



Rep. Julie Hamos

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1 AMENDMENT TO HOUSE BILL 3987

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3987 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. 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

1 consumption that are affecting the health of residents of  
2 this State;

3 (2) moderate future peak electric power demand;

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

6 (4) control energy costs for residents and businesses  
7 in this State.

8 (b) The legislature further finds that this State has a  
9 number of different climate types, all of which require energy  
10 for both cooling and heating, and that there are many  
11 cost-effective measures that can reduce peak energy use and  
12 reduce cooling, heating, lighting, and other energy costs in  
13 ~~commercial~~ buildings.

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

15 (20 ILCS 3125/10)

16 Sec. 10. Definitions.

17 "Board" means the Capital Development Board.

18 "Building" includes both residential buildings and  
19 commercial buildings.

20 "Code" means the latest published edition of the  
21 International Code Council's International Energy Conservation  
22 Code, excluding published supplements but including the  
23 adaptations to the Code that are made by the Board.

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

1 "Department" means the Department of Commerce and Economic  
2 Opportunity.

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

5 "Residential building" means a building containing one or  
6 more dwelling units, not exceeding 4 stories above grade, where  
7 occupants are primarily permanent. ~~(i) a detached one family or~~  
8 ~~2 family dwelling or (ii) any building that is 3 stories or~~  
9 ~~less in height above grade that contains multiple dwelling~~  
10 ~~units, in which the occupants reside on a primarily permanent~~  
11 ~~basis, such as a townhouse, a row house, an apartment house, a~~  
12 ~~convent, a monastery, a rectory, a fraternity or sorority~~  
13 ~~house, a dormitory, and a rooming house.~~

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

15 (20 ILCS 3125/15)

16 Sec. 15. Energy Efficient Building Code. The Board, in  
17 consultation with the Department, shall adopt the Code as  
18 minimum requirements for commercial buildings, applying to the  
19 construction of, renovations to, and additions to all  
20 commercial buildings in the State. The Board, in consultation  
21 with the Department, shall also adopt the Code as the minimum  
22 and maximum requirements for residential buildings, applying  
23 to the construction of all residential buildings in the State.  
24 The Board may appropriately adapt the International Energy  
25 Conservation Code to apply to the particular economy,

1 population distribution, geography, and climate of the State  
2 and construction therein, consistent with the public policy  
3 objectives of this Act.

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

5 (20 ILCS 3125/20)

6 Sec. 20. Applicability.

7 (a) The Board shall adopt the Code within 6 months after  
8 its publication. The Code shall take effect within 3 months ~~one~~  
9 ~~year~~ after it is adopted by the Board and shall apply to any  
10 new ~~commercial~~ building or structure in this State for which a  
11 building permit application is received by a municipality or  
12 county, except as otherwise provided by this Act. In the case  
13 of any addition, alteration, renovation, or repair to an  
14 existing commercial structure, the Code adopted under this Act  
15 applies only to the portions of that structure that are being  
16 added, altered, renovated, or repaired.

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

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

21 (2) Buildings that do not use either electricity or  
22 fossil fuel for comfort conditioning. For purposes of  
23 determining whether this exemption applies, a building  
24 will be presumed to be heated by electricity, even in the  
25 absence of equipment used for electric comfort heating,

1 whenever the building is provided with electrical service  
2 in excess of 100 amps, unless the code enforcement official  
3 determines that this electrical service is necessary for  
4 purposes other than providing electric comfort heating.

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

11 (4) (Blank). ~~Residential buildings.~~

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

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

1       (d) A unit of local government that does not regulate  
2 energy efficient building standards is not required to adopt,  
3 enforce, or administer the Code; however, any energy efficient  
4 building standards adopted by a unit of local government must  
5 comply with this Act. If a unit of local government does not  
6 regulate energy efficient building standards, any  
7 construction, renovation, or addition to buildings or  
8 structures is subject to the provisions contained in this Act.

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

10       (20 ILCS 3125/45)

11       Sec. 45. Home rule. Except as otherwise provided in this  
12 Section, no ~~no~~ unit of local government, including any home  
13 rule unit, may regulate energy efficient building standards for  
14 commercial buildings in a manner that is less stringent than  
15 the provisions contained in this Act.

16       Except as otherwise provided in this Section, no unit of  
17 local government, including any home rule unit, may regulate  
18 energy efficient building standards for residential buildings  
19 in a manner that is either less or more stringent than the  
20 standards established pursuant to this Act.

21       Except as otherwise provided in this Section, no unit of  
22 local government, including any home rule unit, may hereafter  
23 enact any annexation ordinance or resolution, or require or  
24 enter into any annexation agreement, that imposes energy  
25 efficiency building standards for residential buildings that

1 are either less or more stringent than the energy efficiency  
2 standards in effect throughout the unit of local government,  
3 including a unit of local government that is subject to State  
4 regulation under the Code as provided in Section 15 of this  
5 Act, at the time of construction.

6 Any unit of local government that has adopted, on or before  
7 the effective date of this amendatory Act of the 96th General  
8 Assembly, efficiency standards at least as stringent as the  
9 2006 International Energy Conservation Code may continue to  
10 regulate energy efficient building standards under that Code.

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