

114TH CONGRESS
1ST SESSION

S. 1052

To require a study on the impact of State and local performance benchmarking and disclosure policies for commercial and multifamily buildings, to provide for competitive awards to utilities, States, and units of local government, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2015

Mr. FRANKEN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require a study on the impact of State and local performance benchmarking and disclosure policies for commercial and multifamily buildings, to provide for competitive awards to utilities, States, and units of local government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ENERGY INFORMATION STUDY.**

4 (a) IN GENERAL.—Not later than 2 years after the
5 date of enactment of this Act, the Secretary of Energy
6 (referred to in this Act as the “Secretary”) shall complete
7 a study, with opportunity for public comment—

1 (1) on the impact of—

2 (A) State and local performance
3 benchmarking and disclosure policies, and any
4 associated building efficiency policies, for com-
5 mercial and multifamily buildings; and

6 (B) programs and systems in which utili-
7 ties provide aggregated information regarding
8 whole building energy consumption and usage
9 information to owners of multitenant commer-
10 cial, residential, and mixed-use buildings;

11 (2) that identifies best practice policy ap-
12 proaches studied under paragraph (1) that have re-
13 sulted in the greatest improvements in building en-
14 ergy efficiency; and

15 (3) that considers—

16 (A) compliance rates and the benefits and
17 costs of the policies and programs on building
18 owners, utilities, tenants, and other parties;

19 (B) utility practices, programs, and sys-
20 tems that provide aggregated energy consump-
21 tion information to multitenant building own-
22 ers, and the impact of public utility commis-
23 sions and State privacy laws on those practices,
24 programs, and systems;

1 (C) exceptions to compliance in existing
2 laws where building owners are not able to
3 gather or access whole building energy informa-
4 tion from tenants or utilities;

5 (D) the treatment of buildings with—

6 (i) multiple uses;

7 (ii) uses for which baseline informa-
8 tion is not available; and

9 (iii) uses that require high levels of
10 energy intensities, such as data centers,
11 trading floors, and television studios;

12 (E) implementation practices, including
13 disclosure methods and phase-in of compliance;

14 (F) the safety and security of
15 benchmarking tools offered by government
16 agencies, and the resiliency of those tools
17 against cyber attacks; and

18 (G) international experiences with regard
19 to building benchmarking and disclosure laws
20 and data aggregation for multitenant buildings.

21 (b) SUBMISSION TO CONGRESS.—At the conclusion
22 of the study, the Secretary shall submit to Congress a re-
23 port on the results of the study.

1 **SEC. 2. GRANTS TO UTILITIES.**

2 (a) GRANTS TO UTILITIES.—Based on the results of
3 the research for the portion of the study described in sec-
4 tion 1(a)(1)(B), and with criteria developed following pub-
5 lic notice and comment, the Secretary may make competi-
6 tive awards to utilities, utility regulators, and utility part-
7 ners to develop and implement effective and promising
8 programs to provide aggregated whole building energy
9 consumption information to multitenant building owners.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to carry out this section
12 \$5,000,000 for each of fiscal years 2016 through 2020,
13 to remain available until expended.

14 **SEC. 3. GRANTS TO STATES AND UNITS OF LOCAL GOVERN-**
15 **MENT.**

16 (a) GRANTS TO UTILITIES.—Based on the results of
17 the research for the portion of the study described in sec-
18 tion 1(a)(1)(B), and with criteria developed following pub-
19 lic notice and comment, the Secretary may make competi-
20 tive awards to States and units of local government to de-
21 velop and implement effective and promising
22 benchmarking and disclosure policies, and any associated
23 building efficiency policies, for commercial and multi-
24 family buildings.

25 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
26 authorized to be appropriated to carry out this section

1 \$5,000,000 for each of fiscal years 2016 through 2020,
2 to remain available until expended.

3 **SEC. 4. INPUT FROM STAKEHOLDERS.**

4 The Secretary shall seek input from stakeholders to
5 maximize the effectiveness of the actions taken under this
6 Act.

7 **SEC. 5. REPORT.**

8 Not later than 2 years after the date of enactment
9 of this Act, and every 2 years thereafter, the Secretary
10 shall submit to Congress a report on the progress made
11 in complying with this Act.

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