

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2801**

1 In line 2 of the printed bill, before the period insert “; and declaring an  
2 emergency”.

3 Delete lines 4 through 25 and insert:  
4

5 **“WHOLE BUILDING ASSESSMENT**

6  
7 **“SECTION 1. (1) If an electric company or Oregon Community**  
8 **Power invests moneys collected as a public purpose charge under ORS**  
9 **757.612 on new cost-effective local energy conservation, or if the non-**  
10 **governmental entity described in ORS 757.612 (3)(g) invests moneys**  
11 **paid to the nongovernmental entity under ORS 757.612 (3)(d) on new**  
12 **cost-effective local energy conservation, and if the investment involves**  
13 **updating the energy efficiency of a residential or nonresidential**  
14 **building, the electric company, Oregon Community Power or the**  
15 **nongovernmental entity may make those investments by conducting**  
16 **a whole building assessment of the energy efficiency of the building**  
17 **and, in consideration of the whole building assessment, by maximizing**  
18 **the overall energy efficiency of the building. For purposes of this**  
19 **subsection, a ‘whole building assessment’ means a single assessment**  
20 **of all savings opportunities, as identified by the Public Utility Com-**  
21 **mission by rule or order, for end uses of electricity, gas or other**  
22 **sources of power.**

1       “(2) An investment described in subsection (1) of this section must  
2 be limited to an investment in a single project, as authorized by the  
3 commission by rule or order.

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5                               **“HOME ENERGY PERFORMANCE SCORES**

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7       **“SECTION 2. Sections 3 to 7 of this 2013 Act are added to and made**  
8 **a part of ORS chapter 701.**

9       **“SECTION 3. As used in sections 3 to 7 of this 2013 Act:**

10       **“(1) ‘Home energy assessor’ means a person who assigns residential**  
11 **buildings a home energy performance score.**

12       **“(2) ‘Home energy audit’ means the evaluation or testing of com-**  
13 **ponents or systems in a residential building for the purpose of identi-**  
14 **fyng options for increasing energy conservation and energy efficiency.**

15       **“(3) ‘Home energy performance score’ means a score assigned to a**  
16 **residential building using the home energy performance score system**  
17 **adopted by the State Department of Energy under section 8 of this 2013**  
18 **Act.**

19       **“SECTION 4. (1) An individual may not undertake, offer to under-**  
20 **take or submit a bid to do work as a home energy assessor unless the**  
21 **individual is certified as a home energy assessor under section 5 of this**  
22 **2013 Act.**

23       **“(2) A business may not undertake, offer to undertake or submit a**  
24 **bid to assign home energy performance scores unless the business is**  
25 **licensed by the Construction Contractors Board under this chapter and**  
26 **has an owner or an employee who is certified as a home energy**  
27 **assessor under section 5 of this 2013 Act.**

28       **“(3) A person may not use the title of home energy assessor or any**  
29 **title that indicates or tends to indicate that the person is a home en-**  
30 **ergy assessor or an assignor of home energy performance scores unless**

1 the person is certified as a home energy assessor under section 5 of  
2 this 2013 Act or is a business licensed by the board under this chapter  
3 that has an owner or an employee who is certified as a home energy  
4 assessor under section 5 of this 2013 Act.

5 “(4) A person may not use any sign, card or device that indicates  
6 or tends to indicate that the person is a home energy assessor or an  
7 assignor of home energy performance scores unless the person is cer-  
8 tified as a home energy assessor under section 5 of this 2013 Act or is  
9 a business licensed by the board under this chapter that has an owner  
10 or an employee who is certified as a home energy assessor under sec-  
11 tion 5 of this 2013 Act.

12 **“SECTION 5. (1) The Construction Contractors Board shall certify**  
13 **an individual as a home energy assessor if the individual meets the**  
14 **requirements of this section and of any rule adopted by the board un-**  
15 **der this section. A home energy assessor certificate must be renewed**  
16 **annually.**

17 “(2) The board shall require that an applicant for a home energy  
18 assessor certificate present proof of passing a training program desig-  
19 nated by the State Department of Energy under section 8 of this 2013  
20 Act.

21 “(3) The board may adopt rules to regulate the practice of assigning  
22 home energy performance scores, including:

23 “(a) Prescribing the form and manner of applying for a home en-  
24 ergy assessor certificate;

25 “(b) Establishing procedures for the issuance or renewal of a home  
26 energy assessor certificate; and

27 “(c) Establishing fees necessary for the administration of sections  
28 3 to 7 of this 2013 Act that do not exceed the following amounts:

29 “(A) \$100 for application for a home energy assessor certificate;

30 “(B) \$100 for issuance of an initial one-year home energy assessor

1 certificate; and

2 “(C) \$100 for renewal of a one-year home energy assessor certificate.

3 **“SECTION 6. Unless otherwise authorized under the provisions of**  
4 **this chapter, a home energy assessor may not perform work as a**  
5 **contractor other than to:**

6 “(1) Provide a home energy audit;

7 “(2) Assign a home energy performance score;

8 “(3) Identify options for increasing energy conservation and energy  
9 efficiency; and

10 “(4) Provide cost estimates for improvements that will increase en-  
11 ergy conservation and energy efficiency.

12 **“SECTION 7. A home energy assessor certified under section 5 of**  
13 **this 2013 Act is not subject to ORS 701.122 or 701.126.**

14 **“SECTION 8. (1) As used in this section, ‘home energy assessor,’**  
15 **‘home energy audit’ and ‘home energy performance score’ have the**  
16 **meanings given those terms in section 3 of this 2013 Act.**

17 **“(2) In consultation with the Public Utility Commission, the State**  
18 **Department of Energy shall adopt by rule a home energy performance**  
19 **score system by which a person may assign a residential building a**  
20 **home energy performance score for the purpose of evaluating the en-**  
21 **ergy conservation and energy efficiency of the building.**

22 **“(3) The department shall designate by rule programs for the**  
23 **training of home energy assessors. Programs designated by the de-**  
24 **partment under this subsection must ensure competency in conducting**  
25 **home energy audits and assigning home energy performance scores.**

26 **“(4) The department may adopt by rule requirements under which**  
27 **home energy assessors who are certified under section 5 of this 2013**  
28 **Act must report to the department the home energy performance**  
29 **scores assigned by the home energy assessors. The department shall**  
30 **keep and maintain a database of information reported to the depart-**

1 **ment under this subsection.**

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3 **“REAL ESTATE APPRAISAL ACTIVITY**

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5 **“SECTION 9. Section 10 of this 2013 Act is added to and made a part**  
6 **of ORS chapter 674.**

7 **“SECTION 10. The Appraiser Certification and Licensure Board**  
8 **shall establish a certification program for state licensed appraisers and**  
9 **state certified appraisers for the purpose of certifying state licensed**  
10 **appraisers and state certified appraisers as competent to prepare,**  
11 **complete and issue an opinion on the value associated with the energy**  
12 **efficiency of a building located on real property.**

13  
14 **“MISCELLANEOUS**

15  
16 **“SECTION 11. (1) Sections 1 to 10 of this 2013 Act become operative**  
17 **on January 1, 2014.**

18 **“(2) The Public Utility Commission, Construction Contractors Board**  
19 **and Appraiser Certification and Licensure Board may take any action**  
20 **necessary before the operative date specified in subsection (1) of this**  
21 **section to enable the Public Utility Commission, Construction Con-**  
22 **tractors Board and Appraiser Certification and Licensure Board to**  
23 **exercise, on and after the effective date of this 2013 Act, all the duties,**  
24 **functions and powers conferred on the Public Utility Commission,**  
25 **Construction Contractors Board and Appraiser Certification and**  
26 **Licensure Board by sections 1 to 10 of this 2013 Act.**

27 **“SECTION 12. The unit captions used in this 2013 Act are provided**  
28 **only for the convenience of the reader and do not become part of the**  
29 **statutory law of this state or express any legislative intent in the**  
30 **enactment of this 2013 Act.**

