

HB 3409-B7  
(LC 3557)  
6/21/23 (TSB/STN/ps)

Requested by Senator MEEK

**PROPOSED AMENDMENTS TO  
B-ENGROSSED HOUSE BILL 3409**

1 On page 5 of the printed B-engrossed bill, line 43, after “shall,” insert  
2 “after obtaining approval from the appropriate advisory board and”.

3 On page 6, line 16, after “department” insert “, after obtaining approval  
4 from the appropriate advisory board.”.

5 In line 18, delete the semicolon and insert “for each code development  
6 cycle; and”.

7 Delete lines 19 through 22.

8 In line 23, delete “(C)” and insert “(B)”.

9 In line 28, delete “Consult with” and insert “Obtain the approval of” and  
10 delete “cooperate” and insert “consult”.

11 In line 35, delete “Cooperate” and insert “Consult” and after “Energy”  
12 insert “and seek approval of the appropriate advisory boards”.

13 On page 7, line 5, after “455.500” insert “through rulemaking and after  
14 obtaining approval from the appropriate advisory boards”.

15 Delete lines 9 through 19.

16 In line 28, delete “manufacturing, transporting, installing, disposing of  
17 and recovering”.

18 In line 29, after “and” insert “after consultation with”.

19 In line 30, delete “under section 6 (2)(c)(B) of this 2023 Act”.

20 In line 31, delete “Specifying” and insert “Studying”.

21 Delete lines 33 through 35 and insert:

1 “(2) Other means for reducing greenhouse gas emissions attributable to  
2 building materials that the Department of Consumer and Business Services  
3 identifies after consultation with the Department of Environmental  
4 Quality.”.

5 On page 12, delete lines 6 through 12 and insert:

6 “(5) A municipality, as defined in ORS 455.010, may by ordinance, rule or  
7 land use process, adopt an energy performance standard and greenhouse gas  
8 emission reduction standards that are more stringent, or that have broader  
9 application, than the energy performance standard that the department  
10 adopts under this section, provided:

11 “(a) The standard does not exceed the energy efficiency requirements of  
12 the state building code for new buildings, except where permitted under ORS  
13 455.040;

14 “(b) The standard does not apply to buildings that are less than six years  
15 old, measured from the date of the building’s certificate of occupancy; and

16 “(c) The municipality cooperates with the department in aligning, where  
17 practicable, the energy performance standard the municipality adopts with  
18 the energy performance standard the department adopts under this section.

19 “(6) Construction work performed to comply with the provisions of  
20 sections 8 to 10 of this 2023 Act must comply with all applicable provisions  
21 of the state building code and permitting procedures that apply to the con-  
22 struction work.

23 “(7) Except as provided in subsection (5) of this section, this section does  
24 not affect or supersede the provisions of ORS 455.040.”.

25 On page 60, line 14, after “Services” insert “, after obtaining approval  
26 from the appropriate advisory boards, as applicable”.

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