

(i) in present value terms, in the case of a study period equivalent to the longest useful life of the building, determined by taking into consideration the typical life of such a building in the area in which the building is to be located; or

(ii) in annual value terms, in the case of any other study period.

(17) Office of Commercial High-Performance Green Buildings

The term “Office of Commercial High-Performance Green Buildings” means the Office of Commercial High-Performance Green Buildings established under section 17081(a) of this title.

(18) Office of Federal High-Performance Green Buildings

The term “Office of Federal High-Performance Green Buildings” means the Office of Federal High-Performance Green Buildings established under section 17092(a) of this title.

(19) Practices

The term “practices” means design, financing, permitting, construction, commissioning, operation and maintenance, and other practices that contribute to achieving zero-net-energy buildings or facilities.

(20) Zero-net-energy commercial building

The term “zero-net-energy commercial building” means a commercial building that is designed, constructed, and operated to—

(A) require a greatly reduced quantity of energy to operate;

(B) meet the balance of energy needs from sources of energy that do not produce greenhouse gases;

(C) therefore result in no net emissions of greenhouse gases; and

(D) be economically viable.

(Pub. L. 110-140, title IV, § 401, Dec. 19, 2007, 121 Stat. 1596.)

REFERENCES IN TEXT

This title, referred to in text, is title IV of Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1596, which enacted this subchapter, part C (§6341 et seq.) of subchapter III of chapter 77 of this title, sections 6371h-1 and 7628 of this title, and subchapter V (§2695 et seq.) of chapter 53 of Title 15, Commerce and Trade, amended sections 6832, 6834, 6862, 6872, 8253, 8254, and 12709 of this title, and enacted provisions set out as notes under sections 6834 and 6872 of this title. For complete classification of title IV to the Code, see Tables.

Section 484, referred to in par. (2), probably should be a reference to section 494 of Pub. L. 110-140, which is classified to section 17123 of this title.

This Act, referred to in par. (5)(A)(ii)(III), is Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1492, known as the Energy Independence and Security Act of 2007, which enacted this chapter and enacted and amended numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 17001 of this title and Tables.

Title III, referred to in par. (5)(A)(ii)(III), is title III of Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1549, which enacted section 3313 of Title 40, Public Buildings, Property, and Works, amended sections 6291 to 6295, 6297, 6302, 6304, 6311, 6313 to 6316, 15821, and 16191 of this title and sections 3307, 3310, and 3314 to 3316 of Title 40, and enacted provisions set out as notes under sections 6291, 6294, 6295, and 6313 of this title. For complete classification of title III to the Code, see Tables.

Sections 431 through 435, referred to in pars. (6)(C) and 9(A), are sections 431 to 435 of Pub. L. 110-140. Sections 431 to 434 amended sections 6832, 6834, and 8253 of this title and enacted provisions set out as a note under section 6834 of this title. Section 435 enacted section 17091 of this title.

Title V, referred to in par. (6)(C), is title V of Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1655, which enacted subchapter IV (§17131 et seq.) of this chapter, part D (§8279) of subchapter III of chapter 91 of this title, and sections 1824, 2162a, and 2169 of Title 2, The Congress, amended sections 6325, 6834, 8256, 8258, 8259b, 8287, and 8287c of this title, section 2162 of Title 2, section 2913 of Title 10, Armed Forces, section 3203 of Title 15, Commerce and Trade, and section 2621 of Title 16, Conservation, and enacted provisions set out as a note under section 8259b of this title. For complete classification of title V to the Code, see Tables.

Sections 511 through 525, referred to in par. (6)(C), are sections 511 to 525 of Pub. L. 110-140, which enacted part A (§17131) of subchapter IV of this chapter and section 17141 of this title, amended sections 6834, 8256, 8258, 8259b, 8287, and 8287c of this title and section 2913 of Title 10, Armed Forces, and enacted provisions set out as a note under section 8259b of this title.

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

§ 17062. Energy efficiency in Federal and other buildings

(a) Definitions

In this section:

(1) Administrator

The term “Administrator” means the Administrator of General Services.

(2) Cost-effective energy efficiency measure

The term “cost-effective energy efficiency measure” means any building product, material, equipment, or service, and the installing, implementing, or operating thereof, that provides energy savings in an amount that is not less than the cost of such installing, implementing, or operating.

(3) Cost-effective water efficiency measure

The term “cost-effective water efficiency measure” means any building product, material, equipment, or service, and the installing, implementing, or operating thereof, that provides water savings in an amount that is not less than the cost of such installing, implementing, or operating.

(b) Model provisions, policies, and best practices

(1) In general

Not later than 180 days after April 30, 2015, the Administrator, in consultation with the Secretary of Energy and after providing the public with an opportunity for notice and comment, shall develop model commercial leasing provisions and best practices in accordance with this subsection.

(2) Commercial leasing

(A) In general

The model commercial leasing provisions developed under this subsection shall, at a minimum, align the interests of building owners and tenants with regard to invest-

ments in cost-effective energy efficiency measures and cost-effective water efficiency measures to encourage building owners and tenants to collaborate to invest in such measures.

(B) Use of model provisions

The Administrator may use the model commercial leasing provisions developed under this subsection in any standard leasing document that designates a Federal agency (or other client of the Administrator) as a landlord or tenant.

(C) Publication

The Administrator shall periodically publish the model commercial leasing provisions developed under this subsection, along with explanatory materials, to encourage building owners and tenants in the private sector to use such provisions and materials.

(3) Realty services

The Administrator shall develop policies and practices to implement cost-effective energy efficiency measures and cost-effective water efficiency measures for the realty services provided by the Administrator to Federal agencies (or other clients of the Administrator), including periodic training of appropriate Federal employees and contractors on how to identify and evaluate those measures.

(4) State and local assistance

The Administrator, in consultation with the Secretary of Energy, shall make available model commercial leasing provisions and best practices developed under this subsection to State, county, and municipal governments for use in managing owned and leased building space in accordance with the goal of encouraging investment in all cost-effective energy efficiency measures and cost-effective water efficiency measures.

(Pub. L. 114-11, title I, §102, Apr. 30, 2015, 129 Stat. 182.)

CODIFICATION

Section was enacted as part of the Better Buildings Act of 2015, and also as part of the Energy Efficiency Improvement Act of 2015, and not as part of the Energy Independence and Security Act of 2007 which comprises this chapter.

§ 17063. Energy information for commercial buildings

(a) Omitted

(b) Study

(1) In general

Not later than 2 years after April 30, 2015, the Secretary of Energy, in collaboration with the Administrator of the Environmental Protection Agency, shall complete a study—

(A) on the impact of—

(i) State and local performance benchmarking and disclosure policies, and any associated building efficiency policies, for commercial and multifamily buildings; and

(ii) programs and systems in which utilities provide aggregated information re-

garding whole building energy consumption and usage information to owners of multitenant commercial, residential, and mixed-use buildings;

(B) that identifies best practice policy approaches studied under subparagraph (A) that have resulted in the greatest improvements in building energy efficiency; and

(C) that considers—

(i) compliance rates and the benefits and costs of the policies and programs on building owners, utilities, tenants, and other parties;

(ii) utility practices, programs, and systems that provide aggregated energy consumption information to multitenant building owners, and the impact of public utility commissions and State privacy laws on those practices, programs, and systems;

(iii) exceptions to compliance in existing laws where building owners are not able to gather or access whole building energy information from tenants or utilities;

(iv) the treatment of buildings with—

(I) multiple uses;

(II) uses for which baseline information is not available; and

(III) uses that require high levels of energy intensities, such as data centers, trading floors, and television¹ studios;

(v) implementation practices, including disclosure methods and phase-in of compliance;

(vi) the safety and security of benchmarking tools offered by government agencies, and the resiliency of those tools against cyber attacks; and

(vii) international experiences with regard to building benchmarking and disclosure laws and data aggregation for multitenant buildings.

(2) Submission to Congress

At the conclusion of the study, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and Committee on Energy and Natural Resources of the Senate a report on the results of the study.

(c) Creation and maintenance of database

(1) In general

Not later than 18 months after April 30, 2015, and following opportunity for public notice and comment, the Secretary of Energy, in coordination with other relevant agencies, shall maintain, and if necessary create, a database for the purpose of storing and making available public energy-related information on commercial and multifamily buildings, including—

(A) data provided under Federal, State, local, and other laws or programs regarding building benchmarking and energy information disclosure;

(B) information on buildings that have disclosed energy ratings and certifications; and

¹ So in original. Probably should be "television".