



State Government Administration Committee

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09500HB5113ham001

LRB095 17819 JAM 47916 a

1 AMENDMENT TO HOUSE BILL 5113

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5113 by replacing  
3 everything after the enacting clause with the following:

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.

1 Section 10. Definitions. In this Act:

2 "Board" means the Capital Development Board.

3 "USGBC" means the United State Green Building Council.

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

6 "GBI" means The Green Building Initiative.

7 "Green Globes" means the GBI green building construction  
8 module.

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

12 Section 15. Green Buildings Standards.

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

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

19 (1) New buildings and major renovations of less than  
20 10,000 square feet must meet the highest standard of the  
21 Leadership in Energy and Environmental Design's rating  
22 system for new commercial construction and major  
23 renovation projects, as established by the United States  
24 Green Building Council, or an equivalent standard,  
25 including The Green Building Initiative's Green Globes USA

1 design program. USGBC LEED certification is not required.

2 (2) New buildings and major renovations of less than  
3 10,000 square feet must achieve the silver building rating  
4 of the Leadership in Energy and Environmental Designs  
5 rating system for new commercial construction and major  
6 renovation projects, as established by the United States  
7 Green Building Council, or an equivalent standard,  
8 including, but not limited to, a two-globe rating in the  
9 Green Globes USA design program. USGBC LEED or GBI Green  
10 Globes certification is required.

11 (c) Exemptions to these standards are buildings that are  
12 not "comfort" conditioned as determined by the Board. However,  
13 the project design team must document and incorporate all  
14 appropriate sustainable building methods, strategies, and  
15 technologies in the final design.

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

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

20 (1) An unreasonable financial burden, taking into  
21 account the operating and construction costs over the life  
22 of the building and the total cost of ownership of the  
23 building.

24 (2) An unreasonable impediment to construction.

25 (3) The standards would impair the principal function  
26 of the building.

1           (4) The standards would compromise the historic nature  
2 of the structure.

3           Documentation on the submittal must include at a minimum:

4           (1) Life cycle cost analysis.

5           (2) Energy modeling.

6           The design team must provide the documentation for the new  
7 project to confirm that LEED or Green Globes construction  
8 standards have been followed.

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

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

17           Section 20. Rulemaking. Notwithstanding any other  
18 rulemaking authority that may exist, neither the Governor nor  
19 any agency or agency head under the jurisdiction of the  
20 Governor has any authority to make or promulgate rules to  
21 implement or enforce the provisions of this Act. If, however,  
22 the Governor believes that rules are necessary to implement or  
23 enforce the provisions of this Act, the Governor may suggest  
24 rules to the General Assembly by filing them with the Clerk of  
25 the House and the Secretary of the Senate and by requesting

1 that the General Assembly authorize such rulemaking by law,  
2 enact those suggested rules into law, or take any other  
3 appropriate action in the General Assembly's discretion.  
4 Nothing contained in this Act shall be interpreted to grant  
5 rulemaking authority under any other Illinois statute where  
6 such authority is not otherwise explicitly given. For the  
7 purposes of this Section, "rules" is given the meaning  
8 contained in Section 1-70 of the Illinois Administrative  
9 Procedure Act, and "agency" and "agency head" are given the  
10 meanings contained in Sections 1-20 and 1-25 of the Illinois  
11 Administrative Procedure Act to the extent that such  
12 definitions apply to agencies or agency heads under the  
13 jurisdiction of the Governor.

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law."