

CHAPTER 149
SB 252 – FINAL VERSION

02/08/12 0410s

2012 SESSION

12-2937
09/05

SENATE BILL **252**

AN ACT increasing the maximum term for energy performance contracts.

SPONSORS: Sen. Merrill, Dist 21; Sen. Larsen, Dist 15; Sen. Stiles, Dist 24; Rep. Kaen, Straf 7

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill increases the maximum term for energy performance contracts from 10 to 20 years from the date of project implementation.

Explanation: Matter added to current law appears in ***bold italics.***
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT increasing the maximum term for energy performance contracts.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 149:1 Energy Performance Contracts; Term. Amend RSA 21-I:19-d, II(d) to read as follows:

2 (d) The term of any energy performance contract entered into pursuant to this section
3 shall not exceed [~~10~~] **20** years from the date of project implementation.

4 149:2 Energy Performance Contracts; Recovery of Costs. Amend RSA 21-I:19-d, II(f) to read as
5 follows:

6 (f) Any energy performance contract should require the contractor to include all energy
7 efficiency improvement in selected buildings that are calculated to recover all costs within [~~10~~] **20**
8 years from the date of project implementation at existing energy prices. The contract shall require
9 that the public utility or energy services provider be repaid only to the extent of energy cost savings
10 guaranteed by the contractor to accrue over the term of the contract. Repayments to the public
11 utility or energy services provider shall be interest-free.

12 149:3 Definition of Energy Cost Saving Measure. Amend RSA 21-I:19-b, I to read as follows:

13 I. "Energy cost saving measure" means any construction, improvement, repair, alteration, or
14 betterment of any building or facility or any equipment, fixture, or furnishing to be added to or used
15 in any building or facility that will be a cost effective energy-related project. This shall include any
16 project that will lower energy or utility costs in connection with the operation or maintenance of such
17 building or facility and will achieve energy cost savings sufficient to recover any project costs or
18 incurred debt service within [~~10~~] **20** years from the date of project implementation.

19 149:4 Effective Date. This act shall take effect 60 days after its passage.

20 Approved: June 7, 2012

21 Effective Date: August 6, 2012