

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 203
98TH GENERAL ASSEMBLY

0848H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 8, RSMo, by adding thereto one new section relating to energy conservation.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 8, RSMo, is amended by adding thereto one new section, to be known as section 8.940, to read as follows:

8.940. 1. There is hereby created in the state treasury the "Office of Administration Energy Conservation Fund", which shall consist of fifteen percent of the total annual cost of saved energy determined under subsection 4 of this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund, and shall be used solely for energy conservation, energy efficiency, and cost-effective cogeneration purposes.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The Office of Administration shall annually prepare an estimate of the total cost savings in foregone energy costs for the preceding year by measuring the total number of kilowatt hours (kWh) and therms (MMBtu) saved as a result of all energy conservation, energy efficiency, cogeneration, and distributed generation measures enacted or installed since 2008, multiplied by the applicable energy rates for the preceding year. The total number of kilowatt hours (kWh) and therms (MMBtu) saved shall be measured or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

20 **estimated according to a formula consistent with industry standards as determined by rule**
21 **by the commissioner of administration. The general assembly shall annually appropriate**
22 **an amount equal to fifteen percent of the amount estimated under this subsection to the**
23 **Office of Administration Energy Conservation Fund for the purposes described in**
24 **subsection 1 of this section.**

25 **5. If there is no total cost of saved energy during a year, then there shall be no**
26 **requirement to deposit moneys into the fund under this section.**

27 **6. The office of administration shall promulgate rules to implement the provisions**
28 **of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that**
29 **is created under the authority delegated in this section shall become effective only if it**
30 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
31 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
32 **vested with the general assembly under chapter 536 to review, to delay the effective date,**
33 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**
34 **of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be**
35 **invalid and void.**

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