

GENERAL ASSEMBLY OF NORTH CAROLINA  
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SENATE DRS15170-MH-79 (3/5)

Short Title: Energy/Water Benchmarking for State Buildngs. (Public)

Sponsors: Senator Stein (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO FOSTER WISE STEWARDSHIP OF PUBLIC FUNDS BY ESTABLISHING A  
3 SYSTEM OF ENERGY AND WATER USE BENCHMARKING FOR CERTAIN  
4 BUILDINGS OWNED OR LEASED BY THE STATE.

5 Whereas, the General Assembly desires to grow the 21st century economy by  
6 removing barriers to smart decision making that will enable investment in, and returns from,  
7 better building systems, management, and operations; and

8 Whereas, the General Assembly recognizes the value of measurement and  
9 transparency as important tools to enable effective management of resources; and

10 Whereas, in order to have a significant impact on community-wide energy and  
11 water use in the coming decades, it is imperative that efficiency savings be achieved in  
12 buildings constructed prior to the adoption of current codes; and

13 Whereas, systems for lighting, heating, cooling, ventilation, plumbing, sewage  
14 conveyance, irrigation, and other services in public buildings require regular tuning to operate  
15 as designed, as well as periodic retrofits to meet modern standards for efficient use of energy  
16 and water; and

17 Whereas, by ensuring that the State is informed about the full set of opportunities to  
18 cost-effectively improve energy and water use efficiency in public buildings, and how those  
19 buildings are performing relative to a national baseline, public building decision makers will  
20 have incentive to make decisions in their own interest, to reduce utility costs, and provide wise  
21 stewardship of public funds; and

22 Whereas, the evaluation, upgrade, and optimized operation of public buildings will  
23 expand opportunities for skilled jobs in construction trades, engineering, operations, sales, and  
24 innovative technologies. Investing in energy efficiency will contribute to stable, long-term  
25 economic growth, encourage job creation, and enhance stewardship of natural resources; and

26 Whereas, cost-effective energy and water efficiency improvements are proven to  
27 lower building operating costs; and

28 Whereas, building energy and water efficiency is a core strategy to avoid the need  
29 for additional electric generating capacity and reduces the otherwise increasing strain on  
30 precious water resources; and

31 Whereas, the U.S. EPA's ENERGY STAR Portfolio Manager is both widely  
32 accepted as the national benchmarking tool of choice for both building energy use and building  
33 water use and is also free of charge; and

34 Whereas, public policy that promotes healthy, resilient, high-performing building  
35 operations and management complements existing policies relating to energy efficiency in  
36 newly constructed State buildings; Now, therefore,





1 that is equipped with meters that measure water, electricity, and any other  
2 fuel consumed by the building.

3 (9) Public leased building. – A building of at least 10,000 gross square feet in  
4 area where more than 5,000 rentable square feet is leased or rented by the  
5 State and occupied for at least 18 months.

6 **"§ 143-135.46. Benchmarking requirement.**

7 (a) Requirements. – All public buildings shall be annually benchmarked for building  
8 energy use and building water use for the previous fiscal year by the Department. The  
9 Department shall make a request to owners of public leased buildings for annual benchmarking  
10 and shall include an annual benchmarking requirement in any lease renewal for a public leased  
11 building or in any Request for Proposal issued to potential lessors for leased space that would  
12 meet the definition of a public leased building. Benchmarking shall be conducted in accordance  
13 with the schedule outlined in this section. Disclosure of benchmarking information shall be in  
14 accordance with G.S. 143-135.47.

15 (b) Schedule. – All public buildings shall be benchmarked on an annual basis no later  
16 than October 1 in accordance with the rules and procedures promulgated by the Department.  
17 The following shall be required by January 1 for the first year in which a public building or  
18 covered building is to be benchmarked:

19 (1) All available benchmarking information from the previous year collected  
20 and accessible to the building owner.

21 (2) Building Benchmarking Plan.

22 **"§ 143-135.47. Reporting and public disclosure of benchmarking information.**

23 (a) Annual Reporting for Public Buildings. – No later than April 1 after completing  
24 annual benchmarking for the prior fiscal year, the Department shall create a plan of action to  
25 unlock the cost-savings potential of information gathered from the benchmarking process,  
26 recommending improvements to building systems, equipment, materials, policies, and  
27 procurement.

28 (b) Disclosure of Benchmarking Information for Public Buildings. – The Department  
29 shall publish on its Web site and other means in its discretion the benchmarking information in  
30 accordance with rules and procedures established by the Department no later than one month  
31 after the date required for benchmarking completion in G.S. 143-135.46. Annual reporting of  
32 the information required in subsection (a) of this section shall be made public and available on  
33 the Department's Web site at the time of its publication.

34 **"§ 143-135.48. Rule-making authority.**

35 The Department of Administration shall promulgate any rules it deems necessary to carry  
36 out the provisions of this Article."

37 **SECTION 2.** This act is effective when it becomes law.