

ASSEMBLY BILL

No. 2678

**Introduced by Assembly Member Nunez
(Coauthor: Assembly Member Laird)**

February 22, 2008

An act to add Section 25943 to the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 2678, as introduced, Nunez. Energy: energy audit.

Existing law requires the State Energy Resources Conservation and Development Commission, in its biennial energy conservation report, to report on the progress made to implement a statewide home energy rating program.

This bill would require the commission, on or before July 1, 2010, to establish an ongoing proceeding to develop requirements for time of sale energy efficiency audits for residential and commercial buildings. In developing the requirements, the commission would be required to consider certain specified factors. Before adopting the requirements, the commission would be required to consult with specified entities and to hold at least 3 public hearings.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25943 is added to the Public Resources
- 2 Code, to read:

1 25943. (a) On or before July 1, 2010, the commission shall
2 establish an ongoing proceeding to develop requirements for time
3 of sale energy efficiency audits for residential and commercial
4 buildings.

5 (b) In determining the requirements for time of sale energy
6 efficiency audits, the commission shall consider all of the
7 following:

8 (1) The availability of appropriate energy auditing systems.

9 (2) The appropriate mechanisms for determining levels of
10 mandatory energy efficiency investments including all of the
11 following:

12 (A) A minimum and maximum dollar level.

13 (B) An appropriate percentage value of the building's price at
14 the time of sale.

15 (C) All measures identified by an energy audit with payback
16 period as specified by the commission.

17 (3) The costs of establishing these requirements.

18 (4) The ability to finance identified energy efficiency
19 improvements as part of a mortgage or sales agreement.

20 (5) The availability of applicable government run and
21 nongovernmental assistance and loan programs as well as rebates.

22 (6) The expected value of establishing these requirements,
23 including all of the following:

24 (A) Reductions in greenhouse gas emissions.

25 (B) Reductions in annual and peak energy demands.

26 (C) Reduction in customer utility bills.

27 (7) The appropriate methods of informing and educating the
28 public as to the new requirements.

29 (8) Any other considerations deemed appropriate by the
30 commission.

31 (c) Prior to adopting requirements for time of sale energy
32 efficiency audits, the commission shall do both of the following:

33 (1) Consult with representatives from the Contractor's State
34 Licensing Board, the Department of Real Estate, the Department
35 of Housing and Community Development, the Public Utilities
36 Commission, investor-owned utilities, publicly owned utilities,
37 cities and counties, real estate licensees, home builders, mortgage
38 lenders, home appraisers and inspectors, home energy rating
39 organizations, consumer groups, environmental and environmental
40 justice groups.

- 1 (2) Hold at least three public hearings in geographically diverse
- 2 locations throughout the state.

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