

AN ACT concerning State government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

(20 ILCS 3105/10.09-5 rep.)

Section 5. The Capital Development Board Act is amended by repealing Section 10.09-5.

Section 10. The Energy Efficient Building Act is amended by changing Section 20 as follows:

(20 ILCS 3125/20)

Sec. 20. Applicability.

(a) The Board shall review and adopt the Code within one year after its publication. The Code shall take effect within 6 months after it is adopted by the Board, except that, beginning January 1, 2012, the Code adopted in 2012 shall take effect on January 1, 2013. Except as otherwise provided in this Act, the Code and shall apply to (i) any new building or structure in this State for which a building permit application is received by a municipality or county and (ii) beginning on the effective date of this amendatory Act of the 100th General Assembly, each State facility specified in Section 4.01 of the Capital Development Board Act, ~~except as otherwise provided by this Act.~~ In the case of any addition, alteration, renovation, or

repair to an existing commercial structure, the Code adopted under this Act applies only to the portions of that structure that are being added, altered, renovated, or repaired. The changes made to this Section by this amendatory Act of the 97th General Assembly shall in no way invalidate or otherwise affect contracts entered into on or before the effective date of this amendatory Act of the 97th General Assembly.

(b) The following buildings shall be exempt from the Code:

(1) Buildings otherwise exempt from the provisions of a locally adopted building code and buildings that do not contain a conditioned space.

(2) Buildings that do not use either electricity or fossil fuel for comfort conditioning. For purposes of determining whether this exemption applies, a building will be presumed to be heated by electricity, even in the absence of equipment used for electric comfort heating, whenever the building is provided with electrical service in excess of 100 amps, unless the code enforcement official determines that this electrical service is necessary for purposes other than providing electric comfort heating.

(3) Historic buildings. This exemption shall apply to those buildings that are listed on the National Register of Historic Places or the Illinois Register of Historic Places, and to those buildings that have been designated as historically significant by a local governing body that is authorized to make such designations.

(4) (Blank).

(5) Other buildings specified as exempt by the International Energy Conservation Code.

(c) Additions, alterations, renovations, or repairs to an existing building, building system, or portion thereof shall conform to the provisions of the Code as they relate to new construction without requiring the unaltered portion of the existing building or building system to comply with the Code. The following need not comply with the Code, provided that the energy use of the building is not increased: (i) storm windows installed over existing fenestration, (ii) glass-only replacements in an existing sash and frame, (iii) existing ceiling, wall, or floor cavities exposed during construction, provided that these cavities are filled with insulation, and (iv) construction where the existing roof, wall, or floor is not exposed.

(d) A unit of local government that does not regulate energy efficient building standards is not required to adopt, enforce, or administer the Code; however, any energy efficient building standards adopted by a unit of local government must comply with this Act. If a unit of local government does not regulate energy efficient building standards, any construction, renovation, or addition to buildings or structures is subject to the provisions contained in this Act. (Source: P.A. 96-778, eff. 8-28-09; 97-1033, eff. 8-17-12.)

Section 15. The Green Buildings Act is amended by changing Sections 10 and 15 as follows:

(20 ILCS 3130/10)

Sec. 10. Definitions. In this Act:

"Board" means the Capital Development Board.

"Comfort conditioned building" means a normally occupied building that is heated or cooled.

"USGBC" means the United States Green Building Council.

"LEED" means the USGBC Leadership in Energy and Environmental Design green building rating standard.

"GBI" means The Green Building Initiative.

"Green Globes" means the GBI green building construction model.

"Major renovation" means a project with a construction budget that equals 40% or more of the building's current replacement cost.

(Source: P.A. 96-73, eff. 7-24-09.)

(20 ILCS 3130/15)

Sec. 15. Green Buildings Standards.

(a) All new State-funded building construction and major renovations of existing State-owned facilities must be designed to achieve, at a minimum, the silver certification of the Leadership in Energy and Environmental Design's rating system, as established by the United States Green Building

Council, or an equivalent standard, including, but not limited to, a two-globe rating in the Green Globes USA design program. New buildings and major renovations of 10,000 contiguous square feet or more must obtain a USGBC LEED, GBI Green Globes, or equivalent certification ~~are required to seek LEED, Green Globes, or equivalent certification.~~

(b) (Blank). ~~All construction and major renovation projects, regardless of size, must achieve the highest level of certification practical within the project budget.~~

~~(1) New buildings and major renovations of less than 10,000 square feet must meet the highest standard of the Leadership in Energy and Environmental Design's rating system for new commercial construction and major renovation projects, as established by the United States Green Building Council, or an equivalent standard, including, but not limited to, the Green Building Initiative's Green Globes USA design program. USGBC LEED, GBI Green Globes, or the equivalent certification is not required.~~

~~(2) New buildings and major renovations of 10,000 square feet or more must achieve the silver building rating of the Leadership in Energy and Environmental Design's rating system for new commercial construction and major renovation projects, as established by the United States Green Building Council, or an equivalent standard, including, but not limited to, a two globe rating in the~~

~~Green Globes USA design program. USGBC LEED, GBI Green Globes, or the equivalent certification is required.~~

(c) Exemptions to these standards are buildings that are not "comfort" conditioned buildings, as determined by the Board. However, the project design team must document and incorporate all appropriate sustainable building methods, strategies, and technologies in the final design.

(d) State agencies and the project design team may apply to the Board for a waiver from these standards.

(e) Waivers shall be granted by the Board or an appropriate agency when the applicant can demonstrate and document any of the following:

(1) An unreasonable financial burden, taking into account the operating and construction costs over the life of the building and the total cost of ownership of the building.

(2) An unreasonable impediment to construction.

(3) The standards would impair the principal function of the building.

(4) The standards would compromise the historic nature of the structure.

~~Documentation on the submittal must include at a minimum:~~

~~(1) Life cycle cost analysis.~~

~~(2) Energy modeling.~~

The design team must provide the documentation for the new project to confirm that LEED, Green Globes, or the equivalent

construction standards have been followed.

(f) (Blank). ~~In addition to any required LEED, Green Globes, or the equivalent criteria, the Board shall require that all projects referenced in subsection (a) implement at least one LEED alternative transportation criterion for public transportation or bicycle access.~~

(g) (Blank). ~~The green building standards contained in this Act shall be analyzed and evaluated by the Board 5 years after the effective date of this Act or upon the completion of 10 Board green projects, whichever comes first.~~

(Source: P.A. 96-73, eff. 7-24-09.)

Section 99. Effective date. This Act takes effect upon becoming law.