4/7/16 2:25 P.M.

Chapter No. 384
16/HR26/R1587
CS/AM

HOUSE BILL NO. 906

Originated in House _____ Clerk

HOUSE BILL NO. 906

AN ACT TO AMEND SECTION 57-39-21, MISSISSIPPI CODE OF 1972, WHICH REQUIRES CERTAIN STANDARDS THAT PROMOTE EFFICIENT ENERGY USE TO BE IMPLEMENTED DURING THE DESIGN, DIRECTION, CONSTRUCTION AND ALTERATION OF CERTAIN BUILDINGS, BY EXTENDING THE DATE OF REPEAL FROM JULY 1, 2016, TO JULY 1, 2019; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 57-39-21, Mississippi Code of 1972, is amended as follows:

57-39-21. (1) The board, in consultation with other appropriate professional groups and organizations, and others knowledgeable in the subject, shall review, amend and adopt, in accordance with Standard 90.1-2010 of the American Society of Heating, Refrigeration and Air-Conditioning Engineers, energy code standards for building construction, standards for computer-based energy management systems, standards for systems for cogeneration of heating, cooling and electricity, and standards for design to use passive solar energy concepts, in order to promote the efficient use of energy. For the purposes of this section, "building" shall mean any structure which includes provisions for

a heating or cooling system, or both, or for a hot water system, except exempted buildings. Unless it is an exempted building, each of the following are examples of buildings, within the meaning of this section:

(a) Any building which provides facilities or shelter for public assembly, or which is used for educational, office or institutional purposes;

(b) Any inn, hotel, motel, sports arena, supermarket, transportation terminal, retail store, restaurant or other commercial establishment which provides service or retail merchandise;

(c) Any portion of an industrial plant building used primarily as office space; and

(d) Any building owned by a state or political subdivision or instrumentality thereof, including libraries, museums, schools, hospitals, auditoriums, sports arenas and university buildings.

(2) Exempt buildings shall include:

(a) Buildings and structures or portions thereof whose peak design rate of energy usage is less than three and four-tenths (3.4) British thermal units per hour per square foot or one (1.0) watt per square foot of floor area for all purposes;

(b) Buildings and structures or portions thereof which are neither heated nor cooled by fuel;

(c) Any mobile home;

(d) Any privately owned, noncommercial building or structure whose construction, heating, cooling or lighting arrangement is not in conflict with federal law;

(e) Any building owned or leased, in whole or in part, by the United States government.

(3) Beginning July 1, 2013, the design, direction, construction and alteration of any building for which the standards promulgated pursuant to subsection (1) of this section applies shall be accomplished so that the building or applicable portions thereof shall meet or conform to the standards. The board shall not have enforcement over this section. Local governing authorities shall adopt rules and regulations for the administration and enforcement of this section, and to adopt such penalties for violation of this section as they deem appropriate, except in regard to buildings owned by the state. In state-owned buildings, the building commission shall provide for the compliance with the standards adopted under this chapter. Local governing authorities are authorized to adopt rules and regulations as developed and promulgated by the commission for the administration and enforcement of these standards and to adopt such penalties for violations of the standards as they deem appropriate. Local governing authorities are authorized to establish an inspection fee for the inspection of thermal and lighting standards in an amount not to exceed One Hundred Fifty Dollars ($150.00).

(4) This section shall stand repealed from and after July 1, * * * 2019.

SECTION 2. This act shall take effect and be in force from and after July 1, 2016.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 1, 2016

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 28, 2016

Tate Reeves

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

April 7, 2016
2:25 pm