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# SENATE BILL No. 314

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-1-12.5-0.5.

**Synopsis:** Guaranteed energy saving contracts. Provides that stipulated savings at the beginning of a guaranteed energy savings contract may not be used in determining whether the guaranteed savings are achieved for purposes of calculating guarantee payments by the contractor at the end of the contract. Provides that savings in costs for replacing equipment that would have otherwise had to be replaced during the contract may not be considered savings in determining whether the guaranteed savings are achieved.

**Effective:** July 1, 2011.

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### Head

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January 10, 2011, read first time and referred to Committee on Energy and Environmental Affairs.

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First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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## SENATE BILL No. 314



A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 36-1-12.5-0.5 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 0.5. As used in this  
 3 chapter, "actual savings" ~~includes~~ **does not include the following:**  
 4 (1) Stipulated savings.  
 5 (2) **The amount of costs that were not incurred for labor,**  
 6 **material, and related capital expenditures during the period**  
 7 **covered by the contract because specific equipment was**  
 8 **replaced, if that equipment would have been replaced during**  
 9 **the period covered by the contract even if the guaranteed**  
 10 **savings contract had not been entered into by the governing**  
 11 **body.**

