

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 2858

By: Pae

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6 AS INTRODUCED

7 An Act relating to energy; creating the Oklahoma
8 School District Facilities Energy Conservation
9 Program; defining terms; stating application of the
10 Program; requiring superintendents to oversee the
11 Program; providing for selection of a vendor; stating
12 objectives and scope of the Program; providing
13 certain exemption; requiring submission of certain
14 request; providing for codification; and providing an
15 effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 3-4-106.2 of Title 27A, unless
19 there is created a duplication in numbering, reads as follows:

20 A. There is hereby created the Oklahoma School District
21 Facilities Energy Conservation Program.

22 B. As used in this section:

23 1. "School district" means a public school district in
24 Oklahoma;

1 2. "School district facilities" or "facilities" means buildings
2 or assets owned or operated by a school district which has a
3 heating, ventilation or air conditioning system or utility services;

4 3. "Program" means the Oklahoma School District Facilities
5 Energy Conservation Program; and

6 4. "Superintendent" means the superintendent of a public school
7 district;

8 C. All school districts shall be subject to the provisions of
9 the Oklahoma School District Facilities Energy Conservation Program
10 except as provided in subsection E of this section. The
11 superintendents shall oversee the development and implementation of
12 the Program for their respective public school districts, including
13 the selection of the most qualified vendor or vendors by utilizing a
14 request for proposal to contract for the development and
15 implementation of an organizational behavior-based or performance-
16 based energy conservation program. Performance-based energy
17 conservation programs shall include an organizational behavior-based
18 component.

19 D. The objectives and scope of the Program and the request for
20 proposal shall be to:

21 1. Benchmark school district facilities energy usage prior to
22 implementation of the Program and measure energy conservation
23 savings utilizing commercially available energy accounting software;

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1 2. Target a cumulative energy savings of not less than twenty
2 percent (20%) by the year 2025 when compared to the 2019 fiscal year
3 utility consumption. The express purpose of the targeted energy
4 savings shall be to capitalize on opportunities for organizational
5 behavior-based or performance-based energy conservation efforts and
6 existing equipment and building optimization while maintaining or
7 improving the operational environment during times when facilities
8 are occupied;

9 3. When reasonably feasible, consider working with local
10 utilities in implementing energy reduction efforts and to utilize
11 utility demand side management and energy efficiency programs to
12 further capture energy efficiency potential;

13 4. Fully fund the Program within existing school district
14 budgets through savings generated by reducing energy costs;

15 5. Endeavor to utilize, when reasonably possible, existing
16 personnel to implement the Program at state facilities, provided
17 that compensation costs for additional personnel or additional
18 compensation costs for existing personnel dedicated exclusively to
19 implementation of the Program shall be funded from the savings
20 generated by the Program;

21 6. Include implementation of a formalized organizational
22 behavior-based or performance-based energy conservation program,
23 provided that performance-based energy conservation programs shall
24 include an organizational behavior-based component;

1 7. Provide for an initial fee-free period not to exceed twelve
2 (12) months during which foundational elements of the Program are
3 established and energy savings are generated before any fee payments
4 are due to a selected vendor; and

5 8. Provide for free ongoing support from the vendor beyond the
6 initial term of the Program, if the state substantially continues
7 implementation of the Program.

8 E. School districts that have developed and implemented a
9 similar program to the Oklahoma School District Facilities Energy
10 Conservation Program prior to November 1, 2020, shall be exempt from
11 the requirements of this section, provided that the program meets
12 the objective provided in paragraph 2 of subsection D of this
13 section.

14 F. School districts subject to the provisions of the Oklahoma
15 School District Facilities Energy Conservation Program shall submit
16 a request for proposal pursuant to subsection C of this section by
17 May 1, 2021.

18 SECTION 2. This act shall become effective November 1, 2020.

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20 57-2-10454 JBH 01/06/20

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