

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 510**

4 (By Senator Unger)

5 \_\_\_\_\_  
6 [Originating in the Committee on Finance;  
7 reported February 23, 2011.]

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11 A BILL to amend the Code of West Virginia, 1931, as amended, by  
12 adding thereto a new article, designated §22-29-1, §22-29-2,  
13 §22-29-3 and §22-29-4, all relating to requiring new facility  
14 projects of public agencies and projects receiving state funds  
15 to be designed and constructed complying with the  
16 International Code Council 2009, International Energy  
17 Conservation Code and the ANSI/ASHRAE/IESNA Standard  
18 90.1-2007.

19 *Be it enacted by the Legislature of West Virginia:*

20 That the Code of West Virginia, 1931, as amended, be amended  
21 by adding thereto a new article, designated §22-29-1, §22-29-2,  
22 §22-29-3 and §22-29-4, all to read as follows:

23 **ARTICLE 29. GREEN BUILDINGS MINIMUM ENERGY STANDARDS.**

24 **§22-29-1. Short title and effective date.**

25 This article is called the "Green Buildings Act" and is

1 effective July 1, 2011.

2 **§22-29-2. Findings and purpose.**

3 (a) The Legislature finds that:

4 (1) Encouraging the construction of energy efficient public  
5 buildings is in the public interest and promotes the general  
6 welfare of the people of the state.

7 (2) Efficient energy use by public buildings contributes  
8 substantially to improving the environment.

9 (3) Public buildings can be built in accordance with energy  
10 efficient standards.

11 (b) This article is enacted to more efficiently spend public  
12 funds and protect the health and welfare of West Virginia  
13 residents.

14 **§22-29-3. Definitions.**

15 As used in this article:

16 (1) "ANSI" means the American National Standards Institute;

17 (2) "ASHRAE" means the American Society of Heating,  
18 Refrigerating and Air-Conditioning Engineers;

19 (3) "IESNA" means the Illuminating Engineering Society of  
20 North America;

21 (4) "ICC" the means the International Code Council; and

22 (5) "Public agency" means every state office, board,  
23 commission, committee, bureau, department or public institution of  
24 higher education; and counties, school boards and municipalities.

25 **§22-29-4. Minimum energy standards for new building construction**

1                   **projects of public agencies.**

2           All new building construction projects of public agencies or  
3 any building construction project receiving state grant funds and  
4 appropriations, including public schools, shall be designed and  
5 constructed complying with the ICC 2009 International Energy  
6 Conservation Code and the ANSI/ASHRAE/IESNA Standard 90.1-2007:  
7 *Provided, that* if any construction project has a commitment of  
8 federal funds to pay for a portion of such project, this section  
9 shall only apply to the extent such standards are consistent with  
10 the federal standards. This provision applies to building  
11 construction projects that have not entered the schematic design  
12 phase prior to July 1, 2011.

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(NOTE: The purpose of this bill is to require new facility projects of public agencies and projects receiving state funds, to be designed and constructed complying with the *International Code Council 2009 International Energy Conservation Code* and the *ANSI/ASHRAE/IESNA Standard 90.1-2007*.

This article is new; therefore, strike-throughs and underscoring have been omitted.)