



# House of Representatives

General Assembly

**File No. 321**

January Session, 2023

House Bill No. 6496

*House of Representatives, March 30, 2023*

The Committee on Energy and Technology reported through REP. STEINBERG of the 136th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING TEST BED TECHNOLOGIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16a-4d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) If, in the exercise of the Commissioner of [Energy and  
4 Environmental Protection's] Administrative Services' powers pursuant  
5 to this [title] section, the commissioner finds that the use of a certain  
6 technology, product or process would promote cost savings for the state  
7 government, the state government's organizational efficiency, energy  
8 conservation, energy efficiency or renewable energy technology, the  
9 commissioner may direct a state agency to test such technology, product  
10 or process by using it in the operations of such agency on a trial basis.  
11 The purpose of such test program shall be to validate the effectiveness  
12 of such technology, product or process in reducing energy usage and  
13 costs or reducing dependence on fossil fuels or [green house]  
14 greenhouse gas emissions.

15 (b) (1) The Commissioner of [Energy and Environmental Protection]  
16 Administrative Services shall administer pilot test programs at state  
17 agencies for the use of technologies, products or processes that promote  
18 cost savings for the state government, the state government's  
19 organizational efficiency, energy conservation, energy efficiency or  
20 renewable energy. The purpose of such test programs shall be to  
21 validate the effectiveness of such technologies, products or processes in  
22 reducing the cost of state government, increasing the state government's  
23 organizational efficiency, reducing energy usage and costs or reducing  
24 dependence on fossil fuels or greenhouse gas emissions.

25 (2) Applicants interested in participating in such program shall  
26 submit an application to the commissioner on forms prescribed by the  
27 commissioner. The commissioner shall review such application for  
28 completeness [within] not later than thirty days [of receiving] after  
29 receipt of such application. The commissioner shall make a  
30 determination on whether the application meets the requirements of  
31 this section [within] not later than ninety days [of receiving] after receipt  
32 of such application.

33 (c) (1) The Commissioner of [Energy and Environmental Protection]  
34 Administrative Services may direct a state agency to test any such  
35 technology, product or process identified by the commissioner.  
36 Alternatively, the commissioner of a state agency may file a request with  
37 the Commissioner of [Energy and Environmental Protection]  
38 Administrative Services for approval to test any such technology,  
39 product or process identified by such state agency commissioner. Not  
40 later than thirty days after receipt of any such request, the  
41 Commissioner of [Energy and Environmental Protection]  
42 Administrative Services shall evaluate the technology, product or  
43 process and approve or disapprove the state agency commissioner's  
44 request. A state agency that is directed to test, or receives approval to  
45 test, any such technology, product or process shall use it in the  
46 operations of such agency on a trial basis as prescribed by the  
47 commissioner.

48 (2) No agency shall undertake such testing of any technology,  
49 product or process unless the business manufacturing or marketing the  
50 technology, product or process demonstrates that (A) the use of such  
51 technology, product or process by the state agency will not adversely  
52 affect safety, (B) for a technology, product or process that would  
53 promote energy conservation, energy efficiency or renewable energy  
54 technology, a certified independent third party or accredited laboratory  
55 has found that the technology, product or process reduces energy  
56 consumption and cost, and (C) the technology, product or process is  
57 presently available for commercial sale and distribution or has potential  
58 for commercialization not later than two years following the completion  
59 of any test program by a state agency pursuant to this section.

60 (3) If the commissioner of the state agency testing such technology,  
61 product or process determines that the test program sufficiently  
62 demonstrates that the technology, product or process reduces the cost  
63 of state government, increases the state government's organizational  
64 efficiency, reduces energy usage and costs or reduces dependence on  
65 fossil fuels or greenhouse gas emissions, such testing agency may  
66 request that the Commissioner of Administrative Services (A) procure  
67 such technology for use by any or all state agencies, and (B) make such  
68 procurement pursuant to subsection (b) of section 4a-58.

69 (d) If the [commissioner] Commissioner of Administrative Services  
70 finds that using such technology, product or process would be feasible  
71 in the operations of a state agency and would not have any detrimental  
72 effect on such operations, the commissioner, notwithstanding the  
73 requirements of chapter 58, may direct a state agency to accept delivery  
74 of such technology, product or process and to undertake such a test  
75 program. Any costs associated with the acquisition and use of such  
76 technology, product or process by the testing agency for the test period  
77 shall be borne by the manufacturer, the marketer or any investor or  
78 participant in such business. The acquisition of any technology, product  
79 or process for purposes of the test program established pursuant to this  
80 section shall not be deemed to be a purchase under the provisions of  
81 state procurement law. The manufacturer, the marketer or any investor

82 or participant in such business shall maintain records related to such  
 83 test program, as required by the commissioner. All proprietary  
 84 information derived from such test program shall be exempt from the  
 85 provisions of subsection (a) of section 1-210.

86 (e) The commissioner of a state agency may identify a technology,  
 87 product or process that is procured, installed and tested by a  
 88 municipality that meets the requirements of subsection (b) of this  
 89 section. Such commissioner may file a request with the Commissioner  
 90 of [Energy and Environmental Protection] Administrative Services. Not  
 91 later than thirty days after receipt of such request, the [commissioner]  
 92 Commissioner of Administrative Services shall evaluate such  
 93 technology, product or process pursuant to subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	16a-4d

**ET**            *Joint Favorable*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 24 \$</b>	<b>FY 25 \$</b>
Department of Administrative Services	GF - Uncertain	See Below	See Below

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The fiscal impact of the bill would depend on the degree in which the Department of Administrative Services uses the State Agency Energy Efficiency of Renewable Energy Technology Test Program and is therefore uncertain. The fiscal impact would also depend on any costs or savings associated with expanding the potential application of the program to include "test subjects" that are anticipated to result in cost savings or organizational efficiencies.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****HB 6496*****AN ACT CONCERNING TEST BED TECHNOLOGIES.*****SUMMARY**

This bill transfers administrative responsibility for the State Agency Energy Efficiency or Renewable Energy Technology Test Program from the Department of Energy and Environmental Protection commissioner to the Department of Administrative Services (DAS) commissioner.

Under current law, the commissioner administering the program may direct state agencies to test technologies, products, or processes (“test subjects”) that she finds would promote energy conservation, energy efficiency, or renewable energy technology by using them in agency operations on a trial basis. The bill also allows the commissioner to do this if the test subject would promote cost savings or organizational efficiency for the state government. It correspondingly specifies that the purpose of these test programs is to validate the test subject’s effectiveness in reducing the state government’s costs and increasing its organizational efficiency.

By law, if the test subject meets certain criteria and the commissioner testing it determines that the test subject sufficiently meets its purposes, then he or she may ask the DAS commissioner to procure it for state agencies without adhering to certain statutory competitive bidding requirements. If the DAS commissioner finds that the test subject is feasible in state agency operations and would not detrimentally affect them, then she may direct state agencies to accept the test subject regardless of the requirements in the law that regulates state purchases.

EFFECTIVE DATE: October 1, 2023

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable

Yea 20 Nay 0 (03/14/2023)