

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

INTRODUCED

LLS NO. 25-0016.01 Josh Schultz x5486

HOUSE BILL 25-1245

HOUSE SPONSORSHIP

Lieder and Hamrick,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING HVAC INFRASTRUCTURE IMPROVEMENT PROJECTS IN**
102 **SCHOOLS.**

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 requires a school district, a charter school, an institute charter school, a board of cooperative services, or the Colorado school for the deaf and the blind (local education provider) to satisfy certain requirements concerning installation, inspection, and maintenance of heating, ventilation, and air conditioning (HVAC) systems in schools if the local education provider undertakes HVAC infrastructure

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.

improvements using money made available by a federal government source or by a federal government source in combination with a state government source specifically for such purpose.

The requirements established in the bill concern:

- Ventilation verification assessments, which include assessments of an HVAC system's filtration, ventilation exhaust, economizers, demand control ventilation, air distribution and building pressurization, general maintenance requirements, operational controls, and carbon dioxide output;
- The preparation of HVAC assessment reports;
- The review of HVAC assessment reports by mechanical engineers, who make recommendations regarding necessary repairs and improvements, suggest pathways to reduce emissions, and estimate associated costs;
- HVAC adjustments, repairs, upgrades, and replacements;
- The preparation of HVAC verification reports and the submission of the reports to the state board of education; and
- Periodic inspections and ongoing maintenance.

The bill establishes mandatory criteria that an HVAC contractor must satisfy in order to perform work described in the bill. A local education provider that undertakes HVAC infrastructure improvements using money made available by a federal government source or by a federal government source in combination with a state government source must do so using only contractors on the certified contractor list established by the department of labor and employment.

The bill transfers money from the "Infrastructure Investment and Jobs Act" cash fund to the unused state-owned real property fund. The public-private collaboration unit in the department of personnel (unit) may use the money to provide grant writing support, administrative support, and project planning, to review the work of applicants, and to connect applicants with third parties with expertise pertaining to federal funding application technical assistance.

The bill requires the unit to facilitate a public-public partnership with local education providers to leverage federal dollars available to help public schools improve air quality in schools, student performance, and staff retention.

For each award of federal dollars obtained with the unit's grant writing support, the unit is authorized to retain 2.5% of the dollars awarded to cover the unit's administrative costs.

1 **SECTION 1. Legislative declaration.** (1) The general assembly
2 finds that:

3 (a) Students and staff in Colorado's public schools deserve access
4 to clean, healthy air along with proper heating and cooling to improve
5 their opportunities to learn;

6 (b) Indoor air quality is one of several toxic threats to students in
7 schools;

8 (c) The condition of inadequate school facilities can expose
9 students and staff to mold and legacy toxins such as lead, asbestos, and
10 industrial products and chemicals known as "PCBs"; poor air quality and
11 temperature control; inadequate lighting; and excessive noise; and

12 (d) Improving the air quality in schools can result in higher
13 attendance, better cognitive function, less asthma and other respiratory
14 health problems, and improved academic performance.

15 (2) The general assembly further finds that:

16 (a) In Colorado, many of the conditions that cause unhealthy
17 indoor air and environmental quality impact Colorado school buildings;

18 (b) Various Colorado schools have been featured in news stories
19 profiling funding shortages, heating and cooling issues, and the need for
20 facility improvements;

21 (c) The department of education's own "Facility Insight"
22 dashboard reports the average age of school infrastructure to be 40 years;
23 and

24 (d) State school buildings receive a poor score on the "Facility
25 Condition Index".

26 (3) The general assembly further finds that:

27 (a) Despite efforts by state agencies and school districts to

1 improve indoor environmental quality in classrooms and other school
2 buildings, many of Colorado's school districts lack the funding and staff
3 to improve facility conditions and thereby improve school health
4 outcomes;

5 (b) According to the American Society of Civil Engineers' 2020
6 infrastructure report card, Colorado schools have an approximately \$14
7 billion funding gap between the need for infrastructure replacements,
8 repairs, or upgrades and money available from regular funding and budget
9 processes;

10 (c) The current funding sources for schools do not equitably
11 distribute funding, leaving many schools in rural and disproportionately
12 impacted communities unable to pay for necessary retrofits and updates;

13 (d) The passage of the federal "Inflation Reduction Act of 2022"
14 and "Bipartisan Infrastructure Law", which was enacted as the federal
15 "Infrastructure Investment and Jobs Act", have made billions of dollars
16 in federal money available to combine with current and planned state or
17 local funding that can help public schools improve air quality, improve
18 student performance and staff retention, and realize significant energy
19 savings for school districts;

20 (e) Accessing this federal money would not only improve air
21 quality in schools but also bring billions of dollars in economic
22 investments in quality projects to Colorado communities and workers;
23 and

24 (f) Unfortunately, many of the schools with the most pressing
25 infrastructure improvement needs lack the staff capacity to track, apply
26 for, and manage grant funding available at the state and federal level.

27 (4) Therefore, the general assembly declares that, in order to help

1 schools address health concerns and energy efficiency needs, this act:

2 (a) Will save schools money by ensuring that facility improvement
3 projects are completed by a highly skilled workforce and result in
4 measurable energy efficiency improvements and health improvements for
5 students and staff; and

6 (b) Allows Colorado's school districts to choose to undergo an
7 HVAC assessment and find a pathway to fund any improvements
8 identified without mandating that any school must undergo an assessment
9 or HVAC improvements.

10 **SECTION 2.** In Colorado Revised Statutes, **add** 22-32-152 as
11 follows:

12 **22-32-152. School ventilation and energy efficiency**
13 **verification and repair - applicability of section - ventilation**
14 **verification assessment - filtration - HVAC assessment report -**
15 **mechanical engineer review - adjustments, repairs, upgrades, and**
16 **replacements - HVAC verification report - periodic inspections and**
17 **ongoing maintenance - certified contractors - grants - definitions.**

18 (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
19 OTHERWISE REQUIRES:

20 (a) "ANAB" MEANS THE AMERICAN NATIONAL STANDARDS
21 INSTITUTE NATIONAL ACCREDITATION BOARD.

22 (b) "ASHRAE" MEANS THE AMERICAN SOCIETY OF HEATING,
23 REFRIGERATING AND AIR-CONDITIONING ENGINEERS.

24 (c) "CERTIFIED CONTRACTOR" MEANS A CONTRACTOR ON THE
25 CERTIFIED CONTRACTOR LIST.

26 (d) "CERTIFIED CONTRACTOR LIST" MEANS THE CERTIFIED
27 CONTRACTOR LIST CREATED BY THE DEPARTMENT OF LABOR AND

1 EMPLOYMENT PURSUANT TO SECTION 40-3.2-105.6 (3)(a).

2 (e) "CERTIFIED TAB TECHNICIAN" MEANS A TECHNICIAN
3 CERTIFIED TO PERFORM TESTING, ADJUSTING, AND BALANCING OF HVAC
4 SYSTEMS BY:

5 (I) THE ASSOCIATED AIR BALANCE COUNCIL;
6 (II) THE NATIONAL ENVIRONMENTAL BALANCING BUREAU;
7 (III) THE TESTING, ADJUSTING AND BALANCING BUREAU; OR
8 (IV) A SUCCESSOR ORGANIZATION OF AN ORGANIZATION NAMED
9 IN SUBSECTION (1)(e)(I), (1)(e)(II), OR (1)(e)(III) OF THIS SECTION.

10 (f) "CO2" MEANS CARBON DIOXIDE.

11 (g) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
12 CREATED IN SECTION 24-1-115.

13 (h) "HVAC" MEANS HEATING, VENTILATION, AND AIR
14 CONDITIONING.

15 (i) "HVAC ASSESSMENT REPORT" MEANS AN HVAC ASSESSMENT
16 REPORT DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

17 (j) "INTERNATIONAL MECHANICAL CODE" MEANS THE 2021
18 INTERNATIONAL MECHANICAL CODE PUBLISHED BY THE INTERNATIONAL
19 CODE COUNCIL OR THE MOST RECENT VERSION ADOPTED BY THE OFFICE
20 OF THE STATE ARCHITECT CREATED IN SECTION 24-30-1302.5.

21 (k) "ISO/IEC 17024 PERSONNEL CERTIFICATION STANDARD"
22 MEANS THE ISO/IEC 17024 PERSONNEL CERTIFICATION ACCREDITATION
23 STANDARD DEVELOPED BY THE INTERNATIONAL ORGANIZATION FOR
24 STANDARDIZATION AND THE INTERNATIONAL ELECTROTECHNICAL
25 COMMISSION FOR THE PURPOSE OF CERTIFYING PERSONNEL.

26 (l) "LOCAL EDUCATION PROVIDER" MEANS:
27 (I) A LOCAL EDUCATION PROVIDER, AS DEFINED IN SECTION

1 22-16-103 (4); AND

2 (II) THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND
3 DESCRIBED IN SECTION 22-80-102.

4 (m) "MECHANICAL ENGINEER" MEANS A PROFESSIONAL ENGINEER
5 WHO IS LICENSED PURSUANT TO PART 2 OF ARTICLE 120 OF TITLE 12 AND
6 HAS PROFESSIONAL EXPERIENCE WITH HVAC SYSTEMS.

7 (n) "MERV" MEANS MINIMUM EFFICIENCY REPORTING VALUE, AS
8 ESTABLISHED BY ANAB/ASHRAE STANDARD 52.2-2017, "METHOD OF
9 TESTING GENERAL VENTILATION AIR-CLEANING DEVICES FOR REMOVAL
10 EFFICIENCY BY PARTICLE SIZE".

11 (o) "NOX" HAS THE MEANING SET FORTH IN SECTION 25-7-1502
12 (8).

13 (p) "OCCUPIED AREAS" MEANS THE CLASSROOMS, AUDITORIUMS,
14 GYMNASIUMS, CAFETERIAS, NURSES' OFFICES, RESTROOMS, AND OFFICES
15 OF A SCHOOL.

16 (q) "PPM" MEANS PARTS PER MILLION.

17 (r) "PROJECT LABOR AGREEMENT" HAS THE MEANING SET FORTH
18 IN 48 CFR 52.222-34.

19 (s) "QUALIFIED ADJUSTING PERSONNEL" MEANS:

20 (I) A CERTIFIED TAB TECHNICIAN; OR

21 (II) A WORKER WHO IS UNDER THE DIRECT SUPERVISION OF A
22 CERTIFIED TAB TECHNICIAN.

23 (t) "QUALIFIED PERSONNEL" MEANS QUALIFIED TESTING
24 PERSONNEL, QUALIFIED ADJUSTING PERSONNEL, OR OTHER WORKFORCE
25 THAT IS HIRED BY AND UNDER THE DIRECT SUPERVISION OF A CERTIFIED
26 CONTRACTOR FOR THE PURPOSE OF PERFORMING HVAC WORK.

27 (u) "QUALIFIED TESTING PERSONNEL" MEANS:

1 (I) A CERTIFIED TAB TECHNICIAN; OR
2 (II) AN INDIVIDUAL CERTIFIED TO PERFORM VENTILATION
3 ASSESSMENTS OF HVAC SYSTEMS BY THE INTERNATIONAL CERTIFICATION
4 BOARD OR THROUGH AN EQUIVALENT CERTIFICATION PROGRAM OR BODY
5 ACCREDITED UNDER THE ISO/IEC 17024 PERSONNEL CERTIFICATION
6 STANDARD.

7 (v) "SCHOOL" MEANS AN EDUCATIONAL FACILITY OPERATED BY A
8 LOCAL EDUCATION PROVIDER.

9 (w) "TAB" MEANS TESTING, ADJUSTING, AND BALANCING OF AN
10 HVAC SYSTEM.

11 (2) **Applicability of section.** (a) ON AND AFTER THE EFFECTIVE
12 DATE OF THIS SECTION, IF A LOCAL EDUCATION PROVIDER UNDERTAKES
13 HVAC INFRASTRUCTURE IMPROVEMENTS AT A SCHOOL USING MONEY
14 MADE AVAILABLE BY A FEDERAL GOVERNMENT SOURCE OR BY A FEDERAL
15 GOVERNMENT SOURCE IN COMBINATION WITH A STATE GOVERNMENT
16 SOURCE SPECIFICALLY FOR SUCH PURPOSE, THE LOCAL EDUCATION
17 PROVIDER SHALL COMPLY WITH THE PROCEDURES SET FORTH IN THIS
18 SECTION IN IMPLEMENTING THE HVAC INFRASTRUCTURE IMPROVEMENTS.

19 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
20 CONTRARY, A LOCAL EDUCATION PROVIDER IS NOT REQUIRED TO SATISFY
21 THE REQUIREMENTS OF THIS SECTION UNLESS THE LOCAL EDUCATION
22 PROVIDER RECEIVES MONEY FROM A FEDERAL GOVERNMENT SOURCE OR
23 FROM A FEDERAL GOVERNMENT SOURCE IN COMBINATION WITH A STATE
24 GOVERNMENT SOURCE, WHICH MONEY IS MADE AVAILABLE FOR THE
25 SPECIFIC PURPOSE OF IMPLEMENTING HVAC SYSTEM IMPROVEMENTS.

26 (3) **Ventilation verification assessment.** QUALIFIED PERSONNEL
27 SHALL PERFORM ALL OF THE FOLLOWING:

1 (a) **Filtration.** MERV 13 OR BETTER FILTRATION MUST BE
2 INSTALLED IN A SCHOOL'S HVAC SYSTEM WHERE FEASIBLE. QUALIFIED
3 PERSONNEL SHALL:

4 (I) REVIEW SYSTEM CAPACITY AND AIRFLOW TO DETERMINE THE
5 HIGHEST MERV FILTRATION THAT CAN BE INSTALLED WITHOUT
6 ADVERSELY IMPACTING EQUIPMENT;

7 (II) REPLACE OR UPGRADE FILTERS WHERE NEEDED AND VERIFY
8 THAT FILTERS ARE INSTALLED CORRECTLY; AND

9 (III) ISSUE RECOMMENDATIONS FOR ADDITIONAL MAINTENANCE,
10 FREQUENCY OF FILTER REPLACEMENTS, OR UPGRADES TO ALLOW FOR
11 MORE PROTECTIVE FILTRATION AND RECORD THE RECOMMENDATIONS IN
12 THE HVAC ASSESSMENT REPORT.

13 (b) **Ventilation and exhaust.** AFTER ASSESSING THE FILTRATION
14 AS DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION, QUALIFIED
15 PERSONNEL SHALL ASSESS THE VENTILATION RATES IN THE SCHOOL'S
16 OCCUPIED AREAS TO DETERMINE WHETHER THEY MEET THE MINIMUM
17 VENTILATION RATE REQUIREMENTS SET FORTH IN THE INTERNATIONAL
18 MECHANICAL CODE. ASSESSMENT OF THE VENTILATION AND EXHAUST
19 MUST INCLUDE ALL THE FOLLOWING:

20 (I) CALCULATION OF THE ESTIMATED MINIMUM OUTSIDE AIR
21 VENTILATION RATES FOR EACH OCCUPIED AREA BASED ON THE MAXIMUM
22 ANTICIPATED OCCUPANCY AND THE MINIMUM REQUIRED VENTILATION
23 RATE PER OCCUPANT. CALCULATIONS MUST BE BASED ON MAXIMUM
24 ANTICIPATED CLASSROOM OR OTHER OCCUPIED AREA OCCUPANCY RATES
25 AND DETERMINED BY THE INTERNATIONAL MECHANICAL CODE.

26 (II) MEASUREMENT OF OUTSIDE AIR AND VERIFICATION THAT THE
27 SYSTEM PROVIDES THE MINIMUM OUTSIDE AIR VENTILATION RATES

1 CALCULATED PURSUANT TO SUBSECTION (3)(b)(I) OF THIS SECTION;

2 (III) VERIFICATION OF COIL VELOCITIES AND UNIT DISCHARGE AIR
3 TEMPERATURES REQUIRED TO MAINTAIN DESIRED INDOOR CONDITIONS
4 AND TO AVOID MOISTURE CARRYOVER FROM COOLING COILS;

5 (IV) VERIFICATION THAT SEPARATION BETWEEN OUTDOOR AIR
6 INTAKES AND EXHAUST DISCHARGE OUTLETS MEETS THE REQUIREMENTS
7 OF THE INTERNATIONAL MECHANICAL CODE;

8 (V) CONFIRMATION THAT THE AIR HANDLING UNIT IS BRINGING IN
9 OUTDOOR AIR AND REMOVING EXHAUST AIR AS INTENDED BY THE SYSTEM
10 DESIGN; AND

11 (VI) MEASUREMENT OF ALL EXHAUST AIR VOLUME FOR EXHAUST
12 FANS, SUCH AS RESTROOM EXHAUST FANS, INCLUDING DOCUMENTATION
13 OF ANY DISCREPANCIES FROM SYSTEM DESIGN.

14 (c) **Economizers.** FOR HVAC SYSTEMS WITH ECONOMIZERS,
15 QUALIFIED PERSONNEL SHALL TEST SYSTEM ECONOMIZER DAMPERS FOR
16 PROPER OPERATION. ECONOMIZER DAMPERS AND CONTROLS THAT ARE
17 NOT PROPERLY FUNCTIONING SHALL BE REPAIRED BY A CERTIFIED
18 CONTRACTOR OR THE CERTIFIED CONTRACTOR'S QUALIFIED PERSONNEL.
19 QUALIFIED PERSONNEL SHALL RECORD RECOMMENDATIONS FOR
20 ADDITIONAL MAINTENANCE, REPLACEMENTS, OR UPGRADES IN THE HVAC
21 ASSESSMENT REPORT.

22 (d) **Demand control ventilation.** (I) IF DEMAND CONTROL
23 VENTILATION SYSTEMS ARE INSTALLED, QUALIFIED PERSONNEL SHALL
24 VERIFY THEIR PROPER OPERATION.

25 (II) DEMAND CONTROL VENTILATION SYSTEMS THAT ARE NOT
26 PROPERLY FUNCTIONING SHALL BE REPAIRED BY A CERTIFIED CONTRACTOR
27 OR THE CERTIFIED CONTRACTOR'S QUALIFIED PERSONNEL.

1 (III) IF A DEMAND CONTROL VENTILATION SYSTEM IS
2 RECOMMENDED TO BE DISABLED OR IS UNABLE TO PROVIDE
3 RECOMMENDED VENTILATION RATES, THE HVAC SYSTEM MUST BE
4 CONFIGURED TO MEET THE MINIMUM VENTILATION RATE REQUIREMENTS
5 WITHOUT USE OF THE DEMAND CONTROL VENTILATION SYSTEM AND MUST
6 BE TESTED AND ADJUSTED TO ACHIEVE THE ESTIMATED MINIMUM OUTSIDE
7 AIR VENTILATION RATE, AS DESCRIBED IN SUBSECTION (3)(b)(I) OF THIS
8 SECTION.

9 (IV) QUALIFIED PERSONNEL SHALL RECORD RECOMMENDATIONS
10 FOR ADDITIONAL MAINTENANCE, REPLACEMENTS, OR UPGRADES IN THE
11 HVAC ASSESSMENT REPORT.

12 **(e) Air distribution and building pressurization.** (I) QUALIFIED
13 PERSONNEL SHALL:

14 (A) PERFORM SURVEY READINGS OF INLETS AND OUTLETS TO
15 VERIFY THAT ALL VENTILATION IS REACHING THE SERVED ZONES AND
16 THAT THERE IS ADEQUATE AIR DISTRIBUTION;

17 (B) VERIFY THAT INLETS AND OUTLETS ARE BALANCED WITHIN
18 TOLERANCE OF THE SYSTEM DESIGN; AND

19 (C) DOCUMENT READ VALUES AND DEFICIENCIES. IF THE ORIGINAL
20 SYSTEM DESIGN VALUES ARE NOT AVAILABLE, QUALIFIED PERSONNEL
21 SHALL DOCUMENT AVAILABLE INFORMATION AND NOTE THE
22 UNAVAILABILITY OF SYSTEM DESIGN VALUES IN THE HVAC ASSESSMENT
23 REPORT.

24 (II) QUALIFIED PERSONNEL SHALL VERIFY BUILDING AND SPACE
25 PRESSURE TO ENSURE THAT:

26 (A) THE PRESSURE DIFFERENTIAL IS WITHIN TOLERANCE OF
27 DESIGN, IF KNOWN;

1 (B) THE SCHOOL BUILDING IS NOT OVER PRESSURIZED; AND

2 (C) IF APPLICABLE, ROOMS DESIGNATED FOR TEMPORARY
3 OCCUPATION BY SICK STUDENTS OR STAFF MAINTAIN A NEGATIVE
4 PRESSURE, OR AS OTHERWISE DESIGNED.

5 (f) **General maintenance.** QUALIFIED PERSONNEL SHALL VERIFY
6 COIL CONDITION, CONDENSATE DRAINAGE, COOLING COIL AIR
7 TEMPERATURE DIFFERENTIAL (ENTERING AND LEAVING DRY BULB), HEAT
8 EXCHANGER AIR TEMPERATURE DIFFERENTIAL (ENTERING AND LEAVING
9 DRY BULB), AND DRIVE ASSEMBLY CONDITION. QUALIFIED PERSONNEL
10 SHALL RECORD RECOMMENDATIONS FOR ADDITIONAL MAINTENANCE,
11 REPLACEMENTS, OR UPGRADES IN THE HVAC ASSESSMENT REPORT.

12 (g) **Operational controls.** QUALIFIED PERSONNEL SHALL REVIEW
13 CONTROL SEQUENCES TO VERIFY THAT SYSTEMS WILL MAINTAIN INTENDED
14 VENTILATION, TEMPERATURE, AND HUMIDITY CONDITIONS DURING SCHOOL
15 OPERATION.

16 (h) **CO2 monitoring.** (I) AS AN INDICATOR OF PROPER
17 VENTILATION THROUGHOUT THE SCHOOL YEAR, EACH OCCUPIED AREA, AS
18 DETERMINED BY QUALIFIED PERSONNEL, MUST BE EQUIPPED WITH A CO2
19 MONITOR THAT:

20 (A) IS HARDWIRED, PLUG-IN, OR BATTERY OPERATED AND
21 MOUNTED TO A WALL AT LEAST THREE FEET BUT LESS THAN SIX FEET
22 ABOVE THE FLOOR AND AT LEAST FIVE FEET AWAY FROM THE NEAREST
23 DOOR AND ANY OPERABLE WINDOWS;

24 (B) DISPLAYS THE CO2 READINGS TO THE SCHOOL FACILITIES
25 MANAGER OR DESIGNATED STAFF MEMBER THROUGH A DISPLAY ON THE
26 DEVICE OR OTHER MEANS, SUCH AS A WEB-BASED APPLICATION OR CELL
27 PHONE APPLICATION;

1 (C) NOTIFIES THE SCHOOL FACILITIES MANAGER OR DESIGNATED
2 STAFF MEMBER THROUGH A VISUAL INDICATOR OR OTHER ALERT, SUCH AS
3 AN EMAIL, A TEXT, OR A CELL PHONE APPLICATION, WHEN CO₂ LEVELS IN
4 AN OCCUPIED AREA, AS DETERMINED BY QUALIFIED PERSONNEL, EXCEED
5 ONE THOUSAND ONE HUNDRED PPM;

6 (D) MAINTAINS A RECORD OF PREVIOUS DATA, WHICH RECORD
7 INCLUDES AT LEAST THE MAXIMUM CO₂ CONCENTRATION MEASURED;

8 (E) HAS A MEASUREMENT RANGE OF AT LEAST FOUR HUNDRED TO
9 FIVE THOUSAND PPM; AND

10 (F) IS CERTIFIED BY THE MANUFACTURER TO BE ACCURATE WITHIN
11 SEVENTY-FIVE PPM AT ONE THOUSAND PPM CO₂ CONCENTRATION AND TO
12 REQUIRE CALIBRATION NO MORE FREQUENTLY THAN ONCE EVERY FIVE
13 YEARS.

14 (II) QUALIFIED PERSONNEL SHALL VERIFY THAT THE CO₂
15 MONITORS ARE ACCURATE WITHIN SEVENTY-FIVE PPM AT ONE THOUSAND
16 PPM CO₂.

17 (III) IN SCHOOLS WHERE THERE IS LIMITED OR NO EXISTING
18 MECHANICAL VENTILATION, THE ASSESSMENT OF CO₂ MONITORING MUST
19 FOCUS ON DOCUMENTING EXISTING CONDITIONS AND PROVIDING A
20 MECHANICAL ENGINEER WITH THE INFORMATION NEEDED TO PROVIDE
21 MECHANICAL VENTILATION UPGRADE RECOMMENDATIONS, IF NEEDED, TO
22 ENSURE PROPER VENTILATION AND INDOOR AIR QUALITY. OCCUPIED
23 AREAS WITH LIMITED OR NO EXISTING MECHANICAL VENTILATION MUST
24 HAVE CO₂ MONITORS INSTALLED.

25 (IV) IN THE HVAC ASSESSMENT REPORT, QUALIFIED PERSONNEL
26 SHALL INCLUDE VERIFICATION OF THE INSTALLATION OF CO₂ MONITORS
27 IN OCCUPIED AREAS, AS APPLICABLE.

1 **(4) HVAC assessment report.** QUALIFIED PERSONNEL SHALL
2 PREPARE AN HVAC ASSESSMENT REPORT FOR REVIEW BY A MECHANICAL
3 ENGINEER. THE HVAC ASSESSMENT REPORT MUST INCLUDE ALL OF THE
4 FOLLOWING INFORMATION:

5 (a) THE NAME AND ADDRESS OF THE SCHOOL AND THE CERTIFIED
6 CONTRACTOR COMPLETING THE WORK, INCLUDING THE NAME OF THE
7 QUALIFIED PERSONNEL PREPARING THE ASSESSMENT REPORT AND THE
8 NAME OF THE MECHANICAL ENGINEER CERTIFYING THE ASSESSMENT
9 REPORT;

10 (b) A DESCRIPTION OF ASSESSMENT, MAINTENANCE, ADJUSTMENT,
11 AND REPAIR ACTIVITIES AND OUTCOMES;

12 (c) DOCUMENTATION OF HVAC EQUIPMENT MODEL NUMBERS,
13 SERIAL NUMBERS, THE GENERAL CONDITION OF UNITS, AND ANY
14 ADDITIONAL INFORMATION THAT COULD BE USED TO ASSESS
15 REPLACEMENT AND REPAIR OPTIONS GIVEN THE POTENTIAL FOR INCREASED
16 ENERGY EFFICIENCY BENEFITS;

17 (d) VERIFICATION THAT EITHER:

18 (I) MERV 13 FILTERS HAVE BEEN INSTALLED; OR

19 (II) THE MAXIMUM MERV-RATED FILTER THAT THE SYSTEM IS
20 ABLE TO EFFECTIVELY HANDLE HAS BEEN INSTALLED, INCLUDING AN
21 INDICATION OF THE MERV RATING OF THAT FILTER;

22 (e) VERIFICATION THAT ALL REQUIREMENTS DESCRIBED IN THIS
23 SUBSECTION (4) HAVE BEEN SATISFIED;

24 (f) THE VERIFIED VENTILATION RATES FOR OCCUPIED AREAS AND
25 WHETHER THOSE RATES MEET THE ESTIMATED REQUIREMENTS SET FORTH
26 IN THE INTERNATIONAL MECHANICAL CODE;

27 (g) THE VERIFIED EXHAUST RATES FOR OCCUPIED AREAS AND

1 WHETHER THOSE RATES MEET THE REQUIREMENTS OF THE SYSTEM'S
2 DESIGN; AND

3 (h) DOCUMENTATION OF SYSTEM DEFICIENCIES AND
4 RECOMMENDATIONS FOR ADDITIONAL MAINTENANCE, REPLACEMENT, OR
5 UPGRADES TO IMPROVE ENERGY EFFICIENCY, SAFETY, OR PERFORMANCE
6 OR TO REDUCE NOX EMISSIONS OR GREENHOUSE GAS EMISSIONS, IF ANY.

7 (5) **Mechanical engineer review.** A MECHANICAL ENGINEER
8 SHALL:

9 (a) REVIEW THE HVAC ASSESSMENT REPORT;

10 (b) VERIFY OR ADJUST THE ESTIMATED MINIMUM OUTSIDE AIR
11 VENTILATION RATES;

12 (c) DETERMINE WHAT, IF ANY, ADDITIONAL ADJUSTMENTS,
13 REPAIRS, UPGRADES, OR REPLACEMENTS ARE NECESSARY TO MEET THE
14 MINIMUM VENTILATION AND FILTRATION REQUIREMENTS OF THE
15 INTERNATIONAL MECHANICAL CODE;

16 (d) RECOMMEND A PATHWAY FOR REDUCING NOX EMISSIONS AND
17 GREENHOUSE GAS EMISSIONS; AND

18 (e) PROVIDE A COST ESTIMATE FOR ALL RECOMMENDED WORK.

19 (6) **Adjustments, repairs, upgrades, and replacements.** ALL
20 HVAC REPAIRS, UPGRADES, AND REPLACEMENTS SHALL BE PERFORMED
21 BY A CERTIFIED CONTRACTOR OR THE CERTIFIED CONTRACTOR'S QUALIFIED
22 PERSONNEL. ALL HVAC ADJUSTMENTS SHALL BE PERFORMED BY
23 QUALIFIED ADJUSTING PERSONNEL.

24 (7) **HVAC verification report.** (a) A CERTIFIED CONTRACTOR OR
25 A MEMBER OF THE CERTIFIED CONTRACTOR'S QUALIFIED PERSONNEL SHALL
26 PREPARE AN HVAC VERIFICATION REPORT, AND THE LOCAL EDUCATION
27 PROVIDER SHALL SUBMIT THE HVAC VERIFICATION REPORT TO THE

1 DEPARTMENT WITHIN THIRTY DAYS AFTER COMPLETION OF ALL WORK
2 DESCRIBED IN SUBSECTIONS (3) TO (6) OF THIS SECTION.

3 (b) THE HVAC VERIFICATION REPORT MUST INCLUDE ALL OF THE
4 FOLLOWING INFORMATION:

5 (I) THE NAME AND ADDRESS OF THE SCHOOL AND THE PERSON
6 PREPARING AND CERTIFYING THE REPORT;

7 (II) A DESCRIPTION OF ASSESSMENT, MAINTENANCE, ADJUSTMENT,
8 REPAIR, UPGRADE, AND REPLACEMENT ACTIVITIES AND OUTCOMES;

9 (III) VERIFICATION THAT THE CERTIFIED CONTRACTOR OR THE
10 CERTIFIED CONTRACTOR'S QUALIFIED PERSONNEL HAS COMPLIED WITH ALL
11 REQUIREMENTS OF THIS SECTION;

12 (IV) VERIFICATION THAT EITHER:

13 (A) MERV 13 FILTERS HAVE BEEN INSTALLED; OR

14 (B) THE MAXIMUM MERV-RATED FILTER THAT THE SYSTEM IS
15 ABLE TO EFFECTIVELY HANDLE HAS BEEN INSTALLED, INCLUDING AN
16 INDICATION OF THE MERV RATING OF THAT FILTER;

17 (V) THE VERIFIED VENTILATION RATES FOR OCCUPIED AREAS AND
18 WHETHER THOSE RATES MEET THE REQUIREMENTS SET FORTH IN THE
19 INTERNATIONAL MECHANICAL CODE. IF VENTILATION RATES DO NOT MEET
20 APPLICABLE GUIDANCE, THEN THE HVAC VERIFICATION REPORT MUST
21 INCLUDE AN EXPLANATION OF WHY THE CURRENT SYSTEM IS UNABLE TO
22 MEET THOSE RATES.

23 (VI) THE VERIFIED EXHAUST RATES FOR OCCUPIED AREAS AND
24 WHETHER THOSE RATES MEET THE REQUIREMENTS SET FORTH IN THE
25 SYSTEM'S DESIGN;

26 (VII) DOCUMENTATION OF REPAIRS, UPGRADES, OR
27 REPLACEMENTS PERFORMED IN RESPONSE TO:

- 1 (A) THE HVAC ASSESSMENT REPORT; AND
- 2 (B) THE MECHANICAL ENGINEER'S RECOMMENDATIONS MADE
- 3 PURSUANT TO SUBSECTION (5) OF THIS SECTION;
- 4 (VIII) DOCUMENTATION OF RECOMMENDATIONS FOR ADDITIONAL
- 5 MAINTENANCE, REPAIRS, REPLACEMENTS, OR UPGRADES TO IMPROVE
- 6 ENERGY EFFICIENCY, SAFETY, OR PERFORMANCE OR TO REDUCE NOX
- 7 EMISSIONS OR GREENHOUSE GAS EMISSIONS;
- 8 (IX) DOCUMENTATION OF THE MECHANICAL ENGINEER'S
- 9 RECOMMENDED PATHWAY FOR REDUCING NOX EMISSIONS AND
- 10 GREENHOUSE GAS EMISSIONS;
- 11 (X) DOCUMENTATION OF INITIAL OPERATING VERIFICATIONS,
- 12 ADJUSTMENTS, AND FINAL OPERATING VERIFICATIONS AND
- 13 DOCUMENTATION OF ANY ADJUSTMENTS OR REPAIRS PERFORMED;
- 14 (XI) VERIFICATION OF INSTALLATION OF CO2 MONITORS,
- 15 INCLUDING THE NUMBER OF MONITORS INSTALLED AND VERIFIED AND THE
- 16 MAKE AND MODEL OF EACH MONITOR; AND
- 17 (XII) VERIFICATION THAT ALL WORK HAS BEEN PERFORMED BY A
- 18 CERTIFIED CONTRACTOR OR THE CERTIFIED CONTRACTOR'S QUALIFIED
- 19 PERSONNEL, INCLUDING THE CONTRACTOR'S NAME, THE NAMES OF THE
- 20 QUALIFIED PERSONNEL, THE CERTIFICATION NUMBERS OF ANY QUALIFIED
- 21 PERSONNEL, AND VERIFICATION THAT ALL CONSTRUCTION WORK HAS BEEN
- 22 PERFORMED BY A CERTIFIED CONTRACTOR OR THE CERTIFIED
- 23 CONTRACTOR'S QUALIFIED PERSONNEL.
- 24 (c) A LOCAL EDUCATION PROVIDER SHALL MAINTAIN A COPY OF
- 25 THE HVAC VERIFICATION REPORT FOR AT LEAST FIVE YEARS AND MAKE
- 26 IT AVAILABLE TO THE PUBLIC UPON REQUEST.
- 27 (8) **Periodic inspections and ongoing maintenance.** (a) AT

1 LEAST ONCE EVERY FIVE YEARS, QUALIFIED PERSONNEL SHALL PERFORM
2 THE DUTIES CONCERNING ASSESSMENT, MAINTENANCE, ADJUSTMENT,
3 OPERATIONAL CONTROLS, AND CO2 MONITORS DESCRIBED IN
4 SUBSECTIONS (3) TO (6) OF THIS SECTION.

5 (b) FOR CO2 MONITORS INSTALLED IN OCCUPIED AREAS, AS
6 DETERMINED BY QUALIFIED PERSONNEL, IF THE CO2 CONCENTRATION
7 ALARM SET POINT IS EXCEEDED FOR MORE THAN FIFTEEN MINUTES MORE
8 THAN FOUR TIMES IN ONE MONTH, QUALIFIED ADJUSTING PERSONNEL
9 SHALL EITHER ADJUST THE OCCUPIED AREA'S VENTILATION RATES OR
10 INSTALL A DIRECT OUTSIDE AIRFLOW MEASUREMENT DEVICE AND VERIFY
11 ITS ACCURACY TO ENSURE PEAK CO2 CONCENTRATIONS IN THE OCCUPIED
12 AREA REMAIN BELOW THE SET POINT.

13 (c) EACH LOCAL EDUCATION PROVIDER SHALL:

14 (I) RECORD EACH INCIDENT IN WHICH A CO2 CONCENTRATION
15 ALARM SET POINT WAS BREACHED;

16 (II) RETAIN EACH RECORD FOR AT LEAST FIVE YEARS; AND

17 (III) MAKE THE RECORDS AVAILABLE TO THE PUBLIC UPON
18 REQUEST.

19 (9) **Certified contractors.** (a) IF A LOCAL EDUCATION PROVIDER
20 UNDERTAKES HVAC INFRASTRUCTURE IMPROVEMENTS AS DESCRIBED IN
21 THIS SECTION USING MONEY MADE AVAILABLE BY FEDERAL GOVERNMENT
22 SOURCES OR BY FEDERAL GOVERNMENT SOURCES IN COMBINATION WITH
23 STATE GOVERNMENT SOURCES SPECIFICALLY FOR SUCH PURPOSE, THE
24 LOCAL EDUCATION PROVIDER SHALL:

25 (I) OBTAIN AND MAKE USE OF THE CERTIFIED CONTRACTOR LIST TO
26 ASSIST IN CONTRACTOR SELECTION AND ENSURE COMPLIANCE WITH
27 FEDERAL FUNDING REQUIREMENTS; AND

1 (II) EMPLOY ONLY CERTIFIED CONTRACTORS OR CONTRACTORS
2 THAT USE PREVAILING WAGES AND APPRENTICES REGISTERED WITH THE
3 FEDERAL DEPARTMENT OF LABOR OR THE STATE APPRENTICESHIP AGENCY
4 CREATED IN SECTION 8-15.7-102 FOR THE PERFORMANCE OF THE HVAC
5 INFRASTRUCTURE IMPROVEMENTS.

6 (b) THE DEPARTMENT SHALL PUBLISH THE CERTIFIED CONTRACTOR
7 LIST ON ITS WEBSITE AND INCLUDE OR REFERENCE THE LIST IN ALL OF THE
8 RELEVANT MARKETING MATERIAL FOR SCHOOL INFRASTRUCTURE
9 IMPROVEMENT PROGRAMS TO ASSIST IN CONTRACTOR SELECTION AND
10 ENSURE COMPLIANCE WITH FEDERAL FUNDING REQUIREMENTS.

11 (c) THE REQUIREMENT DESCRIBED IN SUBSECTION (9)(a) OF THIS
12 SECTION DOES NOT APPLY TO MECHANICAL, PLUMBING, AND ELECTRICAL
13 WORK THAT IS PERFORMED PURSUANT TO A PROJECT LABOR AGREEMENT
14 THAT ALLOWS A CONTRACTOR AND ALL SUBCONTRACTORS TO COMPETE
15 FOR CONTRACTS AND SUBCONTRACTS WITHOUT REGARD TO WHETHER
16 THEY ARE PARTIES TO A COLLECTIVE BARGAINING AGREEMENT.

17 **SECTION 3.** In Colorado Revised Statutes, **add** 22-5-123 as
18 follows:

19 **22-5-123. BOCES - HVAC infrastructure improvements.** ON
20 AND AFTER THE EFFECTIVE DATE OF THIS SECTION, IF A BOCES
21 UNDERTAKES HVAC INFRASTRUCTURE IMPROVEMENTS USING MONEY
22 MADE AVAILABLE BY A FEDERAL GOVERNMENT SOURCE OR BY A FEDERAL
23 GOVERNMENT SOURCE IN COMBINATION WITH A STATE GOVERNMENT
24 SOURCE SPECIFICALLY FOR SUCH PURPOSE, THE BOCES SHALL COMPLY
25 WITH THE REQUIREMENTS DESCRIBED IN SECTION 22-32-152 IN
26 IMPLEMENTING THE HVAC INFRASTRUCTURE IMPROVEMENTS.

27 **SECTION 4.** In Colorado Revised Statutes, **add** 22-30.5-121 as

1 follows:

2 **22-30.5-121. Charter schools - HVAC infrastructure**
3 **improvements.** ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, IF
4 A CHARTER SCHOOL UNDERTAKES HVAC INFRASTRUCTURE
5 IMPROVEMENTS USING MONEY MADE AVAILABLE BY A FEDERAL
6 GOVERNMENT SOURCE OR BY A FEDERAL GOVERNMENT SOURCE IN
7 COMBINATION WITH A STATE GOVERNMENT SOURCE SPECIFICALLY FOR
8 SUCH PURPOSE, THE CHARTER SCHOOL SHALL COMPLY WITH THE
9 REQUIREMENTS DESCRIBED IN SECTION 22-32-152 IN IMPLEMENTING THE
10 HVAC INFRASTRUCTURE IMPROVEMENTS.

11 **SECTION 5.** In Colorado Revised Statutes, **add** 22-30.5-531 as
12 follows:

13 **22-30.5-531. Institute charter schools - HVAC infrastructure**
14 **improvements.** ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, IF
15 AN INSTITUTE CHARTER SCHOOL UNDERTAKES HVAC INFRASTRUCTURE
16 IMPROVEMENTS USING MONEY MADE AVAILABLE BY A FEDERAL
17 GOVERNMENT SOURCE OR BY A FEDERAL GOVERNMENT SOURCE IN
18 COMBINATION WITH A STATE GOVERNMENT SOURCE SPECIFICALLY FOR
19 SUCH PURPOSE, THE INSTITUTE CHARTER SCHOOL SHALL COMPLY WITH THE
20 REQUIREMENTS DESCRIBED IN SECTION 22-32-152 IN IMPLEMENTING THE
21 HVAC INFRASTRUCTURE IMPROVEMENTS.

22 **SECTION 6.** In Colorado Revised Statutes, **add** 22-80-120 as
23 follows:

24 **22-80-120. HVAC infrastructure improvements.** ON AND
25 AFTER THE EFFECTIVE DATE OF THIS SECTION, IF THE SCHOOL UNDERTAKES
26 HVAC INFRASTRUCTURE IMPROVEMENTS USING MONEY MADE AVAILABLE
27 BY A FEDERAL GOVERNMENT SOURCE OR BY A FEDERAL GOVERNMENT

1 SOURCE IN COMBINATION WITH A STATE GOVERNMENT SOURCE
2 SPECIFICALLY FOR SUCH PURPOSE, THE SCHOOL SHALL COMPLY WITH THE
3 REQUIREMENTS DESCRIBED IN SECTION 22-32-152 IN IMPLEMENTING THE
4 HVAC INFRASTRUCTURE IMPROVEMENTS.

5 **SECTION 7.** In Colorado Revised Statutes, 24-94-102, **add** (4.3),
6 (4.7), and (9.5) as follows:

7 **24-94-102. Definitions.** As used in this article 94, unless the
8 context otherwise requires:

9 (4.3) "HVAC" MEANS HEATING, VENTILATION, AND AIR
10 CONDITIONING.

11 (4.7) "LOCAL EDUCATION PROVIDER" MEANS:

12 (a) A LOCAL EDUCATION PROVIDER, AS DEFINED IN SECTION
13 22-16-103 (4); AND

14 (b) THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND
15 DESCRIBED IN SECTION 22-80-102.

16 (9.5) "PUBLIC-PUBLIC PARTNERSHIP" MEANS AN AGREEMENT
17 BETWEEN ONE OR MORE STATE PUBLIC ENTITIES AND LOCAL EDUCATION
18 PROVIDERS BY WHICH A STATE PUBLIC ENTITY SUPPORTS THE
19 DEVELOPMENT OF AND SUBMISSION FOR FUNDING FOR A PUBLIC PROJECT
20 EXECUTED ON A BUILDING OR PROPERTY OWNED BY THE LOCAL
21 EDUCATION PROVIDER.

22 **SECTION 8.** In Colorado Revised Statutes, 24-75-232, **add**
23 (4)(b.5) as follows:

24 **24-75-232. "Infrastructure Investment and Jobs Act" cash**
25 **fund - creation - allowable uses - report - legislative declaration -**
26 **definitions - repeal.** (4) (b.5) (I) ON SEPTEMBER 1, 2025, THE STATE
27 TREASURER SHALL TRANSFER SIX MILLION NINE HUNDRED THOUSAND

1 DOLLARS FROM THE FUND TO THE UNUSED STATE-OWNED REAL PROPERTY
2 FUND CREATED IN SECTION 24-82-102.5 (5).

3 (II) THIS SUBSECTION (4)(b.5) IS REPEALED, EFFECTIVE
4 SEPTEMBER 1, 2027.

5 **SECTION 9.** In Colorado Revised Statutes, 24-82-102.5, **amend**
6 (5)(c)(I)(C) as follows:

7 **24-82-102.5. Unused state-owned real property - cash fund -**
8 **legislative declaration - definitions.** (5) (c) (I) The money in the unused
9 state-owned real property fund is continuously appropriated to the
10 department for:

11 (C) Use by the unit to carry out the functions of the unit pursuant
12 to section 24-94-103 (2.2) for public projects that provide affordable
13 housing AND THE FUNCTIONS DESCRIBED IN SECTION 24-94-103
14 (2.2)(a)(V); and

15 **SECTION 10.** In Colorado Revised Statutes, 24-94-103, **amend**
16 (2) introductory portion and (2)(h); and **add** (2)(j), (2)(k), (2.2)(a)(V), and
17 (2.2)(a)(VI) as follows:

18 **24-94-103. Public-private partnerships - oversight of state**
19 **public entities in the executive branch of state government -**
20 **collaboration unit - public-public partnership - report - definition -**
21 **repeal.** (2) There is ~~hereby~~ established the public-private collaboration
22 unit in the department. The unit shall:

23 (h) In coordination with the department of early childhood,
24 created in section 24-1-120.5 (1), distribute funding to help increase the
25 supply of child care facilities using public buildings or other appropriate
26 public assets; ~~and~~

27 (j) FACILITATE A PUBLIC-PUBLIC PARTNERSHIP WITH LOCAL

1 EDUCATION PROVIDERS TO LEVERAGE FEDERAL DOLLARS AVAILABLE TO
2 HELP PUBLIC SCHOOLS IMPROVE AIR QUALITY IN SCHOOLS, STUDENT
3 PERFORMANCE, AND STAFF RETENTION; AND

4 (k) (I) SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE AND
5 THE HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS AND LABOR
6 COMMITTEE AND THE SENATE BUSINESS, LABOR, AND TECHNOLOGY
7 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, ON NOVEMBER 1 OF EACH
8 YEAR CONCERNING THE UTILIZATION OF FUNDING IN THE UNUSED
9 STATE-OWNED REAL PROPERTY FUND FOR HVAC PROJECTS ON
10 EDUCATIONAL PROPERTIES. THE REPORT MUST INCLUDE THE AMOUNT OF
11 REQUESTED MATCHING FUNDING, THE RECOMMENDED AMOUNT OF
12 MATCHING FUNDING, AND AN EXPLANATION FOR THE DIFFERENCE, IF ANY,
13 BETWEEN THE REQUESTED AMOUNTS AND THE RECOMMENDED AMOUNTS.

14 (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
15 REPORTING REQUIREMENT DESCRIBED IN THIS SUBSECTION (2)(k)
16 CONTINUES INDEFINITELY.

17 (2.2) (a) The unit may:

18 (V) USE MONEY TRANSFERRED FROM THE "INFRASTRUCTURE
19 INVESTMENT AND JOBS ACT" CASH FUND CREATED IN SECTION 24-75-232
20 (3) TO THE UNUSED STATE-OWNED REAL PROPERTY FUND CREATED IN
21 SECTION 24-82-102.5 (5) TO PROVIDE GRANT WRITING SUPPORT,
22 ADMINISTRATIVE SUPPORT, AND PROJECT PLANNING FOR HVAC PROJECTS,
23 TO REVIEW THE WORK OF APPLICANTS, AND TO CONNECT APPLICANTS WITH
24 THIRD PARTIES WITH EXPERTISE PERTAINING TO FEDERAL FUNDING
25 APPLICATION TECHNICAL ASSISTANCE, INCLUDING ASSISTANCE
26 CONCERNING:

27 (A) SCHOOL VENTILATION AND ENERGY EFFICIENCY VERIFICATION;

- 1 (B) SUSTAINABILITY PROJECT PLANNING;
- 2 (C) GRANT WRITING;
- 3 (D) TECHNICAL ASSISTANCE, SUCH AS ENGINEERING OR
- 4 FEASIBILITY STUDIES, NEEDED TO IMPROVE OR MAKE THE CASE FOR A
- 5 GRANT APPLICATION;
- 6 (E) COMPLIANCE WITH FEDERAL LABOR STANDARDS;
- 7 (F) INCENTIVES FOR TAX CREDITS;
- 8 (G) PROCUREMENT MATERIALS ASSOCIATED WITH THE FEDERAL
- 9 "BUILD AMERICA, BUY AMERICA ACT", SECTION 70901 ET SEQ., OF THE
- 10 FEDERAL "INFRASTRUCTURE INVESTMENT AND JOBS ACT", PUB.L. 117-58;
- 11 (H) PROJECT FINANCING EXPERTISE, INCLUDING CREATING AN
- 12 ON-BILL FINANCING AND REPAYMENT PROGRAM;
- 13 (I) COMPLIANCE WITH LABOR STANDARDS OUTLINED IN FEDERAL
- 14 FUNDING GUIDANCE; AND
- 15 (J) COMMUNITY BENEFIT PLAN DEVELOPMENT AND COMMUNITY
- 16 BENEFIT AGREEMENT NEGOTIATION AND IMPLEMENTATION, INCLUDING
- 17 BEST PRACTICES OR CONSULTANT FUNDS FOR COMMUNITY MEMBERS; AND
- 18 (VI) FOR EACH AWARD OF FEDERAL DOLLARS OBTAINED WITH THE
- 19 UNIT'S GRANT WRITING SUPPORT, RETAIN TWO AND ONE-HALF PERCENT OF
- 20 THE DOLLARS AWARDED TO PAY FOR THE UNIT'S ADMINISTRATIVE COSTS.

21 **SECTION 11. Act subject to petition - effective date.** This act

22 takes effect at 12:01 a.m. on the day following the expiration of the

23 ninety-day period after final adjournment of the general assembly; except

24 that, if a referendum petition is filed pursuant to section 1 (3) of article V

25 of the state constitution against this act or an item, section, or part of this

26 act within such period, then the act, item, section, or part will not take

27 effect unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.