

**SENATE, No. 3033**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED OCTOBER 19, 2020

**Sponsored by:**

**Senator STEPHEN M. SWEENEY**

**District 3 (Cumberland, Gloucester and Salem)**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**SYNOPSIS**

Establishes School and Small Business Energy Efficiency Stimulus Program in BPU.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/22/2020)**

1 AN ACT establishing the School and Small Business Energy  
2 Efficiency Stimulus Program in the Board of Public Utilities and  
3 supplementing Title 48 of the Revised Statutes and amending  
4 P.L.1999, c.23.

5  
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
7 *of New Jersey:*

8  
9 1. (New section) As used in in P.L. , c. (C. ) (pending  
10 before the Legislature as this bill):

11 “ANSI” means American National Standards Institute.

12 “ASHRAE” means the American Society of Heating,  
13 Refrigerating and Air-Conditioning Engineers.

14 “Board” means the Board of Public Utilities or any successor  
15 agency.

16 "Board of education" means and includes the board of education  
17 of any local school district, consolidated school district, regional  
18 school district, county vocational school and any other board of  
19 education or other similar body other than the State Board of  
20 Education, the Commission on Higher Education or the Presidents'  
21 Council, established and operating under the provisions of Title 18A  
22 of the New Jersey Statutes and having authority to make purchases  
23 and to enter into contracts for the provision or performance of goods  
24 or services. "Board of education" shall include the board of trustees  
25 of a charter school established under P.L.1995, c.426 (C.18A:36A-1  
26 et seq.).

27 “Coronavirus 2019” means the coronavirus disease 2019, as  
28 announced by the World Health Organization on February 11, 2020,  
29 and first identified in Wuhan, China.

30 “HVAC” means heating, ventilation, and air conditioning.

31 “Licensed professional” means a professional licensed in this  
32 State to perform system design, construction, or installation of  
33 features, materials, components, or manufactured devices for  
34 mechanical systems required pursuant to P.L. , c. (C. )  
35 (pending before the Legislature as this bill).

36 “Noncompliant appliance” means all of the following:

37 a. a commercial dishwasher that was manufactured prior to  
38 January 1, 2010, that does not meet the efficiency requirement of the  
39 Energy Star Product Specification for Commercial Dishwashers,  
40 Version 1.1;

41 b. an automatic commercial ice maker that was manufactured  
42 prior to January 1, 2010, that does not meet the efficiency  
43 requirement of the Energy Star Product Specification for Automatic  
44 Commercial Ice Makers, Version 1; or

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1       c. a commercial clothes washer that was manufactured prior to  
2 January 1, 2010, that does not meet the efficiency requirement of the  
3 Energy Star Product Specification for Clothes Washers, Version 5.0.

4       “Noncompliant plumbing fixture” means:

5       a. a toilet manufactured to use more than 1.6 gallons of water  
6 per flush;

7       b. a urinal manufactured to use more than one gallon of water  
8 per flush;

9       c. a showerhead manufactured to have a flow capacity of more  
10 than 2.5 gallons of water per minute; or

11       d. an interior faucet that emits more than 2.2 gallons of water per  
12 minute.

13       “Program” means the School and Small Business Energy  
14 Efficiency Stimulus Program established pursuant to section 2 of  
15 P.L. , c. (C. ) (pending before the Legislature as this bill).

16       "Small business" means a sole proprietorship, partnership or  
17 corporation that has its principal place of business in the State, is of  
18 a size and type determined by the board, and is a women’s business  
19 or minority business, as those terms are defined in section 2 of  
20 P.L.1987, c.55 (C.52:27H-21.8).

21       “SSBNPFA Program” means the School and Small Business  
22 Noncompliant Plumbing Fixture and Appliance Program established  
23 pursuant to section 4 of P.L. , c. (C. ) (pending before the  
24 Legislature as this bill).

25       “SSBVEEVR Program” means the School and Small Business  
26 Ventilation and Energy Efficiency Verification and Repair Program  
27 established pursuant to section 3 of P.L. , c. (C. ) (pending  
28 before the Legislature as this bill).

29       “Underserved community” means a school district in which at  
30 least 75 percent of public school students are eligible to receive free  
31 or reduced-price meals under the National School Lunch Program  
32 established pursuant to the "Richard B. Russell National School  
33 Lunch Act," Pub.L.79-396 (42 U.S.C. s.1751 et seq.).

34       “Water-conserving appliance” means any of the following:

35       a. a commercial dishwasher that meets the criteria of the Energy  
36 Star Product Specification for Commercial Dishwashers, Version  
37 2.0, or any revision to those criteria published by the United States  
38 Environmental Protection Agency that is adopted by the board for the  
39 program;

40       b. an automatic commercial ice maker that meets the criteria of  
41 the Energy Star Product Specification for Automatic Commercial Ice  
42 Makers, Version 3.0, or any revision to those criteria published by  
43 the United States Environmental Protection Agency that is adopted  
44 by the board for the program; or

45       c. a commercial clothes washer that meets the criteria of the  
46 Energy Star Product Specification for Clothes Washers, Version 8.0,  
47 or any revision to those criteria published by the United States

1 Environmental Protection Agency that is adopted by the board for the  
2 program.

3  
4 2. (New section) a. The Board of Public Utilities shall establish  
5 and administer a School and Small Business Energy Efficiency  
6 Stimulus Program for the purpose of providing grants to boards of  
7 education and small businesses for the installation of certain HVAC  
8 systems and energy efficient and water-conserving appliances to  
9 improve air quality and energy efficiency in school districts under  
10 the jurisdiction of a board of education and small businesses,  
11 including school districts and small businesses in underserved  
12 communities. The program shall consist of the following programs:

13 (1) The School and Small Business Ventilation and Energy  
14 Efficiency Verification and Repair Program; and

15 (2) The School and Small Business Noncompliant Plumbing  
16 Fixture and Appliance Program.

17 b. Not less than 25 percent of projects funded by the  
18 SSBVEEVR Program or SSBNPFA Program shall be allocated for  
19 school districts and small businesses located in underserved  
20 communities. The SSBVEEVR Program and SSBNPFA Program  
21 shall prioritize an underserved community by ensuring that all boards  
22 of education and small businesses that are located in an underserved  
23 community are offered the opportunity to apply for and receive  
24 grants, pursuant to this section, before those boards of education and  
25 small businesses that are not located in an underserved community.

26 c. The board shall begin to solicit applications from boards of  
27 education and small businesses for grants made pursuant to this  
28 section on or before April 1, 2021 and begin to approve applications  
29 for a grant no later than May 1, 2021, subject to the availability of  
30 funds.

31 d. The program shall be funded by monies collected from the  
32 societal benefits charge, as determined by the board, pursuant to  
33 paragraph (6) of subsection a. of section 12 of P.L.1999, c.23  
34 (C.48:3-60) and shall be allocated as follows:

35 (1) 75 percent of funds for the SSBVEEVR Program; and

36 (2) 25 percent of funds for the SSBNPFA Program.

37  
38 3. (New section) a. The board shall establish and administer the  
39 SSBVEEVR Program to award grants to boards of education and  
40 small businesses to ensure schools under board of education  
41 jurisdiction and small businesses shall have functional HVAC  
42 systems that are tested, adjusted, and, if necessary or cost effective,  
43 repaired, upgraded, or replaced to increase efficiency and  
44 performance.

45 b. A board of education or small business may apply for a grant  
46 pursuant to section 2 of P.L. , c. (C. ) (pending before the  
47 Legislature as this bill) by submitting an application to the board, in  
48 a form and manner determined by the board, for reasonable costs of

1 the HVAC assessment, assessment report, general maintenance,  
2 adjustment of ventilation rates, filter replacement, and carbon  
3 dioxide monitor installation.

4 c. (1) The board shall award a grant if the amount requested in  
5 the application is verified by a licensed professional's estimate and  
6 the board of education and small business meet other requirements  
7 determined by the board to be appropriate to achieve the purposes of  
8 P.L. , c. (C. ) (pending before the Legislature as this bill). A  
9 grant shall be awarded in the amount requested plus, as contingency  
10 funding, an additional amount, up to 20 percent of the requested  
11 amount for repairs, upgrades, or replacements necessary, as  
12 identified by the licensed professional, to make the system functional  
13 or more energy efficient.

14 (2) If a licensed professional identifies cost-effective energy  
15 efficiency upgrades or repairs that would exceed the additional 20  
16 percent awarded, a board of education or small business may apply  
17 for additional funding for the cost-effective energy efficiency  
18 upgrades or repairs.

19 (3) The board shall award a grant pursuant to section 2 of P.L. ,  
20 c. (C. ) (pending before the Legislature as this bill) for  
21 reimbursement of work already performed where the work was  
22 contracted and performed after August 1, 2020, and meets the  
23 requirements of P.L. , c. (C. ) (pending before the Legislature  
24 as this bill), and the board of education and small business meet other  
25 requirements determined by the board to be appropriate to achieve  
26 the purposes of P.L. , c. (C. ) (pending before the Legislature  
27 as this bill).

28 (4) The 20-percent contingency funding set forth in paragraph (1)  
29 of this subsection shall be returned to the SSBVEEVR Program if not  
30 used for the purposes specified in P.L. , c. (C. ) (pending  
31 before the Legislature as this bill). A board of education and small  
32 business shall provide the board with documentation, as specified by  
33 the board, demonstrating how contingency funds were spent.

34 (5) The board shall have the authority to establish the timing of  
35 grant funding, including the ability to provide some or all funding in  
36 advance of the performance of work where requirements to ensure  
37 performance are established.

38 d. As a condition for receiving a grant pursuant to section 2 of  
39 P.L. , c. (C. ) (pending before the Legislature as this bill), a  
40 board of education and small business shall comply with the  
41 requirements of this section for all air-handling units, rooftop units,  
42 and unitary and single zone equipment in its schools' or small  
43 business' HVAC system or systems.

44 (1) An HVAC system installed pursuant to this section shall meet  
45 the ANSI/ASHRAE Standard 62.1-2010, Ventilation for Acceptable  
46 Indoor Air Quality and shall have a licensed professional perform the  
47 following:

1 (a) review control sequences to verify HVAC systems will  
2 maintain intended ventilation, temperature, and humidity conditions  
3 during school and small business operation. Previously unoccupied  
4 buildings shall perform the recommended practices of reopening a  
5 building as covered in the ASHRAE Building Readiness document –  
6 Restarting a Building;

7 (b) verify a daily flush is scheduled for two hours before and after  
8 scheduled occupancy or demonstrate calculation of flush times per  
9 ASHRAE Guidance for Reopening and Operating Schools or  
10 Commercial Buildings, as applicable, or otherwise applicable local  
11 or State guidance; and

12 (c) verify that HVAC system operational times, exhaust fans  
13 operation times, setpoints, and enabled features meet ASHRAE  
14 Guidance for Reopening and Operating Schools or Commercial  
15 Buildings, as applicable, or otherwise applicable local or State  
16 guidance.

17 (2) A requirement for filtration levels, ventilation rates, and  
18 ventilation schedules may be amended by the board based on the  
19 latest coronavirus 2019, or other applicable, guidance.

20 e. Concerning a school, to ensure proper ventilation is  
21 maintained throughout the school year, all school district classrooms  
22 shall be equipped with a carbon dioxide monitor that meets  
23 requirements determined by the board. If a classroom carbon dioxide  
24 concentration exceeds 1,100 parts per million more than once a week  
25 as observed by the teacher or the facilities staff, the classroom  
26 ventilation rates shall be adjusted by licensed professional to ensure  
27 peak carbon dioxide concentrations in the classroom remain below  
28 the maximum allowable carbon dioxide parts per million setpoint.

29 f. A licensed professional shall determine what, if any,  
30 additional adjustments or repairs would be necessary to meet the  
31 minimum ventilation and filtration requirements, pursuant to this  
32 section, determine whether any further cost-effective energy  
33 efficiency upgrades or replacements are warranted or recommended,  
34 and provide an estimated cost for this work. If the cost of  
35 recommended repairs, upgrades, or replacements are greater than the  
36 contingency amount provided in the grant, then the licensed  
37 professional and the board of education or small business shall  
38 submit an application for additional funding pursuant to section 2 of  
39 P.L. , c. (C. ) (pending before the Legislature as this bill).

40 g. Upon completion of all work funded by a grant pursuant to  
41 P.L. , c. (C. ) (pending before the Legislature as this bill), a  
42 board of education and small business shall prepare an HVAC  
43 verification report. The HVAC verification report shall include all of  
44 the following information:

45 (1) the name and address of a school facility or small business  
46 and person or contractor preparing and certifying the report;

47 (2) a description of the assessment, maintenance, adjustment,  
48 repair, upgrade, and replacement activities and outcomes;

1 (3) verification that the board of education and small business has  
2 complied with all requirements of P.L. , c. (C. ) (pending  
3 before the Legislature as this bill);

4 (4) verification that the school facility and small business meet  
5 ANSI/ASHRAE Standard 62.1-2010, Ventilation for Acceptable  
6 Indoor Air Quality;

7 (5) documentation of HVAC system deficiencies and  
8 recommendations for additional maintenance, replacement, or  
9 upgrades to improve energy efficiency, safety, or performance;

10 (6) verification of the installation of carbon dioxide monitors,  
11 pursuant to subsection e. of this section, including the make and  
12 model of the monitors; and

13 (7) verification that all work has been performed by a licensed  
14 professional, including the provision of the contractor's name and  
15 license.

16 h. The requirements of this section may be amended by the board  
17 as necessary to reflect available technology and to achieve the intent  
18 of P.L. , c. (C. ) (pending before the Legislature as this bill).

19 i. A board of education and small business shall maintain a copy  
20 of the HVAC verification report made pursuant to subsection g. of  
21 this section and make it available to any member of the public or the  
22 board upon request.

23  
24 4. (New section) a. The board shall establish and administer the  
25 School and Small Business Noncompliant Plumbing Fixture and  
26 Appliance Program to provide grants to boards of education to  
27 replace noncompliant plumbing fixtures and appliances that fail to  
28 meet water efficiency standards, and waste and potable water and the  
29 energy used to convey that water, with water-conserving plumbing  
30 fixtures and appliances.

31 b. A board of education and small business may apply for a grant  
32 pursuant to section 2 P.L. , c. (C. ) (pending before the  
33 Legislature as this bill) by submitting an application to the board, in  
34 a form and manner determined by the board, showing the existence  
35 of noncompliant plumbing fixtures or appliances in the school or  
36 small business for which the grant funding will be used and a cost  
37 estimate that is verified by a contractor for the replacement of the  
38 noncompliant plumbing fixtures and appliances with water-  
39 conserving plumbing fixtures and water-conserving appliances, and  
40 the board of education and small business meet other requirements  
41 determined by the board to be appropriate to achieve the purposes of  
42 this section.

43 c. The board is authorized to provide technical assistance or  
44 award grants pursuant to the SSBNPFA Program to assist a board of  
45 education and small business in identifying noncompliant plumbing  
46 fixtures and noncompliant appliances eligible for replacement  
47 pursuant to this section.

1        5. (New section) The Board of Public Utilities may adopt,  
2 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
3 (C.52:14B-1 et seq.), rules and regulations necessary to effectuate the  
4 purposes of P.L. , c. (C. ) (pending before the Legislature as  
5 this bill).

6  
7        6. Section 12 of P.L.1999, c.23 (C.48:3-60) is amended to read  
8 as follows:

9        12. a. Simultaneously with the starting date for the  
10 implementation of retail choice as determined by the board pursuant  
11 to subsection a. of section 5 of P.L.1999, c.23 (C.48:3-53), the board  
12 shall permit each electric public utility and gas public utility to  
13 recover some or all of the following costs through a societal benefits  
14 charge that shall be collected as a non-bypassable charge imposed on  
15 all electric public utility customers and gas public utility customers,  
16 as appropriate:

17        (1) The costs for the social programs for which rate recovery was  
18 approved by the board prior to April 30, 1997. For the purpose of  
19 establishing initial unbundled rates pursuant to section 4 of P.L.1999,  
20 c.23 (C.48:3-52), the societal benefits charge shall be set to recover  
21 the same level of social program costs as is being collected in the  
22 bundled rates of the electric public utility on the effective date of  
23 P.L.1999, c.23 (C.48:3-49 et al.). The board may subsequently order,  
24 pursuant to its rules and regulations, an increase or decrease in the  
25 societal benefits charge to reflect changes in the costs to the utility of  
26 administering existing social programs. Nothing in P.L.1999, c.23  
27 (C.48:3-49 et al.) shall be construed to abolish or change any social  
28 program required by statute or board order or rule or regulation to be  
29 provided by an electric public utility. Any such social program shall  
30 continue to be provided by the utility until otherwise provided by  
31 law, unless the board determines that it is no longer appropriate for  
32 the electric public utility to provide the program, or the board chooses  
33 to modify the program;

34        (2) Nuclear plant decommissioning costs;

35        (3) The costs of demand side management programs that were  
36 approved by the board pursuant to its demand side management  
37 regulations prior to April 30, 1997. For the purpose of establishing  
38 initial unbundled rates pursuant to section 4 of P.L.1999, c.23  
39 (C.48:3-52), the societal benefits charge shall be set to recover the  
40 same level of demand side management program costs as is being  
41 collected in the bundled rates of the electric public utility on the  
42 effective date of P.L.1999, c.23 (C.48:3-49 et al.). Within four  
43 months of the effective date of P.L.1999, c.23 (C.48:3-49 et al.), and  
44 every four years thereafter, the board shall initiate a proceeding and  
45 cause to be undertaken a comprehensive resource analysis of energy  
46 programs, and within eight months of initiating such proceeding and  
47 after notice, provision of the opportunity for public comment, and  
48 public hearing, the board, in consultation with the Department of



1 Environmental Protection, shall determine the appropriate level of  
2 funding for energy efficiency , plug-in electric vehicles and plug-in  
3 electric vehicle charging infrastructure, and Class I renewable energy  
4 programs that provide environmental benefits above and beyond  
5 those provided by standard offer or similar programs in effect as of  
6 the effective date of P.L.1999, c.23 (C.48:3-49 et al.); provided that  
7 the funding for such programs be no less than 50 percent of the total  
8 Statewide amount being collected in electric and gas public utility  
9 rates for demand side management programs on the effective date of  
10 P.L.1999, c.23 (C.48:3-49 et al.) for an initial period of four years  
11 from the issuance of the first comprehensive resource analysis  
12 following the effective date of P.L.1999, c.23 (C.48:3-49 et al.), and  
13 provided that 25 percent of this amount shall be used to provide  
14 funding for Class I renewable energy projects in the State. In each  
15 of the following fifth through eighth years, the Statewide funding for  
16 such programs shall be no less than 50 percent of the total Statewide  
17 amount being collected in electric and gas public utility rates for  
18 demand side management programs on the effective date of  
19 P.L.1999, c.23 (C.48:3-49 et al.), except that as additional funds are  
20 made available as a result of the expiration of past standard offer or  
21 similar commitments, the minimum amount of funding for such  
22 programs shall increase by an additional amount equal to 50 percent  
23 of the additional funds made available, until the minimum amount of  
24 funding dedicated to such programs reaches \$140,000,000 total.  
25 After the eighth year the board shall make a determination as to the  
26 appropriate level of funding for these programs. Such programs shall  
27 include a program to provide financial incentives for the installation  
28 of Class I renewable energy projects in the State, and the board, in  
29 consultation with the Department of Environmental Protection, shall  
30 determine the level and total amount of such incentives as well as the  
31 renewable technologies eligible for such incentives which shall  
32 include, at a minimum, photovoltaic, wind, and fuel cells. The board  
33 shall simultaneously determine, as a result of the comprehensive  
34 resource analysis, the programs to be funded by the societal benefits  
35 charge, the level of cost recovery and performance incentives for old  
36 and new programs and whether the recovery of demand side  
37 management programs' costs currently approved by the board may be  
38 reduced or extended over a longer period of time. The board shall  
39 make these determinations taking into consideration existing market  
40 barriers and environmental benefits, with the objective of  
41 transforming markets, capturing lost opportunities, making energy  
42 services more affordable for low income customers and eliminating  
43 subsidies for programs that can be delivered in the marketplace  
44 without electric public utility and gas public utility customer funding;

45 (4) Manufactured gas plant remediation costs, which shall be  
46 determined initially in a manner consistent with mechanisms in the  
47 remediation adjustment clauses for the electric public utility and gas  
48 public utility adopted by the board; **[and]**

1 (5) The cost, of consumer education, as determined by the board,  
2 which shall be in an amount that, together with the consumer  
3 education surcharge imposed on electric power supplier license fees  
4 pursuant to subsection h. of section 29 of P.L.1999, c.23 (C.48:3-78)  
5 and the consumer education surcharge imposed on gas supplier  
6 license fees pursuant to subsection g. of section 30 of P.L.1999, c.23  
7 (C.48:3-79), shall be sufficient to fund the consumer education  
8 program established pursuant to section 36 of P.L.1999, c.23 (C.48:3-  
9 85) ; and

10 (6) School and Small Business Energy Efficiency Stimulus  
11 Program grants, as determined by the board, issued pursuant to  
12 P.L. , c. (C. ) (pending before the Legislature as this bill).

13 b. There is established in the Board of Public Utilities a  
14 nonlapsing fund to be known as the "Universal Service Fund." The  
15 board shall determine: the level of funding and the appropriate  
16 administration of the fund; the purposes and programs to be funded  
17 with monies from the fund; which social programs shall be provided  
18 by an electric public utility as part of the provision of its regulated  
19 services which provide a public benefit; whether the funds  
20 appropriated to fund the "Lifeline Credit Program" established  
21 pursuant to P.L.1979, c.197 (C.48:2-29.15 et seq.), the "Tenants'  
22 Lifeline Assistance Program" established pursuant to P.L.1981, c.210  
23 (C.48:2-29.31 et seq.), the funds received pursuant to the Low  
24 Income Home Energy Assistance Program established pursuant to 42  
25 U.S.C. s.8621 et seq., and funds collected by electric and natural gas  
26 utilities, as authorized by the board, to offset uncollectible electricity  
27 and natural gas bills should be deposited in the fund; and whether  
28 new charges should be imposed to fund new or expanded social  
29 programs.

30 (cf: P.L.2019, c.362, c.13)

31  
32 7. This act shall take effect immediately.

### 35 STATEMENT

36  
37 This bill establishes the School and Small Business Energy  
38 Efficiency Stimulus Program (program) in the Board of Public  
39 Utilities (board). "Small business" is defined in the bill as concerning  
40 women and minority-owned small businesses. The purpose of the  
41 program is to ensure that school and small business heating,  
42 ventilation, and air conditioning (HVAC) systems are upgraded to  
43 safely prepare schools and small businesses for operating during the  
44 coronavirus 2019 pandemic and to generally improve the health and  
45 safety of the school and small business environment. The program  
46 will also fund the upgrading of old, inefficient plumbing fixtures that  
47 waste water and energy. Further, this bill is intended to create jobs  
48 across the State.

1       The bill provides that the program is to consist of the following  
2 sub-programs:

3       1) The School and Small Business Ventilation and Energy  
4 Efficiency Verification and Repair (SSBVEEVR) Program; and

5       2) The School and Small Business Noncompliant Plumbing  
6 Fixture and Appliance (SSBNPFA) Program.

7       The bill provides that not less than 25 percent of projects funded  
8 by the SSBVEEVR program or SSBNPFA program are to be in  
9 schools and small businesses located in underserved communities, as  
10 defined in the bill. The SSBVEEVR program and SSBNPFA program  
11 are to prioritize an underserved community by ensuring that all  
12 schools and small businesses that are in an underserved community  
13 are offered the opportunity to apply for and receive grants before  
14 those schools and small businesses that are not in an underserved  
15 community.

16       The bill provides that the board is to begin to solicit applications  
17 from boards of education and small businesses for grants on or before  
18 April 1, 2021 and begin to approve applications for grant no later  
19 than May 1, 2021, subject to the availability of funds.

20       The bill provides that the program is to be funded by monies  
21 collected from the societal benefits charge, pursuant to law, and that  
22 75 percent of funds are to be used for the SSBVEEVR program and  
23 25 percent of funds for the SSBNPFA program.

24       The bill requires the board to establish and administer the  
25 SSBVEEVR program to award grants to boards of education and  
26 small businesses to ensure schools and small businesses are to have  
27 functional HVAC systems that are tested, adjusted, and, if necessary  
28 or cost effective, repaired, upgraded, or replaced to increase  
29 efficiency and performance. A board of education and small business  
30 may apply for a grant by submitting an application to the board, in a  
31 form and manner determined by the board, for reasonable costs of the  
32 HVAC assessment, assessment report, general maintenance,  
33 adjustment of ventilation rates, filter replacement, and carbon  
34 dioxide monitor installation.

35       The board is to award a grant if the amount requested in the  
36 application is verified by a licensed professional's estimate and the  
37 board of education and small business meet other requirements  
38 determined by the board to be appropriate to achieve the purposes of  
39 the bill. A grant is to be awarded in the amount requested plus an  
40 additional 20 percent of the requested amount for repairs, upgrades,  
41 or replacements necessary to make the system functional or more  
42 energy efficient. If a licensed professional identifies cost-effective  
43 energy efficiency upgrades or repairs that would exceed the  
44 additional 20 percent awarded, a board of education and small  
45 business may apply for additional funding for the cost-effective  
46 energy efficiency upgrades or repairs.

47       The bill allows for the board to award a grant for reimbursement  
48 of work already performed where the work was contracted and

1 performed after August 1, 2020, and meets the requirements of the  
2 bill, and the board of education and small business meet other  
3 requirements determined by the board to be appropriate to achieve  
4 the purposes the bill.

5 The bill provides that as a condition for receiving a grant, a board  
6 of education and small business are to comply with the requirements  
7 of the bill for all air-handling units, rooftop units, and unitary and  
8 single zone equipment in the schools' or small business' HVAC  
9 system or systems. The HVAC systems installed pursuant to the bill  
10 are to meet ANSI/ASHRAE Standard 62.1-2010, Ventilation for  
11 Acceptable Indoor Air Quality and shall have a licensed professional  
12 perform certain tasks enumerated in the bill. The HVAC  
13 requirements for filtration levels, ventilation rates, and ventilation  
14 schedules may be amended by the board based on the latest  
15 coronavirus 2019, or other applicable, guidance.

16 The bill provides that, concerning schools, to ensure proper  
17 ventilation is maintained throughout the school year, all classrooms  
18 are to be equipped with a carbon dioxide monitor that meets  
19 requirements determined by the board. If a classroom carbon dioxide  
20 concentration exceeds 1,100 parts per million more than once a week  
21 as observed by the teacher or the facilities staff, the classroom  
22 ventilation rates are to be adjusted by licensed professional to ensure  
23 peak carbon dioxide concentrations in the classroom remain below  
24 the maximum allowable carbon dioxide parts per million setpoint.

25 The bill provides that a licensed professional is to determine what,  
26 if any, additional adjustments or repairs would be necessary to meet  
27 the minimum ventilation and filtration requirements determine  
28 whether any further cost-effective energy efficiency upgrades or  
29 replacements are warranted or recommended, and provide an  
30 estimated cost for this work. If the cost of recommended repairs,  
31 upgrades, or replacements are greater than the contingency amount  
32 provided in the grant, then the licensed professional and the board of  
33 education or small business are to submit an application for  
34 additional funding.

35 The bill requires that, upon completion of all work funded by a  
36 grant made pursuant to the bill, the board of education and small  
37 business are to prepare an HVAC verification report. The HVAC  
38 verification report is to include information enumerated in the bill.

39 The board of education is to maintain a copy of the HVAC  
40 verification report made pursuant to the bill and make it available to  
41 any member of the public or the board upon request.

42 The bill requires the board to establish and administer the  
43 SSBNPFA program to provide grants to boards of education and  
44 small businesses to replace noncompliant plumbing fixtures and  
45 appliances that fail to meet water efficiency standards and waste  
46 potable water and the energy used to convey that water, with water-  
47 conserving plumbing fixtures and appliances, as those terms are  
48 defined in the bill. The board is to award a grant if a board of

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1 education or small business submits documents showing the  
2 existence of noncompliant plumbing fixtures or appliances in the  
3 schools or small business for which the grant funding will be used  
4 and a cost estimate that is verified by a contractor for the replacement  
5 of the noncompliant plumbing fixtures and appliances with water-  
6 conserving plumbing fixtures and water-conserving appliances, and  
7 the board of education and small business meet other requirements  
8 determined by the board to be appropriate to achieve the purposes of  
9 the bill.