

**Effective 5/4/2022**

**63A-5b-1001 Definitions.**

As used in this part:

- (1) "Energy efficiency measure" means an action taken or initiated by an agency that:
  - (a) reduces the agency's energy or fuel use or resource energy consumption, water or other resource consumption, operation and maintenance costs, or cost of energy, fuel, water, or other resource; or
  - (b) increases the agency's energy or fuel efficiency or resource consumption efficiency.
- (2) "Energy efficiency program" means a program established under Section 63A-5b-1002 for the purpose of improving energy efficiency measures and reducing the energy costs for state facilities.
- (3) "Fund" means the State Facility Energy Efficiency Fund created in Section 63A-5b-1003.
- (4) "Performance efficiency agreement" means an agreement entered into by an agency whereby the agency implements one or more energy efficiency measures and finances the costs associated with implementation of performance efficiency measures using the stream of expected savings in costs resulting from implementation of the performance efficiency measures as a funding source for repayment.
- (5)
  - (a) "State facility" means any building, structure, or other improvement that is constructed on property that the state, any of the state's departments, commissions, institutions, or agencies, or a state institution of higher education owns or leases as a tenant.
  - (b) "State facility" does not include:
    - (i) an unoccupied structure that is a component of the state highway system;
    - (ii) a privately owned structure that is located on property that the state, any of the state's departments, commissions, institutions, or agencies, or a state institution of higher education owns or leases as a tenant; or
    - (iii) a structure that is located on land administered by the trust lands administration under a lease, permit, or contract with the trust lands administration.

Amended by Chapter 421, 2022 General Session