

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 the Code as
13 minimum requirements applying to the construction of,
14 renovations to, and additions to all commercial buildings in
15 the State. The Board may appropriately adapt the International
16 Energy Conservation Code to apply to the particular economy,
17 population distribution, geography, and climate of the State
18 and construction therein, consistent with the public policy
19 objectives of this Act.

20 Section 20. Applicability.

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

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

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

34 (2) Buildings that do not use either electricity or

1 fossil fuel for comfort conditioning. For purposes of
2 determining whether this exemption applies, a building
3 will be presumed to be heated by electricity, even in the
4 absence of equipment used for electric comfort heating,
5 whenever the building is provided with electrical service
6 in excess of 100 amps, unless the code enforcement official
7 determines that this electrical service is necessary for
8 purposes other than providing electric comfort heating.

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

15 (4) Residential buildings.

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

18 Section 25. Technical assistance.

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

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

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

30 Section 30. Enforcement. The Board, in consultation with
31 the Department, shall determine procedures for compliance with
32 the Code. These procedures may include but need not be limited
33 to certification by a national, State, or local accredited
34 energy conservation program or inspections from private

1 Code-certified inspectors using the Code.

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

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

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

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