



February 18, 2011

HOUSE BILL No. 1457

DIGEST OF HB 1457 (Updated February 17, 2011 11:16 am - DI 75)

Citations Affected: Noncode.

Synopsis: Clean energy improvement financing district. Requires the environmental quality service council ("council") to study the topic of clean energy improvement financing districts during the 2011 legislative interim. Requires the council to study and make recommendations concerning subordination of interests of lienholders.

Effective: July 1, 2011.

Neese, Sullivan

January 20, 2011, read first time and referred to Committee on Local Government.
February 17, 2011, amended, reported — Do Pass.

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HB 1457—LS 7469/DI 103



February 18, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1457

A BILL FOR AN ACT concerning the general assembly.

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

- 1 SECTION 1. [EFFECTIVE JULY 1, 2011] (a) As used in this
2 SECTION, "clean energy improvement" means a fixture, product,
3 system, device, or interacting group of devices that is permanently
4 installed behind the meter of any building to:
5 (1) produce energy from one (1) or more clean energy
6 resources; or
7 (2) reduce energy consumption.
8 (b) As used in this SECTION, "clean energy resources" means
9 the following sources and programs for the production or
10 conservation of electricity:
11 (1) Energy from wind.
12 (2) Solar energy.
13 (3) Photovoltaic cells and panels.
14 (4) Energy from:
15 (A) landfill gas to electric systems; and
16 (B) manure to gas systems.
17 (5) Geothermal heating and cooling systems.

HB 1457—LS 7469/DI 103



- 1 **(6) Energy from waste heat recovery systems.**
- 2 **(7) Conservation measures that reduce electricity**
- 3 **consumption.**
- 4 **(c) As used in this SECTION, "conservation measure" means:**
- 5 **(1) a facility alteration;**
- 6 **(2) an alteration of a structure (as defined in IC 36-1-10-2); or**
- 7 **(3) a technology upgrade;**
- 8 **designed to reduce energy or other operating costs.**
- 9 **(d) The term "conservation measure" includes the following:**
- 10 **(1) Providing insulation of the facility or structure and**
- 11 **systems in the facility or structure.**
- 12 **(2) Installing or providing for window and door systems,**
- 13 **including:**
 - 14 **(A) storm windows and storm doors;**
 - 15 **(B) caulking or weatherstripping;**
 - 16 **(C) multiglazed windows and doors;**
 - 17 **(D) heat absorbing or heat reflective glazed and coated**
 - 18 **windows and doors;**
 - 19 **(E) additional glazing;**
 - 20 **(F) the reduction in glass area; and**
 - 21 **(G) other modifications that reduce energy consumption.**
- 22 **(3) Installing automatic energy control systems.**
- 23 **(4) Modifying or replacing heating, ventilating, or air**
- 24 **conditioning systems.**
- 25 **(5) Unless an increase in illumination is necessary to conform**
- 26 **to Indiana laws or rules or local ordinances, modifying or**
- 27 **replacing lighting fixtures to increase the energy efficiency of**
- 28 **the lighting system without increasing the overall illumination**
- 29 **of a facility or structure.**
- 30 **(e) As used in this SECTION, "council" refers to the**
- 31 **environmental quality service council established by IC 13-13-7-1.**
- 32 **(f) The council shall study the topic of clean energy**
- 33 **improvement financing districts during the 2011 legislative**
- 34 **interim. As part of the study of this topic, the council shall study**
- 35 **and make recommendations concerning the subordination of the**
- 36 **interests of lienholders.**
- 37 **(g) This SECTION expires January 1, 2012.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1457, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning the general assembly.

Page 1, delete lines 1 through 6.

Page 1, line 7, delete "Sec. 2." and insert "SECTION 1. [EFFECTIVE JULY 1, 2011] (a)".

Page 1, line 7, delete "chapter" and insert "SECTION".

Page 1, line 14, delete "Sec. 3." and insert "(b)".

Page 1, line 14, delete "chapter" and insert "SECTION".

Page 2, line 10, delete "Sec. 4. (a)" and insert "(c)".

Page 2, line 10, delete "chapter" and insert "SECTION".

Page 2, line 16, delete "(b)" and insert "(d)".

Page 2, line 16, after "term" insert "'conservation measure'".

Page 2, delete lines 37 through 42, begin a new paragraph and insert:

"(e) As used in this SECTION, "council" refers to the environmental quality service council established by IC 13-13-7-1.

(f) The council shall study the topic of clean energy improvement financing districts during the 2011 legislative interim. As part of the study of this topic, the council shall study and make recommendations concerning the subordination of the interests of lienholders.

(g) This SECTION expires January 1, 2012."

Delete pages 3 through 7.

and when so amended that said bill do pass.

(Reference is to HB 1457 as introduced.)

NEESE, Chair

Committee Vote: yeas 11, nays 0.

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