
OLR Bill Analysis

sSB 882

AN ACT CONCERNING CLIMATE CHANGE MITIGATION AND HOME ENERGY AFFORDABILITY.

SUMMARY

This bill requires the state to eliminate greenhouse gas emissions from electricity supplied to electric customers in the state by January 1, 2040. The bill establishes this requirement within the emission reduction goals under the state's Global Warming Solutions Act.

The bill also requires landlords to provide a Home Energy Label for any dwelling unit listed publicly for rent, unless the rent includes all charges for electricity, natural gas, or heating fuel. Under the bill, a Home Energy Label is (1) a U. S. Department of Energy Home Energy Score, (2) a Home Energy Rating System Index Score, (3) an ENERGY STAR score, or (4) any additional standards established in regulations by the Department of Energy and Environmental Protection (DEEP). Under the bill, landlords may comply by providing specified energy consumption data, which the electric and gas utilities and other energy providers must make available to landlords free of charge.

If a landlord fails to comply with this requirement, the bill allows the tenant to deduct one month's rent from amounts owed to the landlord. The bill also allows municipalities to establish civil penalties of up to \$500 for the first violation and \$1,000 for any subsequent violation. Landlords may appeal civil penalties to the Superior Court.

The bill also allows homeowners to provide a Home Energy Label for residential properties listed for sale. Like landlords, homeowners may instead provide certain other information that the bill requires electric and gas utilities and other energy providers to make available to property owners free of charge.

EFFECTIVE DATE: October 1, 2021, except the electric sector

greenhouse gas emissions provision is effective July 1, 2021.

GREENHOUSE GAS EMISSIONS REDUCTION REQUIREMENTS

Existing law requires the state to reduce greenhouse gas emissions to a level at least (1) 10% below the level emitted in 1990 by January 1, 2020; (2) 45% below the level emitted in 2001 by January 1, 2030; and (3) 80% below the level emitted in 2001 by January 1, 2050. The bill adds a requirement to reduce to zero percent the greenhouse gas emissions from electricity supplied to electric customers in the state by January 1, 2040.

By law, state agencies on the governor's Steering Committee on Climate Change must report biannually to the Office of Policy and Management (OPM) secretary and the DEEP commissioner on, among other things, policies and regulations that the agencies can adopt in the near future to reduce greenhouse gas emissions in accordance with the required reductions described above.

By law, every three years, the DEEP commissioner, in consultation with OPM and the governor's Steering Committee on Climate Change, must report to the Energy and Technology, Environment, and Transportation committees on quantifiable emissions reductions achieved under these provisions. Among other things, the report must include a schedule of proposed regulations, policies, and strategies designed to achieve the greenhouse gas reduction requirements.

HOME ENERGY LABELS

Landlords and Renters

The bill requires landlords to provide a Home Energy Label for any dwelling unit publicly listed for rent, unless the rent includes charges for electricity, natural gas, or heating fuel.

Instead of providing this label, landlords may also comply with the bill's requirements by providing the total and average monthly costs and amounts for electricity, natural gas, or heating fuel for the unit during the most recent 12 months of occupancy.

Under the bill, if the landlord fails to comply, the tenant may deduct

an amount equal to one month's rent from any rent or payment for use and occupancy owed to the landlord.

The bill also allows municipalities to establish, by ordinance, civil penalties for noncompliance, payable to the municipality. The bill limits penalties to \$500 for the first violation and \$1,000 for any subsequent violation.

Anyone assessed a civil penalty for noncompliance under the bill may appeal the penalty to the Superior Court within 30 days after the assessment was mailed. Landlords may appeal by filing a petition to reopen the assessment, including a small claims entry fee (currently, \$95), in the superior court facility designated by the chief court administrator. Under the bill, submitting a petition and fee entitles the landlord to a hearing.

Under the bill, these remedies are in addition to any other remedies available at law, or in equity to any person. The bill explicitly does not limit or restrict the authority of state or local housing or health code enforcement agencies.

Homeowners

The bill allows, but does not require, homeowners to provide Home Energy Labels for any residential property publicly listed for sale. Like landlords, homeowners may instead provide the total and average monthly costs and amounts for electricity, natural gas, or heating fuel for the unit during the most recent 12 months of occupancy.

Utility and Provider Records and Cost Recovery

The bill requires electric distribution companies, gas utilities, heating fuel dealers, and other electricity, natural gas, and heating fuel providers to maintain records on energy consumption data for (1) dwelling units a landlord owns, leases, or subleases, and (2) residential properties owned by a residential property owner. The energy providers must make energy consumption data available to the landlord or property owner for the preceding 12 months of occupancy free of charge. If the dwelling unit or property was not occupied

during part or all of the preceding 12 months, the bill requires the energy providers to provide records containing energy consumption data for the most recent twelve months of occupancy.

The bill allows the Public Utilities Regulatory Authority to authorize electric distribution companies and gas utilities to recover their prudently incurred information technology costs associated with collecting and distributing the energy consumption data.

The bill prohibits energy providers from disclosing personally identifiable information in energy consumption data records when the associated account owner is not the landlord or property owner.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 18 Nay 8