

# House Bill 2620

Sponsored by Representative HOLVEY

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that public improvement contracts for construction or certain reconstruction or major renovation of public buildings are considered to contain amount equal to at least one percent of total contract price for inclusion of appropriate, cost-effective solar energy design and technology. Provides exceptions.

Requires State Department of Energy to develop forms and report to Legislative Assembly in 2009 and 2011 on use of solar energy design and technology in construction, reconstruction or major renovation of public buildings.

## A BILL FOR AN ACT

1  
2 Relating to inclusion of solar energy technologies in public buildings.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS 279C.005 to**  
5 **279C.670.**

6 **SECTION 2. (1) Except as otherwise provided in this section, a public improvement con-**  
7 **tract for the construction of a public building or for the reconstruction or major renovation**  
8 **of a public building, if the cost of the reconstruction or major renovation exceeds 50 percent**  
9 **of the value of the public building, is considered to contain an amount equal to at least one**  
10 **percent of the total contract price for the inclusion of appropriate, cost-effective solar en-**  
11 **ergy design and technology in the public building. Solar energy design and technology may**  
12 **include day lighting or passive or active strategies.**

13 **(2) Before entering into a public improvement contract described in subsection (1) of this**  
14 **section, a contracting agency shall prepare a written determination of whether the inclusion**  
15 **of solar energy design and technology in the construction, reconstruction or major reno-**  
16 **vation of the public building is appropriate and cost-effective. The contracting agency shall**  
17 **include in the determination the total contract price and the amount the agency intends to**  
18 **expend on the inclusion of solar energy design and technology in the public building. The**  
19 **State Department of Energy shall develop a form usable by contracting agencies for prepar-**  
20 **ing the written determination described in this subsection.**

21 **(3) If the contracting agency determines that it would be inappropriate or that it would**  
22 **not be cost-effective to include solar energy design and technology in the construction, re-**  
23 **construction or major renovation of the public building, subsection (1) of this section does**  
24 **not apply to the public improvement contract. However:**

25 **(a) The contracting agency shall spend an amount equal to at least one percent of the**  
26 **total contract price on the inclusion of appropriate, cost-effective solar energy design and**  
27 **technology on a future public building project; and**

28 **(b) The amount spent by the contracting agency on the future public building project**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 pursuant to paragraph (a) of this subsection is in addition to any amount required under  
2 subsection (1) of this section for the inclusion of appropriate, cost-effective solar energy de-  
3 sign and technology in the future public building project.

4 (4) Subsection (3)(a) and (b) of this section does not apply to a public improvement con-  
5 tract for which no state funds are directly or indirectly used.

6 **SECTION 3.** The State Department of Energy shall report to the Seventy-fifth Legislative  
7 Assembly on or before January 31, 2009, and to the Seventy-sixth Legislative Assembly on  
8 or before January 31, 2011, on the use of solar energy design and technology in the con-  
9 struction, reconstruction and major renovation projects that are subject to section 2 of this  
10 2007 Act.

11 **SECTION 4.** Section 2 of this 2007 Act applies only to public improvement contracts first  
12 advertised, but if not advertised then entered into, on or after the effective date of this 2007  
13 Act.

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