

# ASSEMBLY, No. 2458

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

**Sponsored by:**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**SYNOPSIS**

Requires State to include distributed energy resource in certain new State buildings and consider retrofitting certain existing State buildings with distributed energy resources.

**CURRENT VERSION OF TEXT**

As introduced.



1   **AN ACT** concerning the use of distributed energy resources in certain  
2   State buildings and supplementing Title 52 of the Revised  
3   Statutes.

4  
5   **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8   1. a. Any new building having at least 15,000 square feet in  
9   total floor area that is to be constructed for the sole use of a State  
10   governmental entity after the effective date of this act shall include  
11   a distributed energy resource to be utilized when the normal source  
12   of electricity is disrupted due to a power outage. The Director of  
13   the Division of Property Management and Construction in the  
14   Department of the Treasury, in cooperation with the New Jersey  
15   Building Authority where appropriate, shall enforce the provisions  
16   of this act. All plans, specifications, and bid proposal documents  
17   for any building to which the provisions of this section apply shall  
18   identify the distributed energy resource to be constructed or utilized  
19   by the building. The requirements of this subsection shall be in  
20   addition to the requirements of P.L.2007, c.269 (C.52:32-  
21   5.3 et seq.).

22   b. Whenever a State governmental entity prepares a request for  
23   proposal for the reconstruction, renovation, repair, or improvement  
24   of an existing State building having at least 15,000 square feet in  
25   total floor area, the State governmental entity shall consider  
26   retrofitting the building with a distributed energy resource and, if  
27   feasible, include in its request for proposal a specification that the  
28   reconstruction, renovation, repair, or improvement include a  
29   distributed energy resource.

30   c. The requirements of this section shall not apply to any  
31   building for which a request for proposal to design, reconstruct,  
32   renovate, repair, or improve the building has been issued prior to  
33   the effective date of this act.

34   d. As used in this section:

35   “Distributed energy resource” means one or more electric power  
36   generation, management, or storage technologies, excluding diesel  
37   fuel technologies, located at or near the point of energy  
38   consumption, which are capable of providing the standard energy  
39   needs of a building or structure, or group of buildings or structures,  
40   if the normal source of electricity is disrupted due to a power  
41   outage.

42   “State governmental entity” means the same as the term is  
43   defined in section 1 of P.L. 2007, c.269 (C.52:32-5.3).

44

45   2. This act shall take effect immediately.

## STATEMENT

This bill requires any new building having at least 15,000 square feet in total floor area that is to be constructed for the sole use of a State governmental entity to include a distributed energy resource. In addition, the bill requires that when a State governmental entity prepares to reconstruct, renovate, repair, or improve an existing State building having at least 15,000 square feet in total floor area, that the State governmental entity must consider retrofitting the building with a distributed energy resource, and, if feasible, include in its request for proposal a specification that the reconstruction, renovation, repair, or improvement include a distributed energy resource.

A “distributed energy resource” is defined in the bill to mean one or more electric power generation, management, and storage technologies, excluding diesel fuel technologies, located at or near the point of energy consumption, which are capable of providing the standard energy needs of a building or structure if the normal source of electricity is disrupted due to a power outage. Distributed energy resources include microturbines, fuel cells, solar panels, wind turbines, gas-powered reciprocating engines, batteries, flywheels, and combined heat and power systems.

The Director of the Division of Property Management and Construction in the Department of the Treasury, and the New Jersey Building Authority, would be responsible for enforcing the provisions of this bill. Additionally, all plans, specifications, and bid proposal documents for applicable buildings would have to identify the distributed energy resource to be constructed or utilized by the proposed building. Finally, the requirements of the bill would not apply to any building for which a request for proposal to design, reconstruct, renovate, repair, or improve the building has been issued prior to the effective date of the bill, and are in addition to other statutory requirements that require State buildings to be designed and managed to meet standards for a high performance green building.