



## 2021 South Dakota Legislature

# Senate Bill 22

*Introduced by: The Committee on Commerce and Energy at the request of the Governor's Office of Economic Development*

1 **An Act to correct a technical error concerning a cross-reference regarding a certain**  
 2 **energy conservation program.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1.** That § 1-33B-2 be AMENDED.

5 **1-33B-2. Energy conservation measure defined--Inclusions--Limitation.**

6 For the purposes of this chapter, the term, energy conservation measure, means  
 7 a training program or facility alteration intended to reduce either energy consumption or  
 8 operating costs, or both, or increase operating revenues through the generation of energy,  
 9 renewable energy, or improved metering technology, including the following:

- 10 (1) Insulation of the building or any structure associated with the building;  
 11 (2) Window or door replacement, weather stripping, or modifications that reduce  
 12 energy consumption;  
 13 (3) Automated or computerized energy control systems;  
 14 (4) Replacement or modification to increase the energy efficiency of the lighting,  
 15 heating, air conditioning, or ventilating systems;  
 16 (5) Energy recovery or cogeneration systems;  
 17 (6) Repair or maintenance items, when included in energy efficiency improvements of  
 18 the building, if overall measures meet the fifteen-year payback as provided in ~~§ 1-~~  
 19 ~~33B-7~~ § 1-33B-3.11;  
 20 (7) Energy source conversions which provide either operational or energy cost savings,  
 21 or both; and  
 22 (8) Other energy or utility-related improvements in facilities, systems, or technology  
 23 that improve energy or metering efficiency or increase operating revenues through  
 24 the generation of energy, renewable energy, or improved metering technology.

25 Nothing in this section addresses the relationship between an electric utility and its  
 26 customer under a proposed energy exchange contract, where the customer seeks status

- 1 as a qualifying facility under the Public Utility Regulatory Policies Act of 1978, as defined
- 2 by 18 CFR Part 292, Subpart B, as it existed on January 1, 2005.