

IN THE SENATE

SENATE BILL NO. 1354, As Amended in the House

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO DEVELOPMENT OF THERMAL ENERGY SYSTEMS BY SCHOOL DISTRICTS;  
2 AMENDING CHAPTER 6, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SEC-  
3 TION 33-604, IDAHO CODE, TO AUTHORIZE SCHOOL DISTRICTS TO DEVELOP, OWN,  
4 MAINTAIN, OPERATE AND CONTRACT FOR THE DEVELOPMENT OF THERMAL HEATING  
5 AND COOLING ENERGY GENERATION AND DISTRIBUTION SYSTEMS; AMENDING  
6 CHAPTER 6, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-605,  
7 IDAHO CODE, TO AUTHORIZE SCHOOL DISTRICTS TO SELL THERMAL ENERGY; AND  
8 AMENDING SECTION 33-1102, IDAHO CODE, TO AUTHORIZE THE ISSUANCE OF  
9 SCHOOL BONDS FOR THE PURPOSE OF ACQUIRING THERMAL ENERGY SYSTEMS AND TO  
10 NEGATE APPLICATION OF THE BOND LEVY EQUALIZATION PROGRAM.  
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12 Be It Enacted by the Legislature of the State of Idaho:

13 SECTION 1. That Chapter 6, Title 33, Idaho Code, be, and the same is  
14 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
15 ignated as Section 33-604, Idaho Code, and to read as follows:

16 33-604. RENEWABLE THERMAL ENERGY. The board of trustees of each school  
17 district is empowered to establish, create, develop, own, maintain, operate  
18 and contract for the establishment, creation, development, ownership, main-  
19 tenance and operation of thermal heating and cooling energy generation and  
20 distribution systems, including hot or chilled water systems, where thermal  
21 energy is generated from biomass, geothermal or solar renewable energy.

22 SECTION 2. That Chapter 6, Title 33, Idaho Code, be, and the same is  
23 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
24 ignated as Section 33-605, Idaho Code, and to read as follows:

25 33-605. SALES OF EXCESS ENERGY. The board of trustees of a school  
26 district which operates an energy system as described in section 33-604,  
27 Idaho Code, may use, sell or exchange excess thermal hot or chilled water not  
28 needed by the school district subject to the following conditions:

29 (1) Revenues from the sale of energy as described in section 33-604,  
30 Idaho Code, shall be used for the benefit of the school district.

31 (2) Sale of energy as described in section 33-604, Idaho Code, shall  
32 be pursuant to a school district written contract approved by resolution of  
33 the board of trustees of the school district, which resolution shall be for-  
34 warded to the state department of education.

35 SECTION 3. That Section 33-1102, Idaho Code, be, and the same is hereby  
36 amended to read as follows:

37 33-1102. PURPOSES FOR WHICH BONDS MAY BE ISSUED. The purposes for  
38 which bonds may be issued shall be: To acquire, purchase or improve a  
39 school site or school sites; to build a schoolhouse or schoolhouses or other

1 building or buildings; to demolish or remove school buildings; to add to,  
2 remodel or repair any existing building; to furnish and equip any building  
3 or buildings, including all lighting, heating, ventilation and sanitation  
4 facilities and appliances necessary to maintain and operate the buildings  
5 of the district; ~~and~~ to purchase school buses and to acquire, develop or  
6 renovate school facilities to establish, create and develop renewable  
7 energy systems as described in section 33-604, Idaho Code. The provisions  
8 of section 33-906, Idaho Code, shall not apply to bonds or portions of bonds  
9 issued to acquire, develop or renovate school energy systems as authorized  
10 in section 33-604, Idaho Code, when the school district begins to sell  
11 thermal energy for revenue as authorized in section 33-605, Idaho Code.