

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: HB379

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Sullivan

3. Committee: Commerce and Energy

4. Title: Energy benchmarking; access to data on energy usage in certain buildings; civil penalty.

5. Summary: Authorizes a locality to adopt an ordinance requiring utilities, upon request by the owner of a covered building, defined in the bill as any building with one or more utility accounts and a gross floor area of not less than 30,000 square feet, to provide the owner with aggregated measured energy usage data for multiple utility accounts of customers receiving service in the covered building. The bill makes such energy benchmarking mandatory for a covered building with three or more active utility accounts in which no single utility account amounts to at least 85 percent of the aggregated energy usage and optional for other covered buildings. The bill provides that the building owner shall only provide aggregated data received via the benchmarking tool subject to ENERGY STAR Portfolio Manager guidelines unless the Department of Energy gives other guidelines. Violators of the ordinance are subject to a civil penalty of not more than \$2,500 to be paid into the state treasury for the general fund. The bill requires the Department to develop uniform guidelines for energy benchmarking with input from stakeholders, with such guidelines finalized no later than December 1, 2022.

7. Fiscal Impact Estimates: Preliminary. See item 8.

8. Fiscal Implications: It is anticipated that any expenditure impact on the Department of Energy as a result of this bill can be absorbed within existing resources. A violation of an ordinance adopted pursuant to this section is subject to a civil penalty of not more than \$2,500, which shall be paid into the state treasury and deposited into the general fund. Potential revenue impact resulting from this measure is indeterminate, as it is not possible to estimate the number of violations that will occur.

The State Corporation Commission anticipates no fiscal impact as a result of this bill. Information from the Department of General Services is pending.

9. Specific Agency or Political Subdivisions Affected: Department of Energy; State Corporation Commission; Department of General Services.

10. Technical Amendment Necessary: No.

11. Other Comments: None.