

CHAPTER 37

HEALTH AND ENVIRONMENT

SENATE BILL 25-039

BY SENATOR(S) Bridges and Pelton B., Marchman, Roberts, Simpson, Bright, Carson, Catlin, Frizell, Jodeh, Kirkmeyer, Lundeen, Pelton R., Coleman;
also REPRESENTATIVE(S) Martinez and Johnson, McCormick, Bird, Clifford, Duran, Gonzalez R., Keltie, Lieder, Lindsay, Marshall, Soper, Titone, McCluskie.

AN ACT

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

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

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

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

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

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

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

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

(B) A building in which more than half of the gross floor area is used for

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~~manufacturing, industrial, or agricultural purposes; or~~ MANUFACTURING OR INDUSTRIAL PURPOSES;

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

(D) AN AGRICULTURAL BUILDING.

(10) Agricultural buildings exempted from benchmarking requirements.

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

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

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

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 28, 2025