

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1469

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AN ACT to amend the Indiana Code concerning state and local administration.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 4-13.6-9 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

**Chapter 9. Use of Energy Efficient Technology**

**Sec. 1. As used in this chapter, "energy efficient technology" refers to any of the following:**

- (1) Geothermal heating and cooling.
- (2) Geothermal hot water generation.
- (3) Solar hot water generation.
- (4) Photovoltaic power generation.
- (5) Wind power generation.
- (6) Combined heat and power.
- (7) Heat recovery chillers.
- (8) Condensing boilers and low temperature heat.
- (9) Air to air energy recovery devices.
- (10) Autoclaved aerated concrete.
- (11) Automated meter readers.
- (12) Any other energy technology that has long term environmental value, energy efficiency, and cost effectiveness.

**Sec. 2. The division shall examine and consider energy efficient technologies for a public works project using a life cycle analysis.**

**Sec. 3. To the extent technically and economically feasible, the**

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division shall consider the use of energy efficient technology in the plans and specifications for the public works project.

**Sec. 4.** The division shall keep a record of the following in the public works contract file:

- (1) The contacts the division makes with persons that provide energy efficient technology to implement this chapter.
- (2) An analysis of the feasibility of using energy efficient technology in the public works project.

SECTION 2. IC 5-16-12.2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

**Chapter 12.2. Use of Energy Efficient Technology**

**Sec. 1.** As used in this chapter, "contracting agency" refers to the agency, board, commission, officer, or trustee that enters into a public works contract covered by this article.

**Sec. 2.** As used in this chapter, "energy efficient technology" refers to any of the following:

- (1) Geothermal heating and cooling.
- (2) Geothermal hot water generation.
- (3) Solar hot water generation.
- (4) Photovoltaic power generation.
- (5) Wind power generation.
- (6) Combined heat and power.
- (7) Heat recovery chillers.
- (8) Condensing boilers and low temperature heat.
- (9) Air to air energy recovery devices.
- (10) Autoclaved aerated concrete.
- (11) Automated meter readers.
- (12) Any other energy technology that has long term environmental value, energy efficiency, and cost effectiveness.

**Sec. 3.** The contracting agency shall examine and consider energy efficient technologies for a public works project using a life cycle analysis.

**Sec. 4.** To the extent technically and economically feasible, the contracting agency shall consider the use of energy efficient technology in the plans and specifications for the public works project.

**Sec. 5.** The contracting agency shall keep a record of the following in the public works contract file:

- (1) The contacts the contracting agency makes with persons that provide energy efficient technology to implement this chapter.

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**(2) An analysis of the feasibility of using energy efficient technology in the public works project.**

SECTION 3. IC 36-1-12.7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

**Chapter 12.7. Use of Energy Efficient Technology**

**Sec. 1. The definitions in IC 36-1-12 apply throughout this chapter.**

**Sec. 2. As used in this chapter, "energy efficient technology" refers to any of the following:**

- (1) Geothermal heating and cooling.**
- (2) Geothermal hot water generation.**
- (3) Solar hot water generation.**
- (4) Photovoltaic power generation.**
- (5) Wind power generation.**
- (6) Combined heat and power.**
- (7) Heat recovery chillers.**
- (8) Condensing boilers and low temperature heat.**
- (9) Air to air energy recovery devices.**
- (10) Autoclaved aerated concrete.**
- (11) Automated meter readers.**
- (12) Any other energy technology that has long term environmental value, energy efficiency, and cost effectiveness.**

**Sec. 3. The board shall examine and consider energy efficient technologies for a public works project using a life cycle analysis.**

**Sec. 4. To the extent technically and economically feasible, the board shall consider the use of energy efficiency technology in the plans and specifications for the public works project.**

**Sec. 5. The board shall keep a record of the following in the public works contract file:**

- (1) The contacts the board makes with persons that provide energy efficient technology to implement this chapter.**
- (2) An analysis of the feasibility of using energy efficient technology in the public works project.**

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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

Approved: \_\_\_\_\_

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Governor of the State of Indiana

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