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HOUSE BILL NO. 672

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Labor and Commerce
on _____)

(Patron Prior to Substitute—Delegate Maldonado)

A BILL to amend the Code of Virginia by adding in Chapter 17 of Title 45.2 an article numbered 10, consisting of a section numbered 45.2-1735, relating to appliance minimum energy and water conservation standards; heating, ventilation, and air conditioning facilities and home appliances; Department of Energy.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 17 of Title 45.2 an article numbered 10, consisting of a section numbered 45.2-1735, as follows:

Article 10.

Appliance Energy and Water Conservation Standards.

§ 45.2-1735. Minimum energy and water conservation standards for certain products.

A. If any product or product categories under 10 C.F.R. Parts 430 and 431 of the federal Energy Policy and Conservation Act of 1975 (P.L. 94-163), as amended, are removed by the U.S. Secretary of Energy or the federal government, the Department shall adopt energy or water conservation standards that shall be equivalent to the last applicable federal standards with a product compliance date of on or before December 31, 2025. No such new products may be sold or offered for sale, lease, or rent in the Commonwealth unless such products meet or exceed such standards.

B. The Department shall require a manufacturer that produces a product described in subsection A to test its products in accordance with the test procedures provided in 10 C.F.R. Parts 430 and 431 of the federal Energy Policy and Conservation Act of 1975 (P.L. 94-163), as amended, as of December 31, 2025. The Department may adopt additional test methods when new versions of test methods become available or when an alternative test method has been adopted by another state or the federal government. Such manufacturers shall certify through a third-party database, such as the Modernized Appliance Efficiency Database System, Home Ventilating Institute Products Directory, or Northeast Energy Efficiency Partnerships State Appliance Standards Database, or any other database approved by the Department, and based on such test results, that its products comply with the provisions of this section.

C. Nothing in this section shall apply to (i) any energy or water conservation standard set aside by a court pursuant to 42 U.S.C. § 6306(b) or (ii) any product if federal law preempts the application of this section to such product, including any product or product categories where there is a requirement to develop a standard pursuant to 42 U.S.C. § 6291 et seq. or where there is a standard developed pursuant to 10 C.F.R. Parts 430 and 431 of the federal Energy Policy and Conservation Act of 1975 (P.L. 94-163), as amended.