

SESSION OF 2007

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2036**

As Agreed to March 19, 2007

Brief*

HB 2036 would amend existing law regarding disclosure of the energy efficiency of certain commercial, industrial, and residential buildings. In regard to commercial and industrial buildings, the bill would replace the 2003 International Energy Conservation Code with the 2006 version of that code as the energy efficiency standard for new buildings.

In regard to residential structures, the bill would amend existing law to make provisions for disclosure of energy efficiency information applicable to single family units or multifamily units of four units or less. In addition, the statute would be amended to require disclosure to the buyer or prospective prior to the signing of the contract to purchase and prior to closing if changes have occurred or are requested and at any other time upon request. For new residential structures that are completed and suitable for occupancy, but unsold, the bill would require the completion of the disclosure form to be made available to the buyer or prospective buyer by the builder or seller when the residence is shown and at any time upon request. Finally, the bill would establish a new residential energy efficiency disclosure form which would provide for comparisons of the residence being purchased with the 2006 IRC/IECC standard for the two climate zones within the state (provisions of the form permit the builder to provide additional information.)

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/klrd>

Conference Committee Action

The Conference Committee adopted the Senate amendments to the bill with the following exception:

- Amend the provision in the bill and the disclosure statement to read "prior to signing the contract to purchase and prior to closing if changes have occurred or are requested and at any other time upon request."

Background

The bill was introduced by the House Committee on Energy and Utilities. At the Committee hearing, the bill was supported by the State Extension Specialist in Residential Energy and the Kansas Chapter of the American Institute of Architects. Both conferees proposed amendments to the bill. No opponents to the bill presented testimony to the House Committee.

The House Committee amended the bill to:

- Specify that the disclosure requirements apply only to single family residential structures or to multifamily residences of three floors or less;
- Require disclosure of thermal efficiency information about residential structures prior to the signing of the contract to purchase, as well as prior to closing; and
- Prescribe a new residential structure disclosure form.

The House Committee of the Whole amended the bill to require disclosure of energy efficiency for new multi-family residences apply to residences of four or fewer units. The House Committee version applied to multi-family dwellings of three or fewer floors.

The House Committee of the Whole amendment would require disclosure prior to closing only if changes have occurred or have been requested. The House Committee of the Whole also amended the bill to include a different disclosure form.

The Senate Committee on Utilities amended the bill to:

- Change all references of "thermal efficiency" to "energy efficiency";
- Clarify for new residential structures which are single-family or multifamily unit of four units or less would be required to disclose energy efficiency information "at any time upon request" in addition to the other times outlined in the bill;
- Provide for the manner in which disclosure of energy efficiency information to buyers or prospective buyers is given for new residential structures that are completed and suitable for occupancy, but unsold; and
- Add a new residential energy efficiency disclosure form which would provide for a comparison of the residence being purchased with the 2006 IRC/IECC standards for both climate zones within the state (provisions of the form allow builders to provide additional information.)

The Divisions of the Budget fiscal note on the bill states that neither the Kansas Corporation Commission nor the Citizens' Utility Ratepayer Board anticipates that passage of the original bill would impact agency operations. The fiscal note was prepared for the introduced version of the bill, so does not address any potential fiscal impact of the House or Senate Committee amendments.

Energy, Natural Resources