE INSTALLATION SITE, INCLUDING OFFERING EDUCATION, TRAINING,
9 AND CERTIFICATION OPPORTUNITIES, AND SUBMIT THE IMPLEMENTATION
10 REQUIREMENTS IN THE FORM OF RECOMMENDED ADMINISTRATIVE RULES
11 FOR CONSIDERATION AND ADOPTION BY THE BOARD.

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

24 ~~(3.3) The department shall create for factory-built structures,~~
25 ~~including those that would be considered accessory dwelling units, model~~
26 ~~public safety code requirements related to geographic or climatic~~
27 ~~conditions, such as weight restrictions for roof snow loads, wind shear~~

1 factors, or wildfire risk, for local governments to consider and adopt
2 pursuant to section 24-32-3318 (2)(a).

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

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

9 **30-28-115. Public welfare to be promoted - legislative**
10 **declaration - construction - definition.** (3) (b) (I) No county may have
11 or enact zoning regulations, subdivision regulations, or any other
12 regulation affecting development, which exclude or have the effect of
13 excluding homes OR STRUCTURES from the county that are:

14 (A) ~~Homes~~ FACTORY-BUILT STRUCTURES, AS DEFINED IN SECTION
15 24-32-3302 (11) AND certified by the division of housing created in
16 section 24-32-704 or a party authorized to act on its behalf;

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

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

1 (A) HOME SIZE OR SECTIONAL REQUIREMENTS;

2 (B) IMPROVEMENT LOCATION;

3 (C) MINIMUM FLOOR SPACE;

4 (D) PERMANENT FOUNDATIONS;

5 (E) SETBACK STANDARDS; AND

6 (F) SIDE-YARD STANDARDS.

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

15 (III) Nothing in this subsection (3) ~~shall preclude~~ PRECLUDES any
16 county from enacting county building code provisions for unique public
17 safety requirements such as snow load roof, wind shear, WILDFIRE RISK,
18 and energy conservation factors, unless ~~the home is~~ IT IS A
19 FACTORY-BUILT STRUCTURE certified by the division of housing created
20 in section 24-32-704 or a party authorized to act on its behalf or A
21 MANUFACTURED HOME CERTIFIED BY the United States department of
22 housing and urban development through its office of manufactured
23 housing programs, a successor agency, or a party authorized to act on its
24 behalf. A county must comply with ~~section 24-32-3318 when enacting~~
25 ~~building code provisions for a manufactured home as defined in section~~
26 ~~24-32-3302 (20)~~ THE REQUIREMENTS ESTABLISHED BY THE DIVISION OF
27 HOUSING FOR FACTORY-BUILT STRUCTURES AND THE UNITED STATES

1 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR
2 MANUFACTURED HOMES.

3 (V) A COUNTY MAY NOT ENACT OR ENFORCE A ZONING
4 REGULATION, SUBDIVISION REGULATION, OR ANY OTHER REGULATION,
5 ORDINANCE, OR LAW AFFECTING THE INSTALLATION OR CONSTRUCTION OF
6 A FACTORY-BUILT STRUCTURE THAT IS MORE STRINGENT THAN A
7 REGULATION, ORDINANCE, OR LAW THAT APPLIES TO OTHER TYPES OF
8 CONSTRUCTION.

9 **SECTION 9.** In Colorado Revised Statutes, 31-23-301, **amend**
10 (5)(b)(I) introductory portion, (5)(b)(I)(A), (5)(b)(I)(B), (5)(b)(II), and
11 (5)(b)(III); and **add** (5)(b)(I.5) and (6) as follows:

12 **31-23-301. Grant of power - definition.** (5) (b) (I) No
13 municipality may have or enact zoning regulations, subdivision
14 regulations, or any other regulation affecting development that exclude
15 or have the effect of excluding homes OR STRUCTURES from the
16 municipality that are:

17 (A) ~~Homes~~ FACTORY-BUILT STRUCTURES, AS DEFINED IN SECTION
18 24-32-3302 (11) AND certified by the division of housing created in
19 section 24-32-704 or a party authorized to act on its behalf;

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

24 (I.5) A MUNICIPALITY SHALL NOT IMPOSE MORE RESTRICTIVE
25 STANDARDS ON FACTORY-BUILT STRUCTURES THAN THOSE THE
26 MUNICIPALITY APPLIES TO SITE-BUILT HOMES IN THE SAME RESIDENTIAL
27 ZONES. AS USED IN THIS SUBSECTION (5)(b)(I.5), "RESTRICTIVE

1 STANDARDS" MEANS ZONING REGULATIONS, SUBDIVISION REGULATIONS,
2 AND ANY OTHER REGULATION AFFECTING DEVELOPMENT, INCLUDING
3 STANDARDS RELATED TO:

- 4 (A) HOME SIZE OR SECTIONAL REQUIREMENTS;
- 5 (B) IMPROVEMENT LOCATION;
- 6 (C) MINIMUM FLOOR SPACE;
- 7 (D) PERMANENT FOUNDATIONS;
- 8 (E) SETBACK STANDARDS; AND
- 9 (F) SIDE-YARD STANDARDS.

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

18 (III) Nothing in this subsection (5) ~~shall preclude~~ PRECLUDES any
19 municipality from enacting municipal building code provisions for unique
20 public safety requirements such as snow load roof, wind shear, WILDFIRE
21 RISK, and energy conservation factors, unless ~~the home is~~ IT IS A
22 FACTORY-BUILT STRUCTURE certified by the division of housing created
23 in section 24-32-704 or a party authorized to act on its behalf OR A
24 MANUFACTURED HOME CERTIFIED BY the United States department of
25 housing and urban development through its office of manufactured
26 housing programs, a successor agency, or a party authorized to act on its
27 behalf. A municipality must comply with section 24-32-3318 when

1 enacting building code provisions for a manufactured home as defined in
2 section 24-32-3302 (20) REGULATED BY THE UNITED STATES
3 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND IT MUST ALSO
4 COMPLY WITH THE REQUIREMENTS ESTABLISHED BY THE DIVISION OF
5 HOUSING FOR FACTORY-BUILT STRUCTURES.

6 (6) A MUNICIPALITY MAY NOT ENACT OR ENFORCE A ZONING
7 REGULATION, SUBDIVISION REGULATION, OR ANY OTHER REGULATION,
8 ORDINANCE, OR LAW AFFECTING THE INSTALLATION OR CONSTRUCTION OF
9 A FACTORY-BUILT STRUCTURE.

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

12 **24-32-3309. Fees - building regulation fund - rules.**

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

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

17 (III) On July 1, 2016, the state treasurer must deduct two hundred
18 thousand dollars from the general fund and transfer such sum to the fund;
19 AND

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

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

26 **24-32-3310. Local enforcement.** ~~Nothing in this part 33 may~~
27 ~~interfere with the right of local governments to enforce local rules~~

1 governing the installation of factory-built housing pursuant to section
2 24-32-3318 that bear the insignia of approval issued by the division
3 pursuant to section 24-32-3311 (1)(a) if the local rules are not
4 inconsistent with state rules adopted pursuant to section 24-32-3305.

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

7 **24-32-3311. Certification of factory-built structures - rules.**

8 (4) A factory-built structure bearing an insignia of approval issued by the
9 division and affixed by the division or an authorized quality assurance
10 representative pursuant to this part 33 is deemed to be designed and
11 constructed in compliance with the requirements of all codes and
12 standards enacted or adopted by the state and accounting for any local
13 government installation requirements adopted in compliance with sections
14 24-32-3310 and 24-32-3318 that are applicable to the construction of
15 factory-built structures, to the extent that the design and construction
16 relates to work performed in a factory or work on a factory-built structure
17 that is completed at the installation site as reflected in the approved plans
18 for the factory-built structure. The determination by the division of the
19 scope of such approval is final. An insignia of approval affixed to the
20 factory-built structure does not expire unless the design and construction
21 of the factory-built structure has been modified from approved plans.

22 (7) ANY FUTURE RENOVATION, ALTERATION, OR REPAIR OF THE
23 FACTORY-BUILT STRUCTURE, INCLUDING ELECTRICAL AND PLUMBING,
24 THAT IS PROPOSED FOLLOWING THE INSTALLATION AT THE SITE IS SUBJECT
25 TO ALL CODES AND RULES OF THE APPROPRIATE GOVERNMENTAL
26 AGENCIES HAVING JURISDICTION OVER THE STRUCTURE AND IS SUBJECT TO
27 THE JURISDICTION OF THE STATE ELECTRICAL BOARD OR STATE PLUMBING

1 BOARD AND THE CORRESPONDING PROFESSIONAL PRACTICE ACTS OF THOSE
2 LICENSED PROFESSIONS.

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

5 **24-32-3318. Local installation standards preempted.**

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

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

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

18 **24-75-402. Cash funds - limit on uncommitted reserves -**

19 **reduction in the amount of fees - exclusions - definitions.**

20 Notwithstanding any provision of this section to the contrary, the
21 following cash funds are excluded from the limitations in this section:

22 (III) THE BUILDING REGULATION FUND CREATED IN SECTION
23 24-32-3309 (1)(a)(III).

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

26 **24-32-3311. Certification of factory-built structures - rules.**

27 ~~(6) All work at the installation site that is unrelated to the installation of~~

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

8 **SECTION 16. In Colorado Revised Statutes, 24-32-3315, amend**
9 **(3), (4), and (5) as follows:**

10 **24-32-3315. Installers of manufactured homes and tiny homes**
11 **- registration - fees - educational requirements - rules.**

12 (3) A person applying for registration or certification as an
13 installer OR ON BEHALF OF A BUSINESS ENTITY TO PERFORM
14 INSTALLATIONS, whether an initial or renewal application, must submit
15 the application on a form provided by the division and verified by a
16 declaration dated and signed by the applicant under penalty of perjury.
17 The application must contain, in addition to any other information the
18 division may reasonably require, the name, address, ~~e-mail~~ EMAIL address,
19 and telephone number of the applicant. The division shall make the
20 application and declaration available for public inspection.

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

24 (5) A registration issued pursuant to this section is valid for one
25 year from the date of issuance and cannot be transferred or assigned to
26 another person OR BUSINESS ENTITY. The amount of the registration fee
27 must be no more than two hundred fifty dollars. If any of the application

1 information for the registered installer changes after the issuance of a
2 registration, the registered installer must notify the division in writing
3 within thirty days from the date of the change. The division may suspend,
4 revoke, or deny renewal of a registration if the registered installer fails to
5 notify the division of any change in the application.

6 **SECTION 17. Appropriation.** For the 2025-26 state fiscal year,
7 \$277,264 is appropriated to the department of local affairs for use by the
8 division of housing. This appropriation is from the building regulation
9 fund created in section 24-32-3309 (1)(a)(III), C.R.S., and is based on an
10 assumption that the division will require an additional 1.0 FTE. To
11 implement this act, the division may use this appropriation for
12 manufactured buildings program.

13 **SECTION 18. Safety clause.** The general assembly finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety or for appropriations for
16 the support and maintenance of the departments of the state and state
17 institutions.