



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2456

Introduced 2/15/2008, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

20 ILCS 3125/1
20 ILCS 3125/5
20 ILCS 3125/10
20 ILCS 3125/15
20 ILCS 3125/20
20 ILCS 3125/45

Amends the Energy Efficient Commercial Building Act. Changes the short title to the Energy Efficient Building Act. Provides that the Code adopted under the Act applies to any new building or structure (rather than any commercial building or structure). Deletes language providing that residential buildings are exempt from the Code. Adds language providing that additions, alterations, renovations, or repairs to existing residential structures are exempt from the Code. Provides any unit of government that has adopted the efficiency standards of the 2000 International Energy Conservation Code, with the 2001 supplement, on or before January 1, 2007, may continue to regulate energy efficient building standards under that Code. Effective immediately.

LRB095 17821 HLH 43900 b

1 AN ACT concerning energy efficiency.

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

4 Section 90. The Energy Efficient Commercial Building Act is
5 amended by changing Sections 1, 5, 10, 15, 20, and 45 as
6 follows:

7 (20 ILCS 3125/1)

8 Sec. 1. Short title. This Act may be cited as the Energy
9 Efficient ~~Commercial~~ Building Act.

10 (Source: P.A. 93-936, eff. 8-13-04.)

11 (20 ILCS 3125/5)

12 Sec. 5. Findings.

13 (a) The legislature finds that an effective energy
14 efficient ~~commercial~~ building code is essential to:

15 (1) reduce the air pollutant emissions from energy
16 consumption that are affecting the health of residents of
17 this State;

18 (2) moderate future peak electric power demand;

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

21 (4) control energy costs for residents and businesses
22 in this State.

1 (b) The legislature further finds that this State has a
2 number of different climate types, all of which require energy
3 for both cooling and heating, and that there are many
4 cost-effective measures that can reduce peak energy use and
5 reduce cooling, heating, lighting, and other energy costs in
6 ~~commercial~~ buildings.

7 (Source: P.A. 93-936, eff. 8-13-04.)

8 (20 ILCS 3125/10)

9 Sec. 10. Definitions.

10 "Board" means the Capital Development Board.

11 "Building" includes both residential buildings and
12 commercial buildings.

13 "Code" means the latest published edition of the
14 International Code Council's International Energy Conservation
15 Code, excluding published supplements but including the
16 adaptations to the Code that are made by the Board.

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

19 "Department" means the Department of Commerce and Economic
20 Opportunity.

21 "Municipality" means any city, village, or incorporated
22 town.

23 "Residential building" means (i) a detached one-family or
24 2-family dwelling or (ii) any building that is 3 stories or
25 less in height above grade that contains multiple dwelling

1 units, in which the occupants reside on a primarily permanent
2 basis, such as a townhouse, a row house, an apartment house, a
3 convent, a monastery, a rectory, a fraternity or sorority
4 house, a dormitory, and a rooming house.

5 (Source: P.A. 93-936, eff. 8-13-04; 94-815, eff. 5-26-06.)

6 (20 ILCS 3125/15)

7 Sec. 15. Energy Efficient Building Code. The Board, in
8 consultation with the Department, shall adopt the Code as
9 minimum requirements applying to the construction of,
10 renovations to, and additions to all ~~commercial~~ buildings in
11 the State. The Board may appropriately adapt the International
12 Energy Conservation Code to apply to the particular economy,
13 population distribution, geography, and climate of the State
14 and construction therein, consistent with the public policy
15 objectives of this Act.

16 (Source: P.A. 93-936, eff. 8-13-04.)

17 (20 ILCS 3125/20)

18 Sec. 20. Applicability.

19 (a) The Code shall take effect one year after it is adopted
20 by the Board and shall apply to any new ~~commercial~~ building or
21 structure in this State for which a building permit application
22 is received by a municipality or county, except as otherwise
23 provided by this Act. In the case of any addition, alteration,
24 renovation, or repair to an existing commercial structure, the

1 Code adopted under this Act applies only to the portions of
2 that structure that are being added, altered, renovated, or
3 repaired.

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

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

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

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

23 (4) Additions, alterations, renovations, or repairs to
24 existing residential structures ~~Residential buildings.~~

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

1 (Source: P.A. 93-936, eff. 8-13-04.)

2 (20 ILCS 3125/45)

3 Sec. 45. Home rule. Unless otherwise provided in this
4 Section, no ~~No~~ unit of local government, including any home
5 rule unit, may regulate energy efficient building standards in
6 a manner that is less stringent than the provisions contained
7 in this Act. Any unit of local government that has adopted the
8 efficiency standards of the 2000 International Energy
9 Conservation Code, including the 2001 supplement, on or before
10 January 1, 2007, may continue to regulate energy efficient
11 building standards under that Code.

12 This Section is a denial and limitation of home rule powers
13 and functions under subsection (i) of Section 6 of Article VII
14 of the Illinois Constitution on the concurrent exercise by home
15 rule units of powers and functions exercised by the State.
16 Nothing in this Section, however, prevents a unit of local
17 government from adopting an energy efficiency code or standards
18 that are more stringent than the Code under this Act.

19 (Source: P.A. 93-936, eff. 8-13-04.)

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