

Superseded 5/10/2016

63A-5-603 State Facility Energy Efficiency Fund -- Contents -- Use of fund money.

- (1) As used in this section:
 - (a) "Board" means the State Building Board.
 - (b) "Division" means the Division of Facilities Construction and Management.
 - (c) "Fund" means the State Facility Energy Efficiency Fund created by this section.
- (2) There is created a revolving loan fund known as the "State Facility Energy Efficiency Fund."
- (3) To capitalize the fund, the Division of Finance shall, at the end of fiscal year 2007-08, transfer \$3,650,000 from the Stripper Well-Petroleum Violation Escrow Fund to the fund.
- (4) The fund shall consist of:
 - (a) money transferred under Subsection (3);
 - (b) money appropriated by the Legislature;
 - (c) money received for the repayment of loans made from the fund; and
 - (d) interest earned on the fund.
- (5) The board shall make a loan from the fund to a state agency to, wholly or in part, finance energy efficiency measures.
- (6)
 - (a)
 - (i) A state agency requesting a loan shall submit an application to the board in the form and containing the information that the board requires, including plans and specifications for the proposed energy efficiency measures.
 - (ii) A state agency may request a loan to fund all or part of the cost of energy efficiency measures.
 - (b) If the board rejects the application, the board shall notify the applicant stating the reasons for the rejection.
- (7)
 - (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules establishing criteria to determine:
 - (i) loan eligibility;
 - (ii) energy efficiency measures priority; and
 - (iii) ways to measure energy savings that take into account fluctuations in energy costs and temperature.
 - (b) In making rules that establish prioritization criteria for energy efficiency measures, the board may consider:
 - (i) possible additional sources of revenue;
 - (ii) the feasibility and practicality of the energy efficiency measures;
 - (iii) the energy savings attributable to eligible energy efficiency measures;
 - (iv) the annual energy savings;
 - (v) the projected energy cost payback of eligible energy efficiency measures;
 - (vi) other benefits to the state attributable to eligible energy efficiency measures;
 - (vii) the availability of federal funds for the energy efficiency measures; and
 - (viii) whether to require a state agency to provide matching funds for the energy efficiency measures.
- (8)
 - (a) In reviewing energy efficiency measures for possible funding, the board shall:
 - (i) review the loan application and the plans and specifications for the energy efficiency measures;
 - (ii) determine whether to grant the loan by applying the loan eligibility criteria; and

- (iii) if the loan is granted, prioritize funding of the energy efficiency measures by applying the prioritization criteria.
- (b) The board may condition approval of a loan application and the availability of funds on assurances from the state agency that the board considers necessary to ensure that the state agency:
 - (i) uses the proceeds to pay the cost of the energy efficiency measures; and
 - (ii) implements the energy efficiency measures.
- (9) The State Building Energy Efficiency Program shall provide staff support when the board performs the duties established in this section.