

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1636

5 By: Representative Beck
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For An Act To Be Entitled

8 AN ACT TO AMEND CERTAIN DEFINITIONS THAT APPLY TO THE
9 GUARANTEED ENERGY COST SAVINGS ACT AND ENERGY SAVINGS
10 CONTRACTS; AND FOR OTHER PURPOSES.
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Subtitle

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13 TO AMEND CERTAIN DEFINITIONS THAT APPLY
14 TO THE GUARANTEED ENERGY COST SAVINGS ACT
15 AND ENERGY SAVINGS CONTRACTS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 6-20-405(a)(2)(A), concerning the
22 definition of "qualified provider" and energy savings contracts, is amended
23 to read as follows:

24 (2)(A) "Qualified provider" means ~~a business that~~ the same as
25 defined in § 19-11-1202.

26 ~~(i) Possesses a valid Arkansas contractor's license;~~

27 ~~(ii) Has a minimum of five (5) years' experience in~~
28 ~~the analysis, design, implementation, and installation of energy efficiency~~
29 ~~and facility improvement measures;~~

30 ~~(iii) Has the technical and financial capabilities~~
31 ~~to ensure that the measures generate energy cost savings and the ability to~~
32 ~~provide maintenance and ongoing measurement of these measures to ensure and~~
33 ~~verify energy savings; and~~

34 ~~(iv) Is preapproved by the Division of Public School~~
35 ~~Academic Facilities and Transportation.~~
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1 SECTION 2. Arkansas Code § 6-20-405, concerning energy savings
 2 contracts, is amended to add an additional subsection to read as follows:

3 (f) A school district may provide by resolution that the school
 4 district shall comply with the rules promulgated by the Arkansas Pollution
 5 Control and Ecology Commission under the Guaranteed Energy Cost Savings Act,
 6 § 19-11-1201 et seq.

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 8 SECTION 3. Arkansas Code § 19-11-1202, concerning definitions that
 9 apply to the Guaranteed Energy Cost Savings Act, is amended to add additional
 10 subdivisions to read as follows:

11 (7) "Equipment warranty period" means the time following the
 12 execution of a guaranteed energy cost savings contract in which a material
 13 defect in an installed energy conservation measure is required to be replaced
 14 or corrected by the manufacturer or an energy service company; and

15 (8) "Useful life" means the rated service life of an individual
 16 energy conservation measure as defined by the:

17 (A) American Society of Heating, Refrigerating and Air-
 18 Conditioning Engineers;

19 (B) Illuminating Engineering Society; or

20 (C) Solar Energy Industries Association.

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 22 SECTION 4. Arkansas Code § 19-11-1206(b), concerning the requirements
 23 for a guaranteed energy cost savings contract, is amended to read as follows:

24 ~~(b)(1) The maximum term for a guaranteed energy cost savings contract~~
 25 ~~is twenty (20) years after the implementation of the energy cost savings~~
 26 ~~measures~~ If a guaranteed energy cost savings contract includes energy cost
 27 savings measures that possess either an active equipment warranty period or a
 28 combined useful life in excess of twenty (20) years, a guaranteed energy cost
 29 savings contract may be extended to the length of the:

30 (A) Equipment warranty period; or

31 (B) Weighted useful life of the relevant energy cost
 32 savings measures.

33 (2) A guaranteed energy cost savings contract shall not exceed
 34 twenty (20) years without the approval of the Arkansas Energy Office of the
 35 Arkansas Department of Environmental Quality.

APPROVED: 3/18/19