**Fact Sheet: Key DAS Directives and Dates for HB 3409**

# DAS and other state agencies are directed to:

### Assess Building Energy Use and GHG Emissions

* Develop a work plan for DAS and other state agencies to implement a comprehensive assessment of energy use and greenhouse gas (GHG) emissions of state-owned buildings. This includes methodology to:
  + Examine and quantify each building’s GHG emissions.
  + Identify equipment or use that contributes to GHG emissions from each building.
  + Quantify the useful life of equipment that contributes to GHG emissions.
  + Create a searchable database to help agencies plan energy and GHG reductions in projects.

### Provide Capital Project Oversight

* Develop a process to review/oversee all agency capital building projects over $1 million.
* Develop and implement guidelines for sustainable design.

### Comply with Building Energy Use Targets

* Comply with high-performance energy use intensity (EUI) targets in all DAS buildings over 35,000 gross square feet using ASHRAE 100 as the standard (ODOE to write rules for implementing the program).
* For buildings over the target, DAS and other state agencies must:
  + Prepare an energy management plan.
  + Develop a program for building operations and maintenance.
  + Make investments in energy efficiency measures; and
  + Report compliance (or reasons for non-compliance) to ODOE by certain deadlines.

# Compliance dates:

* Legislation does not specify dates for Sections A and B, above.
* For Section C, DAS and other agencies must meet the following compliance deadlines. For buildings:
  + 200,000 square feet or more, not later than **June 1, 2028**.
  + 90,000 square feet or more but less than 200,000 square feet, not later than **June 1, 2029**; and
  + 35,000 square feet or more but less than 90,000 square feet, not later than **June 1, 2030**.
* ODOE must adopt rules by December 31, 2024.

# Implications for DAS:

* Bring on additional EAM staff capacity for managing building assessment contract, assisting agencies, reviewing agency progress reports, managing database, and supporting sustainable design guideline implementation.
* Proactively plan and budget for energy efficiency and GHG reduction investments in key buildings in our own portfolio. Specify EUI targets buildings must meet in renovation projects.
* Increased workload for energy teams to support projects.
* Timing of building assessments: DAS and other agencies will want data on equipment lifespan and GHG emissions in time to develop energy plans and comply with statutory dates (before 2028-2030)
* Non-compliance with ASHRAE performance targets may result in significant civil penalties for DAS or other agencies.
* ODOE rules are coming soon, they will further clarify building EUI reporting program requirements.