

Requested by Senator LIEBER

**PROPOSED AMENDMENTS TO
SENATE BILL 869**

1 In line 2 of the printed bill, before the period insert “; and prescribing
2 an effective date”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1. (1) The Department of Consumer and Business Ser-**
5 **vices shall, as the department’s responsibilities relate to efficiency or**
6 **resiliency in buildings:**

7 **“(a) Exercise any and all authority and discretion the department**
8 **has available under applicable law to help to facilitate, at a minimum,**
9 **emissions reductions consistent with the greenhouse gas emissions**
10 **reduction goals specified in ORS 468A.205;**

11 **“(b) In addition to the department’s existing responsibilities, prior-**
12 **itize and take such actions as are necessary to accelerate reductions**
13 **in greenhouse gas emissions, including but not limited to rulemaking**
14 **processes; and**

15 **“(c) Consider and integrate the prevention or reduction of impacts**
16 **from climate change and the state’s greenhouse gas emissions re-**
17 **duction goals into the department’s planning, budgeting, investment**
18 **and policy-making decisions, which must involve, at a minimum:**

19 **“(A) Prioritizing actions that reduce greenhouse gas emissions in a**
20 **cost-effective manner;**

21 **“(B) Prioritizing actions that help vulnerable populations and envi-**

1 **ronmental justice communities, as defined in ORS 469A.400, adapt to**
2 **impacts from climate change; and**

3 **“(C) Consulting with the Environmental Justice Council when**
4 **evaluating priorities the department sets and actions the department**
5 **takes to adapt to and mitigate the impacts from climate change.**

6 **“(2)(a) In addition to the general directives specified in subsection**
7 **(1) of this section, the department shall contribute to the state’s**
8 **achievement of greenhouse gas emissions reduction goals and the**
9 **mitigation of impacts from climate change by:**

10 **“(A) Setting goals for improved energy efficiency in buildings;**

11 **“(B) Investigating options for, and the feasibility of, reducing**
12 **greenhouse gas emissions that result from manufacturing, transport-**
13 **ing, installing, disposing of and recovering materials used in building**
14 **construction, based on the findings of the department and the De-**
15 **partment of Environmental Quality under paragraph (c)(B) of this**
16 **subsection; and**

17 **“(C) Investigating the potential benefits and the feasibility of up-**
18 **dating building ventilation standards and of specifying standards for**
19 **air cleaners present in building mechanical systems and in occupied**
20 **indoor spaces.**

21 **“(b) To carry out the directives specified in paragraph (a)(A) of this**
22 **subsection, the Department of Consumer and Business Services shall:**

23 **“(A) Consult with the department’s advisory boards and committees**
24 **and cooperate with the State Department of Energy to specify energy**
25 **efficiency goals for new residential and commercial construction that**
26 **aim to achieve by 2030, at each new residential or commercial building**
27 **site, at least a 60 percent reduction in annual energy consumption**
28 **from standards specified in the statewide building code and applicable**
29 **specialty codes that were in effect in 2006, excluding consumption of**
30 **electricity in transportation or in powering appliances or other loads**

1 that the statewide building code or specialty codes do not regulate;

2 “(B) Cooperate with the State Department of Energy to identify
3 metrics derived from best practices and academic research to inform
4 updates to the statewide building code and applicable specialty codes
5 specifying a baseline for, and achievable reductions in, energy con-
6 sumption;

7 “(C) Report not later than December 31 of every third year, begin-
8 ning with December 31, 2023, to an interim committee of the Legisla-
9 tive Assembly related to the environment concerning:

10 “(i) The Department of Consumer and Business Services’ evaluation
11 of progress toward achieving the goals the department specifies under
12 subparagraph (A) of this paragraph; and

13 “(ii) Options for achieving the goals over the course of the subse-
14 quent three updates to the statewide building code and applicable
15 specialty codes;

16 “(D) Outline and evaluate for feasibility in the report described in
17 subparagraph (C) of this paragraph a range of available options for
18 achieving steady progress toward the goals described in subparagraph
19 (A) of this paragraph over the course of scheduled updates to the
20 statewide building code and applicable specialty codes that occur up
21 until 2030; and

22 “(E) Update the Reach Code described in ORS 455.500 to reflect in-
23 cremental progress toward the goals specified in subparagraph (A) of
24 this paragraph each time the Department of Consumer and Business
25 Services updates the statewide building code and applicable specialty
26 codes.

27 “(c) To carry out the directives specified in paragraph (a)(B) of this
28 subsection, the department shall coordinate with the Department of
29 Environmental Quality to:

30 “(A) Quantify, to the extent feasible, greenhouse gas emissions that

1 occur as a result of the manufacture, transport, installation, disposal
2 and recovery of materials used in building construction; and

3 “(B) To the extent feasible and in cooperation with the Department
4 of Environmental Quality, and taking into account applicable stan-
5 dards that the Department of Transportation has specified for pro-
6 curing building construction materials, identify options to reduce,
7 through the building code or other means, greenhouse gas emissions
8 attributable to building materials so that lower carbon materials may
9 serve the same function and provide the same level of utility and re-
10 liability.

11 “(3) In carrying out the directives set forth in this section, the De-
12 partment of Consumer and Business Services shall consider industry
13 standards including, where appropriate, standards promulgated by the
14 American Society of Heating, Refrigerating and Air-Conditioning En-
15 gineers.

16 “SECTION 2. The Department of Consumer and Business Services
17 shall, no later than December 31, 2024, report to an interim committee
18 of the Legislative Assembly related to the environment. The report
19 under this section shall include the department’s findings and recom-
20 mendations on options for, and the feasibility of, reducing greenhouse
21 gas emissions that result from manufacturing, transporting, install-
22 ing, disposing of and recovering materials used in building con-
23 struction, based on the findings of the department and the Department
24 of Environmental Quality under section 1 (2)(c)(B) of this 2023 Act,
25 including:

26 “(1) Specifying the use of lower carbon materials in the statewide
27 building code or applicable specialty code; or

28 “(2) Other means identified by the Department of Consumer and
29 Business Services and the Department of Environmental Quality for
30 reducing greenhouse gas emissions attributable to building materials.

1 **“SECTION 3. (1) Section 1 of this 2023 Act becomes operative on**
2 **January 1, 2024.**

3 **“(2) The Director of the Department of Consumer and Business**
4 **Services may adopt rules and take any other action before the opera-**
5 **tive date specified in subsection (1) of this section that is necessary**
6 **to enable the director, on and after the operative date specified in**
7 **subsection (1) of this section, to undertake and exercise all of the du-**
8 **ties, functions and powers conferred on the director by section 1 of**
9 **this 2023 Act.**

10 **“SECTION 4. This 2023 Act takes effect on the 91st day after the**
11 **date on which the 2023 regular session of the Eighty-second Legislative**
12 **Assembly adjourns sine die.”.**

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