

**Hall of the House of Representatives**  
90th General Assembly - Regular Session, 2015  
**Amendment Form**

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**Subtitle of House Bill No. 1646**

TO AMEND THE LAWS APPLICABLE TO CERTAIN ENERGY EFFICIENCY CONTRACTS AND  
PROJECTS; TO AMEND THE LOCAL GOVERNMENT CAPITAL IMPROVEMENT REVENUE BOND ACT;  
AND TO AMEND THE GUARANTEED ENERGY COST SAVINGS ACT.

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**Amendment No. 1 to House Bill No. 1646**

Amend House Bill No. 1646 as originally introduced:

Immediately after the enacting clause, add an additional section to read as follows:

"SECTION 1. Arkansas Code § 6-20-405, concerning energy savings contracts for school districts, is amended to add an additional subsection to read as follows:

(f)(1) The maximum term of an energy savings contract shall not exceed the useful life of the energy conservation measures that are the subject of the energy savings contract.

(2)(A) If more than one (1) type of energy conservation measure is financed through a single debt issue under an energy savings contract under this section, the term of the debt issue shall not exceed the weighted average useful life of the equipment procured and installed to accomplish the energy conservation measures.

(B) In making the determination of the weighted average useful life of the equipment procured and installed under this subdivision (f)(2), the useful life for each item or category of equipment shall be weighted on the basis of the initial capital cost of the item or category of equipment compared to the total initial capital cost of all equipment for energy conservation measures to be financed through the single debt issue."

AND

Page 1, line 36, delete "equal to" and substitute "equal to a minimum of"

AND

Page 2, line 2, delete "and"

AND

Page 2, delete line 6, and substitute the following:



"associated with the qualified efficiency engineering company; and  
(iii)(a) If more than one (1) type of energy efficiency measure is financed through a single debt issue under a qualified efficiency contract under this subchapter, the term of the debt issue does not exceed the weighted average useful life of the equipment procured and installed to accomplish the performance-based efficiency project.

(b) In making the determination of the weighted average useful life of the equipment procured and installed under this subdivision (15)(J)(iii), the useful life for each item or category of equipment shall be weighted on the basis of the initial capital cost of the item or category of equipment compared to the total initial capital cost of all equipment for energy efficiency measures to be financed through the single debt issue.

SECTION 3. Arkansas Code § 14-164-405, concerning the issuance of bonds under the Local Government Capital Improvement Revenue Bond Act of 1985, is amended to add an additional subsection to read as follows:

(c)(1) The maximum term of a qualified efficiency contract shall not exceed the useful life of the energy efficiency measures that make up the performance-based efficiency project that is the subject of the qualified efficiency contract.

(2) In determining the useful life of the energy efficiency measures and the overall performance-based efficiency project, the municipality or county shall consider the determination made under § 14-164-402(15)(J)(iii)."

AND

Page 2, line 8, delete "19-11-1206(a)" and substitute "19-11-1206(a) and (b)"

AND

Page 2, line 9, delete "is" and substitute "are"

AND

Page 2, line 31, delete "equal to" and substitute "equal to a minimum of"

AND

Page 2, line 33, delete "and"

AND

Page 3, delete line 1, and substitute the following:

"the qualified provider for the project; and

(iii)(a) If more than one (1) type of energy cost savings measure is financed through a single debt issue under this subchapter, the term of the debt issue does not exceed the weighted average useful life of the equipment procured and installed to accomplish the energy cost savings measures.

(b) In making the determination of the

weighted average useful life of the equipment procured and installed under this subdivision (a)(2)(B)(iii), the useful life for each item or category of equipment shall be weighted on the basis of the initial capital cost of the item or category of equipment compared to the total initial capital cost of all equipment for energy cost savings measures to be financed through the single debt issue.

(b) The maximum term for a guaranteed energy cost savings contract is ~~twenty~~ the lesser of:

(1) Twenty (20) years after the implementation of the energy cost savings measures; or

(2)(A) The useful life of the energy cost savings measures that are the subject of the guaranteed energy cost savings contract.

(B) In determining the useful life of the energy cost savings measures, the state agency shall consider the determination made under subdivision (a)(2)(B)(iii) of this section."

AND

Appropriately renumber the sections of the bill

The Amendment was read \_\_\_\_\_  
By: Representative D. Douglas  
JLL/JLL - 03-19-2015 13:12:22  
JLL445

\_\_\_\_\_  
Chief Clerk