

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

6 [H 672]

7 Approved

8 **Be it enacted by the General Assembly of Virginia:**

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

11 *Article 10.*12 *Appliance Energy and Water Conservation Standards.*13 **§ 45.2-1735. Minimum energy and water conservation standards for certain products.**

14 *A. If any product or product categories under 10 C.F.R. Parts 430 and 431 of the federal Energy Policy*
 15 *and Conservation Act of 1975 (P.L. 94-163), as amended, are removed by the U.S. Secretary of Energy or the*
 16 *federal government, the Department shall adopt energy or water conservation standards that shall be*
 17 *equivalent to the last applicable federal standards with a product compliance date of on or before December*
 18 *31, 2025. No such new products may be sold or offered for sale, lease, or rent in the Commonwealth unless*
 19 *such products meet or exceed such standards.*

20 *B. In the event the Department adopts energy or water conservation standards pursuant to subsection A, it*
 21 *shall require a manufacturer that produces a product described in subsection A to test its products in*
 22 *accordance with the test procedures provided in 10 C.F.R. Parts 430 and 431 of the federal Energy Policy*
 23 *and Conservation Act of 1975 (P.L. 94-163), as amended, as of December 31, 2025. The Department may*
 24 *adopt additional test methods when new versions of test methods become available or when an alternative*
 25 *test method has been adopted by another state or the federal government. Such manufacturers shall certify*
 26 *through a third-party database, such as the Modernized Appliance Efficiency Database System, Home*
 27 *Ventilating Institute Products Directory, AHAM Verifide Certification and Verification Program Directories,*
 28 *or Northeast Energy Efficiency Partnerships State Appliance Standards Database, or any other database*
 29 *approved by the Department, and based on such test results, that its products comply with the provisions of*
 30 *this section.*

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

36 **2. That the provisions of the first enactment of this act shall only become effective 12 months following**
 37 **the day on which a product or product categories under 10 C.F.R. Parts 430 and 431 of the federal**
 38 **Energy Policy and Conservation Act of 1975 (P.L. 94-163), as amended, are removed by the U.S.**
 39 **Secretary of Energy or the federal government.**

40 **3. That the Department of Energy shall report by December 1, 2026, to the Governor and the Chairs of**
 41 **the Senate Committee on Finance and Appropriations and the House Committee on Appropriations on**
 42 **any costs and requisite funding necessary for the implementation and administration of § 45.2-1735 of**
 43 **the Code of Virginia, as created by this act, including any costs associated with testing.**