

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL 1285

6 By: Coleman

7 COMMITTEE SUBSTITUTE

8 An Act relating to the Public Facilities Act;  
9 amending 61 O.S. 2021, Section 213, which relates to  
10 public building energy and environmental performance  
11 program; defining terms; establishing certain  
12 requirements for certain construction; requiring  
13 certain system; authorizing the Office of Management  
14 and Enterprise Services to promulgate rules and  
15 standards; requiring use of certain vendors;  
16 establishing criteria for certain solicitations;  
17 requiring use of certain funds; and providing an  
18 effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 61 O.S. 2021, Section 213, is  
21 amended to read as follows:

22 Section 213. A. The purpose of this section is to promote  
23 effective energy and environmental standards for the construction,  
24 renovation, and maintenance of state buildings which will improve  
the capacity of the state to design, build, and operate high-  
performance buildings thus creating new jobs, contributing to  
economic growth, and increasing energy independence. To accomplish

1 the objectives of this section, the state shall adopt planning and  
2 construction standards for state buildings that:

3 1. Conserve energy consumption and optimize the energy  
4 performance of new building construction;

5 2. Increase the demand for environmentally preferable building  
6 materials, finishes, and furnishings;

7 3. Reduce the dependence of the state on imported sources of  
8 energy through buildings that conserve energy and utilize local and  
9 renewable energy sources;

10 4. Protect and restore the natural resources of the state by  
11 avoiding development of inappropriate building sites;

12 5. Reduce the burden on municipal water supply and treatment by  
13 reducing potable water consumption;

14 6. Reduce waste generation and manage waste through recycling  
15 and diversion from landfill disposal;

16 7. Establish ~~life-cycle~~ life cycle cost analysis as the  
17 appropriate and most efficient analysis to determine the optimal  
18 performance level of a building project;

19 8. Ensure that the systems of each building project are  
20 designed, installed, and tested to perform according to the design  
21 intent and operational needs of the building; and

22 9. Authorize the Office of Management and Enterprise Services  
23 to pursue ENERGY STAR designation from the United States  
24

1 Environmental Protection Agency to further demonstrate the energy  
2 efficiency of a public building project.

3 B. As provided in this section:

4 1. "Large-scale renovation" means any project that includes  
5 replacement of:

6 a. fifty percent (50%) or more of the building's heating,  
7 ventilating, and air conditioning (HVAC) system  
8 capacity, or

9 b. the primary heating or cooling plant serving the  
10 facility;

11 2. "Licensed vendor" means a contractor or professional that is  
12 authorized to do business in this state and holds a current license,  
13 registration, or certification necessary to perform the scope of  
14 work;

15 3. "New construction" means any new facility built with state-  
16 appropriated funds and includes large-scale renovations to HVAC  
17 systems; and

18 4. "State-funded entity" means any agency, board, commission,  
19 authority, department, office, institution within The Oklahoma State  
20 System of Higher Education, and career and technology center  
21 district in this state that receives state appropriations but shall  
22 not include public school districts or public charter schools in  
23 this state.

24

1        C. The following standards shall be required in all new  
2 construction of a state-funded entity:

3        1. Gas-fired heating systems shall achieve a minimum Annual  
4 Fuel Utilization Efficiency of ninety-five percent (95%) or greater,  
5 consistent with ENERGY STAR high-efficiency standards;

6        2. Electric resistance heating shall not be permitted as a  
7 primary heat source except where required for backup or supplemental  
8 heating in multi-stage systems;

9        3. Ground source or geothermal heat pumps shall achieve a  
10 minimum Coefficient of Performance of three and five-tenths (3.5)  
11 for heating and an Energy Efficiency Ratio of fifteen (15) for  
12 cooling, verified by the Air-Conditioning, Heating, and  
13 Refrigeration Institute and International Organization for  
14 Standardization ISO standard 13256-1;

15        4. Air-source air conditioning shall achieve a minimum Energy  
16 Efficiency Ratio of twelve and eight-tenths (12.8) and a SEER2  
17 rating of fifteen and five-tenths (15.5);

18        5. Systems with variable-speed compressors, demand-controlled  
19 pumping, and integrated heat recovery for domestic hot water shall  
20 receive priority consideration for compliance scoring and funding;

21        6. Air-source heat pumps, if used, shall meet or exceed a  
22 minimum Coefficient of Performance of two and eight-tenths (2.8) and  
23 Heating Seasonal Performance Factor of nine and five-tenths (9.5),  
24 with preference;

1        7. When multiple compliant HVAC technologies are evaluated,  
2 preference shall be given to systems with the lowest life cycle  
3 energy cost, verified through third-party energy modeling. Ground  
4 source or geothermal systems shall serve as the benchmark for high-  
5 efficiency performance;

6        8. A life cycle cost analysis shall be performed that includes  
7 the total energy consumption, maintenance, and replacement costs  
8 over a twenty-five-year period. Technology that demonstrates the  
9 lowest total life cycle cost shall receive priority for selection;

10       9. Preference shall be given to licensed vendors in this state;

11       10. Projects that integrate ground source or geothermal HVAC  
12 with on-site renewable energy sources shall qualify for enhanced  
13 efficiency scoring under a review conducted by the Office of  
14 Management and Enterprise Services; and

15       11. All buildings shall participate in post-occupancy  
16 measurement and verification to validate system performance. Ground  
17 source or geothermal Coefficient of Performance and Energy  
18 Efficiency Ratio data shall be used to demonstrate compliance with  
19 annual energy efficiency goals.

20       D. 1. Any new construction building shall incorporate a total  
21 building HVAC control system to monitor, manage, and optimize  
22 heating, ventilation, and air conditioning performance.

23       2. The HVAC control system must be capable of the following:

24       a. scheduling occupied and unoccupied cycles,

- b. monitoring indoor air quality,
- c. reducing energy consumption during peak demand periods, and
- d. integrating with lighting and window shading systems where applicable.

3. The HVAC control system shall use non-proprietary control software.

E. The Office of Management and Enterprise Services shall promulgate rules and standards necessary to implement the provisions of this section. Compliance shall be verified as part of the building design review and final occupancy certification process.

F. 1. Projects financed in whole or in part with state-appropriated funds shall procure energy-related design and construction services from licensed vendors for any work that requires licensure.

2. To the extent permitted by state and federal law, solicitations shall:

- a. require licensure in this state for relevant trades,
- b. apply resident bidder preference pursuant to Section 85.17A of Title 74 of the Oklahoma Statutes,
- c. include evaluation scoring for demonstrated presence in this state to include, but not be limited to, offices, workforce, apprenticeships, and service capacity,

1           d. include engineers licensed in this state on staff for  
2           all aspects of design, and

3           e. give preference to HVAC units made in this state.

4           3. If no qualified licensed vendor in this state is available  
5 for a particular scope of work, the entity may contract with a  
6 vendor licensed in another state upon written justification sent to  
7 the Office of Management and Enterprise Services.

8           G. Federal grants or other sources of federal funding shall be  
9 utilized when available to fund new construction in this state.

10          SECTION 2. This act shall become effective November 1, 2026.

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