

SENATE BILL NO. 112

BY SENATOR WHITE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact R.S. 39:1622(H), relative to performance-based energy efficiency contracts; to
3 provide for the effect of certain modifications and change order and approvals
4 thereof; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 39:1622(H) is hereby enacted to read as follows:

7 §1622. Performance-based energy efficiency contracts

8 * * *

9 **H. Notwithstanding the requirements of Paragraph C of this Section, if,**
10 **at any time after the execution of a performance-based energy efficiency**
11 **contract, a state agency makes a unilateral change or modification to the scope**
12 **of work under the contract, the annual energy cost savings attributable to the**
13 **services or equipment shall be adjusted to account for any expended costs and**
14 **any projected savings that can no longer be measured or verified as a result of**
15 **the change or modification. However, any adjustment that reduces the annual**
16 **energy cost savings attributable to the services or equipment by twenty percent**
17 **or more shall require approval of the Joint Legislative Committee on the**
18 **Budget prior to the amendment of the contract. This Subsection shall apply to**

1 all performance-based energy efficiency contracts in effect on and after
2 January 1, 2010, and all future contracts executed pursuant to this Section.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____