

1 **STATE FACILITY ENERGY EFFICIENCY AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Stephen G. Handy**

5 Senate Sponsor: Todd D. Weiler

6 Cosponsor:

7 Travis M. Seegmiller

8

9 **LONG TITLE**

10 **General Description:**

11 This bill requires state facilities to provide utility information to the Division of
12 Facilities Construction and Management.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ describes the utility information required and the division's uses of that information;
- 16 ▶ sets a deadline for providing the utility information to the division; and
- 17 ▶ makes technical changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **63A-5b-1002**, as renumbered and amended by Laws of Utah 2020, Chapter 152

25 ENACTS:

26 **63A-5b-1004**, Utah Code Annotated 1953

27

28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **63A-5b-1002** is amended to read:

30 **63A-5b-1002. State Building Energy Efficiency Program.**

31 (1) The division shall:

32 (a) develop and administer the energy efficiency program, which shall include
33 guidelines and procedures to improve energy efficiency in the maintenance and management of
34 state facilities;

35 (b) provide information and assistance to agencies in [~~their~~] the agencies' efforts to
36 improve energy efficiency in state facilities;

37 (c) analyze energy consumption by agencies to identify opportunities for improved
38 energy efficiency;

39 (d) establish an advisory group composed of representatives of agencies to provide
40 information and assistance in the development and implementation of the energy efficiency
41 program; and

42 (e) submit to the governor and to the Infrastructure and General Government
43 Appropriations Subcommittee of the Legislature an annual report that:

44 (i) identifies strategies for long-term improvement in energy efficiency;

45 (ii) identifies goals for energy conservation for the upcoming year; and

46 (iii) details energy management programs and strategies that were undertaken in the
47 previous year to improve the energy efficiency of agencies and the energy savings achieved.

48 (2) Each agency shall:

49 (a) designate a staff member that is responsible for coordinating energy efficiency
50 efforts within the agency with assistance from the division;

51 (b) provide energy consumption and costs information to the division;

52 (c) develop strategies for improving energy efficiency and reducing energy costs; and

53 (d) provide the division with information regarding the agency's energy efficiency and
54 reduction strategies.

55 (3) (a) An agency may enter into a performance efficiency agreement for a term of up to
56 20 years.

- 57 (b) Before entering into a performance efficiency agreement, the agency shall:
- 58 (i) utilize the division to oversee the project unless the project is exempt from the
- 59 division's oversight or the oversight is delegated to the agency under the provisions of Section
- 60 [63A-5b-701](#);
- 61 (ii) obtain the prior approval of the governor or the governor's designee; and
- 62 (iii) provide the Office of the Legislative Fiscal Analyst with a copy of the proposed
- 63 agreement before the agency enters into the agreement.
- 64 (4) An agency may consult with the energy efficiency program manager within the
- 65 division regarding:
- 66 (a) the cost effectiveness of energy efficiency measures; and
- 67 (b) ways to measure energy savings that take into account fluctuations in energy costs
- 68 and temperature.
- 69 (5) (a) Except as provided under Subsection (5)~~(b)~~(c) and subject to future budget
- 70 constraints, the Legislature may not remove energy savings from an agency's appropriation.
- 71 (b) An agency shall use energy savings to:
- 72 (i) fund the cost of the energy efficiency measures; and
- 73 (ii) if funds are available after meeting the requirements of Subsection (5)(b)(i), fund
- 74 and implement new energy efficiency measures.
- 75 (c) The Legislature may remove energy savings if:
- 76 (i) an agency has complied with Subsection (5)(b)(i); and
- 77 (ii) no new cost-effective energy efficiency measure is available for implementation.
- 78 Section 2. Section **63A-5b-1004** is enacted to read:
- 79 **63A-5b-1004. State facility energy efficiency data.**
- 80 (1) On or before July 1, 2022, each state facility shall submit to the division, or verify
- 81 that the division already collects, the utility information for the state facility's utilities for each
- 82 month, beginning with May 2021 and ending with May 2022.
- 83 (2) A state facility shall submit the utility information described in Subsection (1):
- 84 (a) in a format approved by the division;

85 (b) for each location that the state facility uses; and

86 (c) for each of the following utilities that the state facility uses:

87 (i) water;

88 (ii) electric; and

89 (iii) natural gas.

90 (3) The division shall use the information received in accordance with this section to

91 identify opportunities for increased energy efficiency at each state facility.

92 (4) Once the division has identified an energy efficiency project for a state facility, the

93 staff of the state facility shall assist the division in completing the identified project.