

**63A-5-602 Appropriation for energy efficiency measures.**

- (1) For purposes of this part:
  - (a) "Energy efficiency measures" is as defined in Section 63A-5-701.
  - (b) "Energy savings" means money not expended by a state agency as the result of energy efficiency measures.
  - (c) "State agency" is as defined in Section 63A-5-701.
- (2) Except as provided under Subsection (4) and subject to future budget constraints, the Legislature may not remove energy savings from a state agency's appropriation.
- (3) A state agency shall use energy savings to:
  - (a) fund the cost of the energy efficiency measures; and
  - (b) if funds are available after meeting the requirements of Subsection (3)(a), fund and implement new energy efficiency measures.
- (4) The Legislature may remove energy savings if:
  - (a) a state agency has complied with Subsection (3)(a); and
  - (b) no cost effective new energy efficiency measure is available for implementation.
- (5) A state agency may consult with the State Building Energy Efficiency Program manager in the Division of Facilities and Construction Management regarding:
  - (a) the cost effectiveness of energy efficiency measures; and
  - (b) ways to measure energy savings that take into account fluctuations in energy costs and temperature.

Enacted by Chapter 334, 2008 General Session