

AMENDMENT TO RULES COMMITTEE PRINT 116-

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OFFERED BY MR. ROUDA OF CALIFORNIA

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

1 **SEC. 1806. REMOVING BARRIERS TO EFFICIENCY.**

2 (a) IN GENERAL.—Section 327 of the Energy Policy
3 and Conservation Act (42 U.S.C. 6297) is amended by
4 adding at the end the following:

5 “(h) SUSPENSION OF PREEMPTION.—This section
6 shall not apply to a covered product during any period
7 that—

8 “(1) begins on the date that is 8 years after the
9 date on which the energy conservation standard was
10 established under section 325 for the covered prod-
11 uct; and

12 “(2) ends on the effective date of an energy
13 conservation standard established after the date de-
14 scribed in paragraph (1) under section 325 for the
15 covered product, that is equivalent to, or more strin-
16 gent than, the standard described in such para-
17 graph.

18 “(i) NO PREEMPTION ABSENT A FEDERAL STAND-
19 ARD.—

1 “(1) APPLICATION.—Notwithstanding any other
2 provision of this part, this section does not apply to
3 any State regulation insofar as the State regulation
4 applies to any product not subject to an energy con-
5 servation standard established under section 325.

6 “(2) COMPLIANCE PERIOD.—Any State regula-
7 tion prescribed or enacted for a covered product be-
8 fore the date on which an energy conservation stand-
9 ard is established under section 325 for the covered
10 product shall not be preempted until the effective
11 date of an equivalent or more stringent energy con-
12 servation standard under section 325 for the covered
13 product.”.

14 (b) ASHRAE PRODUCTS.—Section 345(b)(2) of the
15 Energy Policy and Conservation Act (42 U.S.C.
16 6316(b)(2)) is amended by adding at the end the fol-
17 lowing:

18 “(E) Notwithstanding subparagraph (A), a standard
19 prescribed or established under section 342(a) shall not
20 supersede any State or local regulation concerning the en-
21 ergy efficiency or energy use of a product for which a
22 standard is prescribed or established pursuant to such sec-
23 tion during any period that—

1 “(i) begins on the date that is 8 years after the
2 date on which such standard was prescribed or es-
3 tablished; and

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

