



House of Representatives

General Assembly

File No. 21

January Session, 2009

Substitute House Bill No. 6284

House of Representatives, February 26, 2009

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING ADOPTION OF A MODEL ENERGY CODE AND GREEN BUILDING STANDARDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-256a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) On and after [January 1, 2008] July 1, 2010, the State Building
4 Inspector and the Codes and Standards Committee shall revise the
5 State Building Code to [require] adopt a model energy code requiring
6 that buildings and building elements, including residential, be
7 designed to provide optimum cost-effective energy efficiency over the
8 useful life of the building. Such revision shall meet or exceed the
9 American Society of Heating, Refrigerating and Air Conditioning
10 Engineers Standard 90.1 for new construction.

11 (b) Notwithstanding subsection (a) of this section, on and after July
12 1, 2010, the State Building Inspector and the Codes and Standards

13 Committee, in consultation with the Commissioner of Public Safety,
14 shall revise the State Building Code to [require that any (1) building,
15 except a residential building with no more than four units, constructed
16 after January 1, 2009, that is projected to cost not less than five million
17 dollars, and (2) renovation to any building, except a residential
18 building with no more than four units, started after January 1, 2010,
19 that is projected to cost not less than two million dollars shall be built
20 or renovated using] include provisions requiring certain buildings of
21 or over a specified minimum size, that qualify as a new construction or
22 a major alteration of a residential or nonresidential building, to meet or
23 exceed optimum cost-effective building construction standards
24 [consistent with or exceeding] concerning the thermal envelope or
25 mechanical systems, including, but not limited to, indoor air quality
26 and water conservation, and the lighting and electrical systems of the
27 building. Such provisions shall reference nationally accepted green
28 building rating systems, including, but not limited to, the [silver
29 building rating of the] Leadership in Energy and Environmental
30 [Design's] Design rating system, [for new commercial construction and
31 major renovation projects, as established by the United States Green
32 Building Council, or an equivalent standard, including, but not limited
33 to, a two-globe rating in] the Green Globes USA design program, as
34 established by the Green Building Initiative, the National Green
35 Building Standard, as established by the National Association of Home
36 Builders, or an equivalent rating system approved by the State
37 Building Inspector and the Codes and Standards Committee. [The
38 inspector and the committee shall provide for an exemption for any
39 building if the Institute for Sustainable Energy finds, in a written
40 analysis, that the cost of such compliance significantly outweighs the
41 benefits.] Such requirements shall include a method for demonstrating
42 compliance at the time of application for a permit or for a certificate of
43 occupancy, including, but not limited to, private third-party
44 certification or verification of compliance with the relevant portions of
45 such rating systems.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	29-256a

PS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Various State Agencies	Various - See Below	See Below	See Below

Municipal Impact:

Municipalities	Effect	FY 10 \$	FY 11 \$
Various Municipalities	See Below	See Below	See Below

Explanation

The bill implements the intent of PA 07-242, which increases energy efficiency building standards and extends them to additional state buildings. This could increase construction costs for the state and municipalities, though these costs would be partially offset by savings in the operating costs (especially heating and ventilation costs) of new buildings over their lifetime.

The bill requires the State Building Inspector and the Codes and Standards Committee to revise the State Building Code to address "green building" standards. This does not result in any fiscal impact to the state or municipalities.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Source: PA 07-242; State Building Code- 2009 Amendment to the 2005 Connecticut Supplement

OLR Bill Analysis**sHB 6284*****AN ACT CONCERNING ADOPTION OF A MODEL ENERGY CODE AND GREEN BUILDING STANDARDS.*****SUMMARY:**

This bill delays the date when “green building” standards take effect and narrows their scope. It requires the state building inspector and Codes and Standards Committee to establish the threshold size for buildings subject to the standards. Under current law, the standards apply to certain new construction costing \$5 million or more and renovations costing \$2 million or more.

The bill also delays, from on and after January 1, 2008 to on and after January 1, 2010, the date by which the inspector and committee must revise the State Building Code with regard to energy efficiency standards. The bill requires the inspector and the committee to adopt a model energy code to accomplish this. Under current law, the revisions must meet the American Society of Heating, Refrigerating, and Air Conditioning Standard 90.1 for new construction. The bill allows the revision to exceed this standard.

EFFECTIVE DATE: Upon Passage

GREEN BUILDING STANDARDS

Current law requires the inspector and committee to amend the State Building Code to require (1) buildings costing \$5 million or more and built after January 1, 2009 and (2) renovations started after January 1, 2010 and costing \$2 million or more to meet green building standards. The standards are (1) a silver rating under the Leadership in Energy and Environmental Design (LEED) rating system for new commercial construction and major renovation projects, (2) a two-globe rating under the Green Globes USA design program, or (3) an

equivalent standard. Under LEED and Green Globes, a project's rating is based on the number of points it receives. Buildings can receive points for a wide range of characteristics, including energy efficiency, use of renewable energy, water conservation, indoor air quality, reuse of existing buildings and building materials, and environmentally sensitive site design. Under both systems, current law requires the building to achieve the second lowest rating on a four-point scale. The requirements apply to private and public sector buildings, other than residential buildings with up to four units.

The bill instead requires the building inspector and committee, in consultation with the public safety commissioner, on and after July 1, 2010 to revise the code with regard to green building standards. Specifically, it requires them to amend the code to require certain buildings that qualify as new construction or major alteration of a residential or nonresidential building to meet or exceed optimum building construction standards for the thermal envelope or mechanical systems. The provisions must at least address indoor air quality, water conservation, and the building's lighting and electrical systems. They must reference nationally accepted green building rating systems, which under the bill, include the National Green Building Standard, as established by the National Association of Home Builders; as well as LEED and Green Globes; or an equivalent rating system approved by the state building inspector and committee.

The bill requires that the revision include a method for demonstrating compliance at the time of application for a building permit or certificate of occupancy. These can include, among other things, private third party certification or verification of compliance with the relevant portions of the rating systems.

The act eliminates a requirement that the inspector and the committee waive the current requirements if the Institute for Sustainable Energy finds that the cost of compliance significantly outweighs the benefits.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 20 Nay 0 (02/17/2009)