

Representative Patrice M. Arent proposes the following substitute bill:

VOLUNTARY HOME ENERGY INFORMATION PILOT

PROGRAM

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Patrice M. Arent

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill addresses a voluntary home energy information pilot program.

Highlighted Provisions:

This bill:

▶ provides for the creation of model rules by the Office of Energy Development for a voluntary home energy information pilot program;

▶ requires the Office of Energy Development to administer or contract for the administration of an advisory committee and the development of model rules;

▶ requires the Office of Energy Development to develop model rules for a home energy performance score system;

▶ creates the Home Energy Information Advisory Committee to consult on the development of model rules for a home energy information pilot program and the home energy performance score system;

▶ specifies advisory committee membership and duties; and

▶ provides for a sunset of provisions relating to the voluntary home energy information pilot program.

Money Appropriated in this Bill:



26 This bill appropriates in fiscal year 2021:

27 ▶ to the Governor's Office of Energy Development - Office of Energy Development,
28 as a one-time appropriation:

- 29 • from the General Fund, One-time, \$50,000.

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **63I-2-263**, as last amended by Laws of Utah 2019, Chapters 182, 240, 246, 325, 370,
35 and 483

36 ENACTS:

37 **63M-4-801**, Utah Code Annotated 1953

38 **63M-4-802**, Utah Code Annotated 1953

39 **63M-4-803**, Utah Code Annotated 1953

40 **63M-4-804**, Utah Code Annotated 1953

41 **63M-4-805**, Utah Code Annotated 1953



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

44 Section 1. Section **63I-2-263** is amended to read:

45 **63I-2-263. Repeal dates, Title 63A to Title 63N.**

46 (1) On July 1, 2020:

47 (a) Subsection **63A-1-203(5)(a)(i)** is repealed; and

48 (b) in Subsection **63A-1-203(5)(a)(ii)**, the language that states "appointed on or after
49 May 8, 2018," is repealed.

50 (2) Sections **63C-4a-307** and **63C-4a-309** are repealed January 1, 2020.

51 (3) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is
52 repealed July 1, 2020.

53 (4) The following sections regarding the World War II Memorial Commission are
54 repealed on July 1, 2020:

55 (a) Section **63G-1-801**;

56 (b) Section **63G-1-802**;

- 57 (c) Section 63G-1-803; and
- 58 (d) Section 63G-1-804.
- 59 (5) In relation to the State Fair Park Committee, on January 1, 2021:
- 60 (a) Section 63H-6-104.5 is repealed; and
- 61 (b) Subsections 63H-6-104(8) and (9) are repealed.
- 62 (6) Section 63H-7a-303 is repealed on July 1, 2022.
- 63 (7) In relation to the Employability to Careers Program Board, on July 1, 2022:
- 64 (a) Subsection 63J-1-602.1(52) is repealed;
- 65 (b) Subsection 63J-4-301(1)(h), related to the review of data and metrics, is repealed;
- 66 and
- 67 (c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.
- 68 (8) Section 63J-4-708 is repealed January 1, 2023.
- 69 (9) Title 63M, Chapter 4, Part 8, Voluntary Home Energy Information Pilot Program
- 70 Act, is repealed January 1, 2022.

71 Section 2. Section 63M-4-801 is enacted to read:

72 **Part 8. Voluntary Home Energy Information Pilot Program Act**

73 **63M-4-801. Title.**

74 This part is known as the "Voluntary Home Energy Information Pilot Program Act."

75 Section 3. Section 63M-4-802 is enacted to read:

76 **63M-4-802. Definitions.**

77 As used in this part:

78 (1) "Advisory committee" means the committee created in Subsection 63M-4-805(1).

79 (2) "Asset rating" means a representation of a residential building's energy efficiency or
80 energy use generated by modeling under standardized weather and occupancy conditions.

81 (3) "Home" means a single-family detached or single-family attached enclosed
82 structure created for permanent use as a residence.

83 (4) "Home energy assessment" means the evaluation or testing of components or
84 systems in a residential building for the purpose of identifying options for increasing energy
85 conservation and energy efficiency.

86 (5) "Home energy assessor" means a qualified person who:

87 (a) conducts home energy assessments on residential buildings;

88 (b) assigns residential buildings a home energy performance score; and
89 (c) prepares a home energy performance report for residential buildings.
90 (6) "Home energy performance report" means a report prepared by a home energy
91 assessor that identifies a residential building's home energy performance score, an explanation
92 of the score, an estimate of the total energy used in the home, and other information required to
93 be included in the report under Section [63M-4-804](#).

94 (7) "Home energy performance score" means a score assigned to a residential building
95 using the home energy performance score system created by the office pursuant to Section
96 [63M-4-804](#).

97 (8) "Home energy performance score system" means a technical and administrative
98 framework for producing and reporting metrics that describe the energy consumption,
99 generation, and efficiency of a building.

100 (9) "Program" means the voluntary home energy information pilot program for which
101 model rules are created in Section [63M-4-803](#).

102 (10) "Residential building" means a home.

103 Section 4. Section **63M-4-803** is enacted to read:

104 **63M-4-803. Voluntary Home Energy Information Pilot Program.**

105 (1) The office shall develop model rules for a voluntary home energy information pilot
106 program.

107 (2) The model rules shall:

108 (a) be designed to:

109 (i) provide widespread information to home buyers and sellers about a home's energy
110 efficiency, cost savings, and air quality impacts; and

111 (ii) empower consumers to ask about the energy efficiency performance of homes and
112 increase market demand for energy efficient homes and home energy efficiency upgrades.

113 (3) The office may use appropriated funds to develop model rules for a home energy
114 performance score system described in Section [63M-4-804](#) for homes.

115 (4) Model rules to implement the program may include:

116 (a) proposed application procedures to receive a reimbursement from the program for a
117 home energy assessment and home energy performance report;

118 (b) the criteria used by the office to determine whether a reimbursement request is

- 119 approved;
- 120 (c) the administratively best method and form for making a reimbursement;
- 121 (d) the criteria used by the office to determine the amount of a reimbursement;
- 122 (e) the information that an applicant or applicant's designee will be required to report to
- 123 the office to receive a reimbursement;
- 124 (f) specifications for the procedures and requirements for conducting a home energy
- 125 assessment;
- 126 (g) the requirements for a home energy performance report; and
- 127 (h) the qualifications for home energy assessors.

128 (5) The office shall administer or contract for the administration of the advisory
129 committee and the development of model rules.

130 (6) The office shall provide a report to the Legislature's Business and Labor Interim
131 Committee and Public Utilities, Energy, and Technology Interim Committee no later than
132 November 30, 2020 on:

- 133 (a) the status of the model rules; and
- 134 (b) recommendations for implementing a pilot program based on the model rules.

135 Section 5. Section **63M-4-804** is enacted to read:

136 **63M-4-804. Home energy performance score system.**

137 (1) In consultation with the advisory committee, the office shall create a home energy
138 performance score system that shall:

139 (a) have the capability to generate a home energy performance score that meets the
140 requirements of Subsection (2);

141 (b) have the capability to generate a home energy performance report that meets the
142 requirements of Subsection (3);

143 (c) have the capability to incorporate building energy assessment software, the output
144 of which is to be used to derive the information presented on the home energy performance
145 report; and

146 (d) specify training requirements for home energy assessors.

147 (2) A home energy performance score under Subsection (1)(a) shall:

148 (a) be an asset rating that is based on physical inspection of the home or design
149 documents used for the home's construction; and

- 150 (b) use one or a combination of the following approaches for home energy scoring:
- 151 (i) the issuance of a home energy score by the United States Department of Energy; or
- 152 (ii) the issuance of a home energy rating system by the Residential Energy Services
- 153 Network.
- 154 (3) A home energy performance report described in Subsection (1)(b) shall include:
- 155 (a) the home energy performance score described in Subsection (1)(a) and an
- 156 explanation of the score;
- 157 (b) an estimate of the total energy used in the home in retail units of energy, by fuel
- 158 type;
- 159 (c) an estimate of the annual energy costs for operating the home;
- 160 (d) an estimate of the annual emissions resulting from energy used in the home;
- 161 (e) a list of recommended home improvements to reduce energy use in the home; and
- 162 (f) other information the office, in consultation with the advisory committee,
- 163 determines is appropriate to include in the model rules.

164 Section 6. Section **63M-4-805** is enacted to read:

165 **63M-4-805. Home Energy Information Advisory Committee.**

166 (1) There is created a Home Energy Information Advisory Committee.

167 (2) The advisory committee shall be composed of the following 12 members:

- 168 (a) an individual who is an expert in residential real estate, as recommended by the
- 169 Utah Association of Realtors;
- 170 (b) an individual who is an expert in residential construction as recommended by the
- 171 Utah Home Builders Association;
- 172 (c) an individual who is an expert in land development for residential communities but
- 173 is not a home builder;
- 174 (d) an individual who is a non-profit energy efficiency or air quality advocate;
- 175 (e) an individual who is an expert in residential home energy assessments;
- 176 (f) an individual who is an expert in residential home inspections;
- 177 (g) an individual who is an expert in public education and marketing;
- 178 (h) an individual who is an expert in residential appraisals, as recommended by the
- 179 Utah Association of Appraisers;
- 180 (i) an individual who is an expert in electric utility energy efficiency programs;

181 (j) an individual who is an expert in natural gas utility energy efficiency programs;

182 (k) an individual who is an expert in residential architecture, as recommended by the

183 Utah Chapter of the American Institute of Architects; and

184 (l) the director of the Governor's Office of Energy Development or the director's

185 designee.

186 (3) The director of the office shall appoint the members of the advisory committee

187 which shall assist the director in developing model rules for a home energy performance score

188 system described in Section [63M-4-804](#).

189 (4) The director of the office, or the director's designee, shall act as chair of the

190 advisory committee.

191 (5) An advisory committee member may not receive compensation or benefits for the

192 member's service on the advisory committee.

193 **Section 7. Appropriation.**

194 The following sums of money are appropriated for the fiscal year beginning July 1,

195 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for

196 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures

197 Act, the Legislature appropriates the following sums of money from the funds or accounts

198 indicated for the use and support of the government of the state of Utah.

199 ITEM 1

200 To the Governor's Office of Energy Development - Office of Energy Development

201 From General Fund, One-time

\$50,000

202 Schedule of Programs:

203 Home Energy Information Pilot Program

\$50,000

204 The Legislature intends that the money appropriated in this section be used for the

205 development of model rules for the voluntary home energy information pilot program under

206 Title 63M, Chapter 4, Part 8, Voluntary Home Energy Information Pilot Program Act.