

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

H.332

Introduced by Representatives Campbell of St. Johnsbury, Anthony of Barre  
City, Austin of Colchester, Bluemle of Burlington, Bos-Lun of  
Westminster, Brumsted of Shelburne, Burke of Brattleboro,  
Buss of Woodstock, Chesnut-Tangerman of Middletown  
Springs, Cordes of Lincoln, Farlice-Rubio of Barnet, Goldman  
of Rockingham, Headrick of Burlington, Hooper of Randolph,  
Hooper of Burlington, Jerome of Brandon, Logan of  
Burlington, Masland of Thetford, Mihaly of Calais, Morris of  
Springfield, Mrowicki of Putney, Ode of Burlington, Patt of  
Worcester, Pouech of Hinesburg, Rachelson of Burlington, Rice  
of Dorset, Roberts of Halifax, Satcowitz of Randolph, Stebbins  
of Burlington, Torre of Moretown, Troiano of Stannard, and  
Waters Evans of Charlotte

Referred to Committee on

Date:

Subject: Public service; energy; heating; building energy code; compliance

Statement of purpose of bill as introduced: This bill proposes to increase  
compliance with residential and commercial building energy standards by  
establishing a study committee to recommend the designation of a State agency  
or office as the authority having jurisdiction to recommend other compliance

1 mechanisms such as incentives and enforcement and to recommend staffing  
2 and funding sources, both transitional and permanent, to include potential  
3 federal grants.

4 An act relating to a building energy code study committee

5 It is hereby enacted by the General Assembly of the State of Vermont:

6 Sec. 1. FINDINGS

7 The General Assembly finds that:

8 (1) Vermont established the Residential Building Energy Standards  
9 (RBES) in 1997 and the Commercial Building Energy Standards (CBES) in  
10 2007. The Public Service Department is responsible for adopting and updating  
11 these codes regularly but does not have the capacity to administer or enforce  
12 them.

13 (2) The RBES and CBES are mandatory, but while municipalities with  
14 building departments handle some aspects of review and inspection, there is no  
15 State agency or office designated to interpret, administer, and enforce them.

16 (3) The Division of Fire Safety in the Department of Public Safety is  
17 responsible for development, administration, and enforcement of building  
18 codes but does not currently have expertise or capacity to add administration or  
19 enforcement of energy codes in buildings.

1           (4) Studies in recent years show compliance with the RBES at about 54  
2           percent and CBES at about 87 percent, with both rates declining. Both codes  
3           are scheduled to become more stringent with the goal of “net-zero ready” by  
4           2030. Without strategies to improve administration and increase compliance,  
5           rates are likely to decline further.

6           (5) In December 2022, the U.S. Department of Energy issued the  
7           Bipartisan Infrastructure Law: Resilient and Efficient Codes Implementation  
8           Funding Opportunity Announcement. The first \$45 million of a five-year \$225  
9           million program is available in 2023. Vermont’s increased code compliance  
10           plans should include contingencies for this potential funding.

11           Sec. 2. ENERGY CODE COMPLIANCE; STUDY COMMITTEE

12           (a) Creation. There is created the Building Energy Code Study Committee  
13           to recommend strategies for increasing compliance with the Residential  
14           Building Energy Standards (RBES) and Commercial Building Energy  
15           Standards (CBES).

16           (b) Membership. The Committee shall have 15 members with applicable  
17           expertise, to include program design and implementation, building code  
18           administration and enforcement, and Vermont’s construction industry. The  
19           Speaker of the House shall appoint three members, including up to one  
20           legislator. The Committee on Committees shall appoint two members,  
21           including up to one legislator. The remaining members shall be the following:

1           (1) the Commissioner of Public Service, or designee;

2           (2) the Director of Fire Safety, or designee;

3           (3) a representative of Efficiency Vermont;

4           (4) a representative of American Institute of Architects–Vermont;

5           (5) a representative of the Vermont Builders and Remodelers

6           Association;

7           (6) a representative the Burlington Electric Department;

8           (7) a representative of Vermont Gas Systems;

9           (8) a representative of the Association of General Contractors of  
10          Vermont;

11          (9) a representative of the Vermont League of Cities and Towns; and

12          (10) a representative from a regional planning commission.

13          (c) Powers and duties. The Committee shall consider and recommend  
14          strategies to increase awareness of and compliance with the RBES and CBES,  
15          including designation of the Division of Fire Safety (DFS) in the Department  
16          of Public Safety as the statewide authority having jurisdiction for  
17          administration, interpretation, and enforcement, in conjunction with DFS’  
18          existing jurisdiction, over building codes.

19          (d) Assistance. The Committee shall have the administrative, technical,  
20          and legal assistance of the Department of Public Service. The Department  
21          shall hire a third-party consultant to assist and staff the Committee.

1       (e) Report. On or before December 1, 2023, the Committee shall submit a  
2       written report to the General Assembly with its findings and recommendations  
3       for legislative action.

4       (f) Meetings.

5             (1) The Department of Public Service shall call the first meeting of the  
6       Committee to occur on or before July 15, 2023.

7             (2) The Committee shall elect a chair from among its members at the  
8       first meeting.

9             (3) A majority of the membership shall constitute a quorum.

10            (4) The final meeting shall be held on or before October 31, 2023. The  
11       Committee shall cease to exist on December 1, 2023.

12       (g) Compensation and reimbursement.

13            (1) For attendance at meetings during adjournment of the General  
14       Assembly, a legislative member of the Committee serving in the legislator's  
15       capacity as a legislator shall be entitled to per diem compensation and  
16       reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than six  
17       meetings. These payments shall be made from monies appropriated by the  
18       General Assembly.

19            (2) Other members of the Committee who are not otherwise  
20       compensated by their employer shall be entitled to per diem compensation and

1 reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more  
2 than six meetings.

3 Sec. 3. STUDY COMMITTEE; APPROPRIATION

4 The sum of \$125,000.00 is appropriated from the General Fund to the  
5 Department of Public Service in fiscal year 2024 for the purpose of hiring the  
6 consultant described in Sec. 2(d) of this act and to pay the Committee member  
7 per diem compensation.

8 Sec. 4. EFFECTIVE DATE

9 This act shall take effect on passage.