

1 AN ACT in relation to energy conservation.

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

4 Section 1. Short title. This Act may be cited as the
5 Energy Efficient Commercial Building Act.

6 Section 5. Findings.

7 (a) The legislature finds that an effective energy
8 efficient commercial building code is essential to:

9 (1) reduce the air pollutant emissions from energy
10 consumption that are affecting the health of residents of
11 this State;

12 (2) moderate future peak electric power demand;

13 (3) assure the reliability of the electrical grid and
14 an adequate supply of heating oil and natural gas; and

15 (4) control energy costs for residents and businesses
16 in this State.

17 (b) The legislature further finds that this State has a
18 number of different climate types, all of which require energy
19 for both cooling and heating, and that there are many
20 cost-effective measures that can reduce peak energy use and
21 reduce cooling, heating, lighting, and other energy costs in
22 commercial buildings.

23 Section 10. Definitions.

24 "Board" means the Capital Development Board.

25 "Code" means the 2000 International Energy Conservation
26 Code, the ASHRAE 90.1-1999 Standard, which is included within
27 that Code, the 2001 supplement to that Code, and the
28 adaptations to the Code that are made by the Board.

29 "Commercial building" means any building except a building
30 that is a residential building, as defined in this Section.

31 "Department" means the Department of Commerce and Economic

1 Opportunity.

2 "Municipality" means any city, village, or incorporated
3 town.

4 "Residential building" means (i) a detached one-family or
5 2-family dwelling or (ii) any building that is 3 stories or
6 less in height above grade that contains multiple dwelling
7 units, in which the occupants reside on a primarily permanent
8 basis, such as a townhouse, a row house, an apartment house, a
9 convent, a monastery, a rectory, a fraternity or sorority
10 house, a dormitory, and a rooming house.

11 Section 15. Energy Efficient Building Code. The Board, in
12 consultation with the Department, shall adopt, as minimum Code
13 requirements applying to the construction of, renovations to,
14 and additions to all commercial buildings in the State, the
15 2000 International Energy Conservation Code and 2002
16 Supplement to the 2000 International Energy Conservation Code
17 as adopted by the International Code Council. The Board may
18 appropriately adapt the International Energy Conservation Code
19 to apply to the particular economy, population distribution,
20 geography, and climate of the State and construction therein,
21 consistent with the public policy objectives of this Act.

22 Section 20. Applicability.

23 (a) The Code shall take effect one year after it is adopted
24 by the Board and shall apply to any commercial building or
25 structure in this State for which a building permit application
26 is received by a municipality or county, except as otherwise
27 provided by this Act. In the case of any addition, alteration,
28 renovation, or repair to an existing commercial structure, the
29 Code adopted under this Act applies only to the portions of
30 that structure that are being added, altered, renovated, or
31 repaired.

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

33 (1) Buildings otherwise exempt from the provisions of a
34 locally adopted building code and buildings that do not

1 contain a conditioned space.

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

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

17 (4) Residential buildings.

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

20 Section 25. Technical assistance.

21 (a) The Department shall make available to builders,
22 designers, engineers, and architects implementation materials
23 that explain the requirements of the Code and describe methods
24 of compliance acceptable to Code Enforcement Officials.

25 (b) The materials shall include software tools, simplified
26 prescriptive options, and other materials as appropriate. The
27 simplified materials shall be designed for projects in which a
28 design professional may not be involved.

29 (c) The Department shall provide local jurisdictions with
30 technical assistance concerning implementation and enforcement
31 of the Code.

32 Section 30. Enforcement. The Board, in consultation with
33 the Department, shall determine procedures for compliance with
34 the Code. These procedures may include but need not be limited

1 to certification by a national, State, or local accredited
2 energy conservation program or inspections from private
3 Code-certified inspectors using the Code.

4 Section 35. Rules. The Board may adopt any rules that are
5 necessary for the furtherance of this Act.

6 Section 40. Input from interested parties. When developing
7 Code adaptations, rules, and procedures for compliance with the
8 Code, the Capital Development Board, or the Illinois Building
9 Commission as directed by the Board, shall seek input from
10 representatives from the building trades, design
11 professionals, construction professionals, code
12 administrators, and other interested entities affected.

13 Section 45. Home rule. No unit of local government,
14 including any home rule unit, may regulate energy efficient
15 building standards in a manner that is less stringent than the
16 provisions contained in this Act. This Section is a denial and
17 limitation of home rule powers and functions under subsection
18 (i) of Section 6 of Article VII of the Illinois Constitution on
19 the concurrent exercise by home rule units of powers and
20 functions exercised by the State. Nothing in this Section,
21 however, prevents a unit of local government from adopting an
22 energy efficiency code or standards that are more stringent
23 than the Code under this Act.

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