

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Snyder**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO REQUIRE THE ARKANSAS OFFICE OF ENERGY TO
9 ESTABLISH A PILOT PROGRAM TO EVALUATE AND IMPLEMENT THE
10 ENERGY EFFICIENT MORTGAGE; AND FOR OTHER PURPOSES."

Subtitle

13 "TO REQUIRE THE ARKANSAS OFFICE OF ENERGY TO ESTABLISH A
14 PILOT PROGRAM INVOLVING THE ENERGY EFFICIENT MORTGAGE."

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18 SECTION 1. The Arkansas Office of Energy shall develop a pilot program
19 and implement that program throughout the state to determine how best to use
20 the energy efficient mortgage to its full capability as a means to increase
21 the energy efficiency and reduce the energy costs of existing residential
22 structures, and increase the number of Arkansans who can qualify for
23 residential home loans by encouraging the installation of cost-effective
24 improvements in existing residential buildings.

26 SECTION 2. The pilot program shall be designed to do all of the
27 following:

28 (1) Meet the eligibility requirements of the energy efficient mortgage
29 pilot program and training program established by the federal government
30 pursuant to the Energy Policy Act of 1992 (P.L. 102-488).

31 (2) Familiarize mortgage lenders, real estate licensees, home
32 appraisers, home inspectors, energy utilities, energy service providers, and
33 other participants with the features of the energy efficient mortgage and the
34 benefits that can result from its use.

35 (3) Identify and implement effective methods of informing the public of

1 the availability and benefits of the energy efficient mortgage.

2 (4) Develop methods of incorporating the use of the energy efficient
3 mortgage into the regular business practices of mortgage lenders, real estate
4 licensees, home appraisers, home inspectors, and other persons involved in the
5 sale, refinancing, and remodeling of residential real estate.

6 (5) Identify obstacles to the use of energy efficient mortgages and
7 recommend ways to mitigate or eliminate the obstacles.

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9 SECTION 3. The Office of Energy shall convene one or more workshops
10 with mortgage lenders, real estate licensees, home appraisers, home
11 inspectors, energy utilities, energy service providers, and other appropriate
12 parties to solicit recommendations on the implementation of the pilot program.
13 The commission shall encourage those parties to participate in the pilot
14 program.

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16 SECTION 4. The Office of Energy shall consult, as needed, with the
17 State Bank Department, the Real Estate Commission, the Arkansas Industrial
18 Development Commission, the Public Service Commission, and the Department of
19 Human Services in carrying out this act.

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21 SECTION 5. The Office of Energy shall submit reports to the Governor
22 and the General Assembly by January 1, 1994 and by January 1, 1995 on the
23 status of the pilot program. A final report on the pilot program shall be
24 submitted by January 1, 1996. Copies of the final report shall be sent to the
25 appropriate policy committees of the General Assembly. The final report shall
26 include all of the following:

27 (1) Results of the pilot program, including, but not limited to, the
28 number of energy efficient mortgages used, the number of people who qualified
29 for home financing as a result of using an energy efficient mortgage, the
30 types of energy efficiency measures implemented through the use of the energy
31 efficient mortgage, and the cost savings attributable to the use of the energy
32 efficient mortgage.

33 (2) Obstacles to the use of energy efficient mortgages.

34 (3) Recommendations on how to improve the use and effectiveness of
35 energy efficient mortgages.

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SECTION 6. This act shall remain in effect only until January 1, 1996, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1996, deletes or extends that date.

SECTION 7. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 9. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly that in order to take the steps necessary to permit the state to participate in a federal government energy efficient mortgage pilot program established by the Energy Policy Act of 1992 (P.L. 102-486), a program which will make housing in Arkansas more energy efficient and affordable, it is necessary that this act take effect immediately. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

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