

2021 SPECIAL SESSION I

HOUSE SUBSTITUTE

21200648D

HOUSE BILL NO. 1811

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Joint Conference Committee

on February 25, 2021)

(Patron Prior to Substitute—Delegate Helmer)

A *BILL to amend the Code of Virginia by adding a section numbered 2.2-4328.1, relating to the Virginia Public Procurement Act; preference for energy-efficient and water-efficient goods.*

Be it enacted by the General Assembly of Virginia:

1. **That the Code of Virginia is amended by adding a section numbered 2.2-4328.1 as follows:**

§ 2.2-4328.1. Preference for energy-efficient and water-efficient goods.

A. *As used in this section, "FEMP" means the Federal Energy Management Program.*

B. *When in the course of procuring goods, if a state agency receives two or more bids for products that are Energy Star certified, meet FEMP-designated efficiency requirements, appear on FEMP's Low Standby Power Product List, or are WaterSense certified, such public body may only select among those bids.*

C. *When in the course of procuring goods, if a local public body receives two or more bids for products that are Energy Star certified, meet FEMP-designated efficiency requirements, appear on FEMP's Low Standby Power Product List, or are WaterSense certified, such local public body may only select among those bids unless, before selecting a different bid, the local public body provides a written statement that demonstrates the cost of the products that are Energy Star certified, meet FEMP-designated efficiency requirements, appear on FEMP's Low Standby Power Product List, or are WaterSense certified was unreasonable.*

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