

HF3179 - 0 - Energy Perform. Stand. for Certain Buildings Est.

Chief Author: **Katie Jones**
 Committee: **Energy Finance And Policy**
 Date Completed: **4/6/2026 8:36:57 PM**
 Lead Agency: **Commerce Dept**
 Other Agencies:
 Administrative Hearings Secretary of State
 University Of Minnesota

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings) Dollars in Thousands	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Commerce Dept					
General Fund	-	-	2,304	2,493	2,358
Other Misc Special Revenue	-	-	-	-	-
State Total					
Administrative Hearings	-	-	-	-	-
General Fund	-	-	2,304	2,493	2,358
Other Misc Special Revenue	-	-	-	-	-
Total	-	-	2,304	2,493	2,358
Biennial Total			2,304		4,851

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Commerce Dept					
General Fund	-	-	3.75	3.75	3.75
Other Misc Special Revenue	-	-	-	-	-
Total	-	-	3.75	3.75	3.75

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

The building standards that would result from the requirements of the bill likely have a fiscal impact on buildings owned by the State. Such costs cannot be estimated until the standards are established and are considered secondary, long-term effects of the bill for purposes of this fiscal note. The University of Minnesota speaks to their likely fiscal effect of

implementing the future building standards within the long-term effects narrative portion of their fiscal note. Other state entities that may be affected by new building standard resulting from HF3179 include the Department of Administration, Amateur Sports Commission, Department of Corrections, Direct Care and Treatment, Metropolitan Airports Commission, Metropolitan Council, Department of Military Affairs, Minnesota State, Department of Natural Resources, Department of Transportation, Department of Veterans Affairs, the Minnesota Zoo and possibly others.

LBO Signature: Karl Palm **Date:** 4/6/2026 8:36:57 PM
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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2	Biennium			Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Commerce Dept					
General Fund	-	-	2,304	2,493	2,358
Other Misc Special Revenue	-	-	-	-	-
Total	-	-	2,304	2,493	2,358
Biennial Total			2,304		4,851
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	36	-	-
Commerce Dept					
General Fund	-	-	2,304	2,493	2,358
Other Misc Special Revenue	-	-	2,304	2,493	2,358
Total	-	-	4,644	4,986	4,716
Biennial Total			4,644		9,702
2 - Revenues, Transfers In*					
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	36	-	-
Commerce Dept					
General Fund	-	-	-	-	-
Other Misc Special Revenue					
Revenues	-	-	-	-	-
Transfers In	-	-	2,304	2,493	2,358
Total	-	-	2,340	2,493	2,358
Biennial Total			2,340		4,851

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 Date Completed: **4/6/2026 8:36:57 PM**
 Agency: **Commerce Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact	X	

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State Cost (Savings) Dollars in Thousands	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	-	2,304	2,493	2,358
Other Misc Special Revenue	-	-	-	-	-
Total	-	-	2,304	2,493	2,358
Biennial Total			2,304		4,851

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	-	3.75	3.75	3.75
Other Misc Special Revenue	-	-	-	-	-
Total	-	-	3.75	3.75	3.75

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

The building standards that would result from the requirements of the bill likely have a fiscal impact on buildings owned by the State. Such costs cannot be estimated until the standards are established and are considered secondary, long-term effects of the bill for purposes of this fiscal note. The University of Minnesota speaks to their likely fiscal effect of implementing the future building standards within the long-term effects narrative portion of their fiscal note. Other state entities that may be affected by new building standard resulting from HF3179 include the Department of Administration, Amateur Sports Commission, Department of Corrections, Direct Care and Treatment, Metropolitan Airports Commission, Metropolitan Council, Department of Military Affairs, Minnesota State, Department of Natural Resources, Department of Transportation, Department of Veterans Affairs, the Minnesota Zoo and possibly others.

LBO Signature: Karl Palm **Date:** 4/6/2026 6:43:11 PM
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State Cost (Savings) Calculation Details

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*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	-	2,304	2,493	2,358	
Other Misc Special Revenue	-	-	-	-	-	
Total	-	-	2,304	2,493	2,358	
Biennial Total			2,304		4,851	
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	-	2,304	2,493	2,358	
Other Misc Special Revenue	-	-	2,304	2,493	2,358	
Total	-	-	4,608	4,986	4,716	
Biennial Total			4,608		9,702	
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	
Other Misc Special Revenue	-	-	-	-	-	
Revenues	-	-	-	-	-	
Transfers In	-	-	2,304	2,493	2,358	
Total	-	-	2,304	2,493	2,358	
Biennial Total			2,304		4,851	

Bill Description

HF3179-0 establishes a building performance standards (BPS) program in the Department of Commerce (Commerce).

Section 1 establishes the BPS program:

- Subd. 1 establishes definitions.
- Subd. 2 describes the purpose of the program.
- Subd. 3 classifies the covered buildings under the program.
- Subd. 4 requires Commerce to establish final energy use intensity (EUI) standards for the program and provides deadlines for when each building class must meet the final EUI standard.
- Subd. 5 requires Commerce to establish interim EUI standards which each covered building must meet every five years. The beginning year is specified based on building class. Subd. 5 also requires each building owner to submit a report to Commerce demonstrating the covered building's progress toward meeting the interim EUI standards.
- Subd. 6 allows Commerce to issue extensions, exemptions, or adjustments in response to an owner's request. The request may be approved according to criteria outlined in paragraph (a). Paragraph (b) provides that the owner may be subject to a \$1,000 penalty if the owner submits their request less than one year before the deadline. Paragraphs (c) and (d) describe other possible exemptions in meeting program requirements. Paragraph (e) requires an owner to provide information requested by Commerce to evaluate a request made under this subdivision. The information provided must be treated as not public data under chapter 13.
- Subd. 7 allows the BPS program to interface with utility conversation programs as approved by Commerce under sections 216B.2403 or 216B.241.
- Subd. 8 describes options for owners of multiple class 1 or class 2 buildings in meeting the EUI standard.
- Subd. 9 requires Commerce to establish and make appointments to a Building Performance Advisory Committee. Paragraph (a) specifies entities and professions that must be represented. Paragraphs (b)-(d) describe additional requirements for the committee.
- Subd. 10 describes penalties for owners who fail to meet an interim or final EUI standard and requires Commerce to

consider certain criteria when determining the amount of a compliance payment.

- Subd. 11 requires Commerce to contract with a nonprofit organization with extensive experience implementing energy efficiency programs in buildings to operate a building performance technical and financial assistance hub. Paragraphs (1)-(3) describe the hub’s responsibilities under this subdivision.
- Subd. 12 permits Commerce to contract with an independent third party to implement any or all of Commerce’s duties required under Section 1. Subd. 12 also requires Commerce to assist owners in accessing the technical and financial assistance hub (under subd. 11) and the building energy performance improvement grant program (under subd. 14) through outreach and training. Commerce must begin informing owners of this section’s requirements in 2025 as part of outreach activities required under the energy benchmarking program under section 216C.331.
- Subd. 13 establishes a BPS program account in the special revenue account in the state treasury. Paragraphs (a)-(c) describe additional account requirements.
- Subd. 14 establishes a building energy performance improvement grant program in Commerce to provide financial assistance to eligible applicants to make improvements that comply with the BPS program requirements. Paragraph (b) describes documentation that must accompany the grant application. Paragraphs (c)-(f) describe additional requirements for grant awards. Paragraph (g) requires Commerce to modify BPS program requirements when necessary to align with comparable federal programs administered by Commerce under the federal Inflation Reduction Act of 2022, Public Law 117-189.

Section 1 is effective the day following final enactment.

Section 2 appropriates an unspecified dollar amount from the general fund to Commerce to administer and enforce the BPS program. Paragraphs (1) and (2) permit unspecified dollar amounts to be used for the building energy performance improvement grants under subd. 14 and for the technical and financial assistance hub under subd. 11, respectively.

Assumptions

Commerce assumes the establishment of final EUI standards will occur by January 1, 2030 and the Building Performance Advisory Committee will be established by January 1, 2027. Commerce assumes that rule writing and the work of the advisory committee will continue through the establishment of the final EUI standards.

Expenditure and/or Revenue Formula

Commerce administration the first year of the program:

- 0.5 FTE Building Programs Administrator (14L) to lead programming, coordinate the Advisory Committee, ensure alignment with other agencies and stakeholders
- 1 FTE Rule Writer (18L) will require rulemaking to set EUI standards both interim and final
- 1 FTE Program Coordinator (18L) to provide day-to-day coordination of activities
- 0.25 FTE Policy Attorney, Rule Writing (18L) drafting of rules
- 0.5 FTE Grant Specialist (10L) to oversee initial procurement for technical assistance provider and stipends
- 0.5 FTE ECO Administrator (14L) to support the interface with utility conservation programs

			FY26	FY27	FY28	FY29
Salary			0	403,339	403,339	396,731
Fringe			0	121,002	121,002	119,019
Other Personnel Related Costs			0	112,293	112,293	111,700
			0	636,634	636,634	627,450

Commerce assumes \$36,450 for Administrative Hearings for ALJ time.

Contractual costs:

- Technical and financial assistance hub contractor - \$1,500,000 per year; as described in the bill this contractor will offer technical assistance to owners around energy-saving reduction measures and strategies, connect owners with other sources of technical assistance, and make owners aware of sources of financial assistance.
- Stipends for Advisory Group participants 14 non-governmental members, meet quarterly. Assume one day of meeting preparation and one day of meeting attendance; @ \$55/day; \$6,160/year

Total contractual costs FY27: \$1,506,160

Long-Term Fiscal Considerations

Commerce administration for the program beyond the current biennium:

- 0.5 FTE Building Programs Administrator (14L), ongoing
- 1 FTE Rule Writer (18L), next biennium only
- 1 FTE Program Coordinator (18L), ongoing
- 0.25 FTE Policy Attorney, Rule Writing (18L), next biennium only
- Grant Specialist (10L) 0.5 FTE in year 2, 1 FTE year 3, ongoing; states that fines/fees will become source of grant funds for buildings to meet the requirements
- 0.5 FTE ECO Administrator (14L), in year 2

Contractual:

- Technical and financial assistance hub contractor - \$1,500,000 per year (on-going)
- IT Development contractor to set up and establish compliance infrastructure and data hub = \$500,000 (likely to span 2 years; to begin work ~6 months in)
- IT systems needs - \$100,000 per year (on-going)
- Stipends for Advisory Group participants 14 non-governmental members, meet quarterly. Assume one day of meeting preparation and one day of meeting attendance; @ \$55/day; \$6,160

Local Fiscal Impact

It is assumed that an impact would be experienced by local units of government over the period leading up to 2045 as result of the standards outlined in this bill. As the standards have not yet been developed, these costs are not currently estimable

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Amy Trumper

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Date: 4/6/2026 4:04:20 PM

Email: amy.trumper@state.mn.us

HF3179 - 0 - Energy Perform. Stand. for Certain Buildings Est.

Chief Author: **Katie Jones**
 Committee: **Energy Finance And Policy**
 Date Completed: **4/6/2026 8:36:57 PM**
 Agency: **Administrative Hearings**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Bolling **Date:** 4/6/2026 8:14:23 PM
Phone: 651-296-6053 **Email:** adam.bolling@lbo.mn.gov

State Cost (Savings) Calculation Details

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*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029	
Administrative Hearings	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Administrative Hearings	-	-	36	-	-	-
Total	-	-	36	-	-	-
Biennial Total			36			-
2 - Revenues, Transfers In*						
Administrative Hearings	-	-	36	-	-	-
Total	-	-	36	-	-	-
Biennial Total			36			-

Bill Description

HF3179 requires the Department of Commerce (Department) to establish and maintain a building energy performance standards program to reduce the amount of energy used to heat and cool buildings and to reduce greenhouse gas emissions. The bill requires the Department to establish EUI standards to measure the energy output of any given covered building.

Assumptions

The Court of Administrative Hearings (CAH) in consultation with Minnesota Management and Budget (MMB) assesses agencies the cost of services rendered to them. All agencies shall include in their budgets provisions for such assessments.

CAH has used the Department's assumption that rulemaking will be necessary to establish a building energy performance standards program as described in HF3179 and that a major rulemaking will be needed to meet the requirements. Based on past practices, CAH assumes that a major rulemaking under chapter 14 will require an estimated 135 hours of Administrative Law Judge (ALJ) time for activity related to rulemaking procedures. Of the total rulemaking amount estimated by the Department, \$36,450 is for the estimated 135 hours of ALJ time for a major rulemaking.

CAH currently bills ALJ time for rulemaking at the MMB-approved billable rate of \$270 per hour (see Minn. Stat. § 16A.126, subd. 1 (2023)).

Expenditure and/or Revenue Formula

Estimated 135 hours of ALJ time for rulemaking activities in FY27 related to implementing the requirements of this bill = 135 hours x \$270/hr = \$36,450 charged to the Department in FY2027 pursuant to the requirements of Minn. Stat. § 14.53.

Long-Term Fiscal Considerations

Costs associated with the rulemaking activities are a one-time occurrence.

Local Fiscal Impact

References/Sources

Agency Contact: William Moore

Agency Fiscal Note Coordinator Signature: William Moore

Phone: 651-361-7893

Date: 3/4/2026 3:31:14 PM

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HF3179 - 0 - Energy Perform. Stand. for Certain Buildings Est.

Chief Author: **Katie Jones**
 Committee: **Energy Finance And Policy**
 Date Completed: **4/6/2026 8:36:57 PM**
 Agency: **Secretary of State**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Bolling **Date:** 2/17/2026 2:53:03 PM
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State Cost (Savings) Calculation Details

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Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

This bill establishes building energy performance standards, including the creation of a Building Performance Advisory Committee to recommend standards and procedures and provide advice on implementation. Lines 5.1 through 5.23 describe the appointment of the task force’s members. Lines 5.24 through 5.28 describe the task force’s duties.

Assumptions

Minnesota Statutes sections 15.0597 and 15.0599 require the secretary of state to publish notices of vacancies, collect applications, assist with appointments, and prepare reports on multimember agencies (including state boards, commissions, councils, committees, authorities, and task forces). As part of this process, the Office of the Secretary of State consults with all multimember agencies on their reporting and appointment requirements.

The Office of the Secretary of State assumes that whenever a new multimember agency is created, work is required by public records staff to establish the agency on the secretary’s website and to train the agency staff on how to appoint members to their agency and make other changes and requests. There is also some staff time spent consulting periodically with multimember agencies throughout the year.

Expenditure and/or Revenue Formula

Board Set-up and Consultation

8 hours of OSS Public Records staff time per new board at an average rate of salary and benefits of \$41.07/hour.

$$\$41.07 \times 8 = \$328.56$$

\$328.56 (FY27)

The Secretary of State is able to absorb the costs identified on a one-off basis, but as more multimember agencies are created each year by the legislature, the Office’s capacity to assist all entities in a timely manner will diminish and additional funding may be required. These activities are not anticipated to displace any other work of the office.

Long-Term Fiscal Considerations

None.

Local Fiscal Impact

N/A

References/Sources

Lauren Bethke, General Counsel

lauren.bethke@state.mn.us, 651-201-1326

Agency Contact: Adam Hansen (651-201-6870)

Agency Fiscal Note Coordinator Signature: Adam Hansen

Phone: 651-201-6870

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Fiscal Note

2025-2026 Legislative Session

HF3179 - 0 - Energy Perform. Stand. for Certain Buildings Est.

Chief Author: **Katie Jones**
 Committee: **Energy Finance And Policy**
 Date Completed: **4/6/2026 8:36:57 PM**
 Agency: **University Of Minnesota**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Bolling **Date:** 3/11/2026 3:22:51 PM
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State Cost (Savings) Calculation Details

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State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

The bill requires certain buildings in Minnesota to meet specified energy performance standards and mandates the preparation and submission of compliance reports. It establishes a Building Performance Advisory Committee to guide implementation of the standards and recommend procedures for exemptions and adjustments. The committee includes an expert on sustainable buildings from the University of Minnesota's Center for Sustainable Building Research.

Assumptions

The staff time of an expert on sustainable buildings from the University of Minnesota's Center for Sustainable Building Research will be compensated by stipends from the Department of Commerce, which assumes one day of meeting preparation and one day of meeting attendance: @ \$55/day

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

The fiscal impact of complying with the Energy Use Intensity (EUI) standards is indeterminate but significant, with projected capital requirements likely reaching hundreds of millions of dollars to transform the University's statewide infrastructure across five campuses, plus ten research centers and field stations. Meeting the 2045 mandates requires a comprehensive overhaul of the University's utility and building systems, including transitioning central plants from fossil-fuel combustion to carbon-neutral generation, replacing HVAC and mechanical equipment in nearly every covered building to ensure compatibility with new energy sources, and performing deep envelope retrofits on aging and historic structures to reduce base energy demand. Beyond these massive capital investments, the University will face ongoing administrative costs for mandatory five-year assessment and reporting cycles that are expected to far exceed currently available state appropriations and utility incentives.

Local Fiscal Impact

This bill includes local buildings as covered buildings.

References/Sources

Andrew Chan, Capital Budget Manager, University of Minnesota

Richard Graves, Director, Center for Sustainable Building Research

Agency Contact: Keeya Steel

Agency Fiscal Note Coordinator Signature: Keeya Steel

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