

HOUSE BILL No. 1107

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-13-1.

Synopsis: Energy efficiency audits of state property. Allows the department of administration to assist a state agency in performing an energy efficiency audit of state owned real property. Allows a state agency to retain cost savings realized as a result of an energy efficiency audit in an amount not to exceed the cost of conducting the audit plus an additional amount not to exceed 10% of the cost of conducting the audit.

Effective: July 1, 2016.

Hale

January 7, 2016, read first time and referred to Committee on Government and Regulatory Reform.



Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1107

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

- 1 SECTION 1. IC 4-13-1-4, AS AMENDED BY P.L.213-2015,
2 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 4. (a) The department shall, subject to this
4 chapter, do the following:
5 (1) Execute and administer all appropriations as provided by law,
6 and execute and administer all provisions of law that impose
7 duties and functions upon the executive department of
8 government, including executive investigation of state agencies
9 supported by appropriations and the assembly of all required data
10 and information for the use of the executive department and the
11 legislative department.
12 (2) Supervise and regulate the making of contracts by state
13 agencies.
14 (3) Perform the property management functions required by
15 IC 4-20.5-6.
16 (4) Assign office space and storage space for state agencies in the
17 manner provided by IC 4-20.5-5.



1 (5) Maintain and operate the following for state agencies:

2 (A) Central duplicating.

3 (B) Printing.

4 (C) Machine tabulating.

5 (D) Mailing services.

6 (E) Centrally available supplemental personnel and other
7 essential supporting services.

8 The department may require state agencies to use these general
9 services in the interests of economy and efficiency. The general
10 services rotary fund is established through which these services
11 may be rendered to state agencies. The budget agency shall
12 determine the amount for the general services rotary fund.

13 (6) Control and supervise the acquisition, operation, maintenance,
14 and replacement of state owned vehicles by all state agencies. The
15 department may establish and operate, in the interest of economy
16 and efficiency, a motor vehicle pool, and may finance the pool by
17 a rotary fund. The budget agency shall determine the amount to
18 be deposited in the rotary fund.

19 (7) Promulgate and enforce rules relative to the travel of officers
20 and employees of all state agencies when engaged in the
21 performance of state business. These rules may allow
22 reimbursement for travel expenses by any of the following
23 methods:

24 (A) Per diem.

25 (B) For expenses necessarily and actually incurred.

26 (C) Any combination of the methods in clauses (A) and (B).

27 The rules must require the approval of the travel by the
28 commissioner and the head of the officer's or employee's
29 department prior to payment.

30 (8) Administer IC 4-13.6.

31 (9) Prescribe the amount and form of certified checks, deposits,
32 or bonds to be submitted in connection with bids and contracts
33 when not otherwise provided for by law.

34 (10) Rent out, with the approval of the governor, any state
35 property, real or personal:

36 (A) not needed for public use; or

37 (B) for the purpose of providing services to the state or
38 employees of the state;

39 the rental of which is not otherwise provided for or prohibited by
40 law. Property may not be rented out under this subdivision for a
41 term exceeding ten (10) years at a time. However,
42 communications system infrastructure, including towers and



- 1 associated land, improvements, foundations, access roads and
 2 rights-of-way, structures, fencing, and equipment that are
 3 necessary, proper, or convenient to transmit or receive voice or
 4 data communications, may be rented out under this subdivision
 5 for a term not to exceed twenty-five (25) years at a time. Revenue
 6 received from the rental of such communications system
 7 infrastructure shall be deposited in the state bicentennial capital
 8 account established by IC 4-12-1-14.9. In addition, if property is
 9 rented out for a term of more than four (4) years, the
 10 commissioner must make a written determination stating the
 11 reasons that it is in the best interests of the state to rent property
 12 for the longer term. This subdivision does not include the power
 13 to grant or issue permits or leases to explore for or take coal, sand,
 14 gravel, stone, gas, oil, or other minerals or substances from or
 15 under the bed of any of the navigable waters of the state or other
 16 lands owned by the state.
- 17 (11) Have charge of all central storerooms, supply rooms, and
 18 warehouses established and operated by the state and serving
 19 more than one (1) agency.
- 20 (12) Enter into contracts and issue orders for printing as provided
 21 by IC 4-13-4.1.
- 22 (13) Sell or dispose of surplus property under IC 5-22-22, or if
 23 advantageous, to exchange or trade in the surplus property toward
 24 the purchase of other supplies, materials, or equipment, and to
 25 make proper adjustments in the accounts and inventory pertaining
 26 to the state agencies concerned.
- 27 (14) With respect to power, heating, and lighting plants owned,
 28 operated, or maintained by any state agency:
- 29 (A) inspect;
 30 (B) regulate their operation; and
 31 (C) recommend improvements to those plants to promote
 32 economical and efficient operation.
- 33 (15) Administer, determine salaries, and determine other
 34 personnel matters of the department of correction ombudsman
 35 bureau established by IC 4-13-1.2-3.
- 36 (16) Adopt rules to establish and implement a "Code Adam"
 37 safety protocol as described in IC 4-20.5-6-9.2.
- 38 (17) Adopt policies and standards for making state owned
 39 property reasonably available to be used free of charge as
 40 locations for making motion pictures.
- 41 (18) Administer, determine salaries, and determine other
 42 personnel matters of the department of child services ombudsman



1 established by IC 4-13-19-3.

2 **(b) The department may assist a state agency that elects to**
 3 **perform an energy efficiency audit of state owned real property as**
 4 **described in section 27 of this chapter.**

5 SECTION 2. IC 4-13-1-27 IS ADDED TO THE INDIANA CODE
 6 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 7 1, 2016]: **Sec. 27. (a) The department may do the following:**

8 **(1) Annually conduct energy efficiency audits of state owned**
 9 **real property that the department considers to be the least**
 10 **energy efficient.**

11 **(2) Annually determine which state owned real properties the**
 12 **department believes are the least energy efficient and rank the**
 13 **properties accordingly.**

14 **(3) Encourage energy efficiency audits of state owned real**
 15 **properties in order based on the rankings described in**
 16 **subdivision (2).**

17 **(b) A state agency may elect to conduct energy efficiency audits**
 18 **of the state owned real property that houses the state agency**
 19 **regardless of the ranking of the property under subsection (a)(2).**

20 **(c) A state agency that realizes energy cost savings from**
 21 **improvements or energy conservation measures implemented as a**
 22 **result of an energy efficiency audit may retain the amount of**
 23 **savings realized, not to exceed the cost of the energy efficiency**
 24 **audit plus an additional amount not to exceed ten percent (10%) of**
 25 **the cost of the energy efficiency audit.**

26 **(d) An energy efficiency audit performed under this section**
 27 **must consider a study of the following for each real property:**

28 **(1) The efficiency of equipment located at the real property.**

29 **(2) The use of energy for heating, ventilation, and air**
 30 **conditioning.**

31 **(3) The use of energy for lighting.**

32 **(4) Maintenance procedures.**

33 **(5) The cost of alternate sources of energy for any energy**
 34 **used.**

35 **(e) An energy efficiency audit performed under this section must**
 36 **include:**

37 **(1) recommendations on methods by which to conserve**
 38 **energy;**

39 **(2) an estimate of the time necessary to implement any**
 40 **recommended change; and**

41 **(3) projected costs of any capital improvement necessary to**
 42 **reduce energy use.**



- 1 **(f) Heating, ventilation, and air conditioning studies described**
- 2 **in subsection (d)(2) may include the inspection of thermal**
- 3 **insulation, including:**
- 4 **(1) pipes;**
- 5 **(2) ducts; and**
- 6 **(3) equipment;**
- 7 **to determine the completeness, dryness, and physical condition of**
- 8 **the items described in subdivisions (1) through (3).**
- 9 **(g) A copy of an energy efficiency audit report performed under**
- 10 **this section must be:**
- 11 **(1) posted on the department's Internet web site; and**
- 12 **(2) submitted to the legislative council in an electronic format**
- 13 **under IC 5-14-6.**

