AMENDMENT TO RULES COMMITTEE PRINT 116-63

OFFERED BY MR. ROUDA OF CALIFORNIA

Add at the end of subtitle H of title I the following:

SEC. 1806. REMOVING BARRIERS TO EFFICIENCY.

(a) In general.—Section 327 of the Energy Policy and Conservation Act (42 U.S.C. 6297) is amended by adding at the end the following:

"(h) Suspension of Preemption.—This section shall not apply to a covered product during any period that—

"(1) begins on the date that is 8 years after the date on which the energy conservation standard was established under section 325 for the covered product; and

"(2) ends on the effective date of an energy conservation standard established after the date described in paragraph (1) under section 325 for the covered product, that is equivalent to, or more stringent than, the standard described in such paragraph.

"(i) No Preemption Absent a Federal Standard.—
“(1) APPLICATION.—Notwithstanding any other provision of this part, this section does not apply to any State regulation insofar as the State regulation applies to any product not subject to an energy conservation standard established under section 325.

“(2) COMPLIANCE PERIOD.—Any State regulation prescribed or enacted for a covered product before the date on which an energy conservation standard is established under section 325 for the covered product shall not be preempted until the effective date of an equivalent or more stringent energy conservation standard under section 325 for the covered product.”.

(b) ASHRAE PRODUCTS.—Section 345(b)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6316(b)(2)) is amended by adding at the end the following:

“(E) Notwithstanding subparagraph (A), a standard prescribed or established under section 342(a) shall not supersede any State or local regulation concerning the energy efficiency or energy use of a product for which a standard is prescribed or established pursuant to such section during any period that—
“(i) begins on the date that is 8 years after the date on which such standard was prescribed or established; and

“(ii) ends on the effective date of a standard prescribed or established after the date described in clause (i) under section 342(a) for the product, that is equivalent to, or more stringent than, the standard described in such clause.”.