

1 AN ACT concerning State buildings.

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 Green
5 Buildings Act.

6 Section 5. Findings. The General Assembly finds that an
7 efficient green building plan is essential to:

8 (1) reduce the increasing costs of energy for public
9 buildings and reduce the State's overall energy usage;

10 (2) preserve the environment and make State buildings
11 better for those who work and study in them, as well as the
12 area around them; and

13 (3) cut pollution, moderate peak energy demand, better
14 assure the reliability of energy studies, and stabilize energy
15 costs.

16 Section 10. Definitions. In this Act:

17 "Board" means the Capital Development Board.

18 "USGBC" means the United States Green Building Council.

19 "LEED" means the USGBC Leadership in Energy and
20 Environmental Design green building rating standard.

21 "GBI" means The Green Building Initiative.

22 "Green Globes" means the GBI green building construction

1 module.

2 "Major renovation" means a project with a construction
3 budget that equals 40% or more of the building's current
4 replacement cost.

5 Section 15. Green Buildings Standards.

6 (a) All new state-funded building construction and major
7 renovations of existing state-owned facilities are required to
8 seek LEED certification.

9 (b) All construction and major renovation projects,
10 regardless of size, must achieve the highest level of
11 certification practical within the project budget.

12 (1) New buildings and major renovations of less than
13 10,000 square feet must meet the highest standard of the
14 Leadership in Energy and Environmental Design's rating
15 system for new commercial construction and major
16 renovation projects, as established by the United States
17 Green Building Council, or an equivalent standard,
18 including The Green Building Initiative's Green Globes USA
19 design program. USGBC LEED certification is not required.

20 (2) New buildings and major renovations of less than
21 10,000 square feet must achieve the silver building rating
22 of the Leadership in Energy and Environmental Designs
23 rating system for new commercial construction and major
24 renovation projects, as established by the United States
25 Green Building Council, or an equivalent standard,

1 including, but not limited to, a two-globe rating in the
2 Green Globes USA design program. USGBC LEED or GBI Green
3 Globes certification is required.

4 (c) Exemptions to these standards are buildings that are
5 not "comfort" conditioned as determined by the Board. However,
6 the project design team must document and incorporate all
7 appropriate sustainable building methods, strategies, and
8 technologies in the final design.

9 (d) State agencies and the project design team may apply to
10 the Board for a waiver from these standards.

11 (e) Waivers shall be granted by the Board or an appropriate
12 agency when the applicant can demonstrate and document:

13 (1) An unreasonable financial burden, taking into
14 account the operating and construction costs over the life
15 of the building and the total cost of ownership of the
16 building.

17 (2) An unreasonable impediment to construction.

18 (3) The standards would impair the principal function
19 of the building.

20 (4) The standards would compromise the historic nature
21 of the structure.

22 Documentation on the submittal must include at a minimum:

23 (1) Life cycle cost analysis.

24 (2) Energy modeling.

25 The design team must provide the documentation for the new
26 project to confirm that LEED or Green Globes construction

1 standards have been followed.

2 (f) In addition to any required LEED criteria, the Board
3 shall require that all projects referenced in subsection (a)
4 implement at least one LEED criterion for alternative
5 transportation for public transportation or bicycle access.

6 (g) The green building standards contained in this Act
7 shall be analyzed and evaluated by the Board after 5 years or
8 the completion of 10 Board green projects, whichever comes
9 first.

10 Section 20. Rulemaking. Notwithstanding any other
11 rulemaking authority that may exist, neither the Governor nor
12 any agency or agency head under the jurisdiction of the
13 Governor has any authority to make or promulgate rules to
14 implement or enforce the provisions of this Act. If, however,
15 the Governor believes that rules are necessary to implement or
16 enforce the provisions of this Act, the Governor may suggest
17 rules to the General Assembly by filing them with the Clerk of
18 the House and the Secretary of the Senate and by requesting
19 that the General Assembly authorize such rulemaking by law,
20 enact those suggested rules into law, or take any other
21 appropriate action in the General Assembly's discretion.
22 Nothing contained in this Act shall be interpreted to grant
23 rulemaking authority under any other Illinois statute where
24 such authority is not otherwise explicitly given. For the
25 purposes of this Section, "rules" is given the meaning

1 contained in Section 1-70 of the Illinois Administrative
2 Procedure Act, and "agency" and "agency head" are given the
3 meanings contained in Sections 1-20 and 1-25 of the Illinois
4 Administrative Procedure Act to the extent that such
5 definitions apply to agencies or agency heads under the
6 jurisdiction of the Governor.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.