

97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3724

Introduced 2/10/2012, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

20 ILCS 3125/10
20 ILCS 3125/15
20 ILCS 3125/20
20 ILCS 3125/25

Amends the Energy Efficient Building Act. Provides that the Capital Development Board shall adopt, every 3 years (now, no time requirement), the latest published edition of the International Energy Conservation Code as minimum requirements for commercial buildings. Provides that the Board shall adopt, at least every 6 years (now, no time requirement), the Code as the minimum and maximum requirements for residential buildings. Provides that, beginning January 1, 2012, the Board shall review and consider adopting the latest published edition of the Code within one year of its publication and may adopt the latest edition upon review (now, the Board shall adopt the Code within 9 months after its publication). Provides that the Code shall take effect 6 months (now, 3 months) after it is adopted by the Board. Provides that the Department of Commerce and Economic Opportunity shall make training available to builders and others to explain the requirements of the Code. Provides that the Department shall make funds available for the training. Effective immediately.

LRB097 20046 PJG 65376 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Energy Efficient Building Act is amended by
5 changing Sections 10, 15, 20, and 25 as follows:

6 (20 ILCS 3125/10)

7 Sec. 10. Definitions.

8 "Board" means the Capital Development Board.

9 "Building" includes both residential buildings and
10 commercial buildings.

11 "Code" means the ~~latest~~ published edition of the
12 International Code Council's International Energy Conservation
13 Code as adopted by the Board, excluding published supplements
14 but including the amendments and adaptations to the Code that
15 are made by the Board.

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

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

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

22 "Residential building" means (i) a detached one-family or
23 2-family dwelling or (ii) any building that is 3 stories or

1 less in height above grade that contains multiple dwelling
2 units, in which the occupants reside on a primarily permanent
3 basis, such as a townhouse, a row house, an apartment house, a
4 convent, a monastery, a rectory, a fraternity or sorority
5 house, a dormitory, and a rooming house; provided, however,
6 that when applied to a building located within the boundaries
7 of a municipality having a population of 1,000,000 or more, the
8 term "residential building" means a building containing one or
9 more dwelling units, not exceeding 4 stories above grade, where
10 occupants are primarily permanent.

11 (Source: P.A. 96-778, eff. 8-28-09.)

12 (20 ILCS 3125/15)

13 Sec. 15. Energy Efficient Building Code. Beginning January
14 1, 2012, the ~~The~~ Board, in consultation with the Department,
15 shall adopt, every 3 years, the latest published edition of the
16 Code as minimum requirements for commercial buildings,
17 applying to the construction of, renovations to, and additions
18 to all commercial buildings in the State. Beginning January 1,
19 2012, the ~~The~~ Board, in consultation with the Department, shall
20 also adopt, at least every 6 years, the Code as the minimum and
21 maximum requirements for residential buildings, applying to
22 the construction of all residential buildings in the State,
23 except as provided for in Section 45 of this Act. The Board may
24 appropriately adapt the International Energy Conservation Code
25 to apply to the particular economy, population distribution,

1 geography, and climate of the State and construction therein,
2 consistent with the public policy objectives of this Act. The
3 changes made to this Section by this amendatory Act of the 97th
4 General Assembly shall in no way invalidate or otherwise affect
5 contracts entered into on or before the effective date of this
6 amendatory Act of the 97th General Assembly.

7 (Source: P.A. 96-778, eff. 8-28-09.)

8 (20 ILCS 3125/20)

9 Sec. 20. Applicability.

10 (a) Beginning January 1, 2012, the ~~The~~ Board shall review
11 and consider adopting ~~adopt~~ the Code within one year ~~9 months~~
12 after its publication and may adopt the Code upon review. The
13 Code shall take effect within 6 ~~3~~ months after it is adopted by
14 the Board and shall apply to any new building or structure in
15 this State for which a building permit application is received
16 by a municipality or county, except as otherwise provided by
17 this Act. In the case of any addition, alteration, renovation,
18 or repair to an existing commercial structure, the Code adopted
19 under this Act applies only to the portions of that structure
20 that are being added, altered, renovated, or repaired. The
21 changes made to this Section by this amendatory Act of the 97th
22 General Assembly shall in no way invalidate or otherwise affect
23 contracts entered into on or before the effective date of this
24 amendatory Act of the 97th General Assembly.

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

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

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

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

19 (4) (Blank).

20 (5) Other buildings specified as exempt by the
21 International Energy Conservation Code.

22 (c) Additions, alterations, renovations, or repairs to an
23 existing building, building system, or portion thereof shall
24 conform to the provisions of the Code as they relate to new
25 construction without requiring the unaltered portion of the
26 existing building or building system to comply with the Code.

1 The following need not comply with the Code, provided that the
2 energy use of the building is not increased: (i) storm windows
3 installed over existing fenestration, (ii) glass-only
4 replacements in an existing sash and frame, (iii) existing
5 ceiling, wall, or floor cavities exposed during construction,
6 provided that these cavities are filled with insulation, and
7 (iv) construction where the existing roof, wall, or floor is
8 not exposed.

9 (d) A unit of local government that does not regulate
10 energy efficient building standards is not required to adopt,
11 enforce, or administer the Code; however, any energy efficient
12 building standards adopted by a unit of local government must
13 comply with this Act. If a unit of local government does not
14 regulate energy efficient building standards, any
15 construction, renovation, or addition to buildings or
16 structures is subject to the provisions contained in this Act.
17 (Source: P.A. 96-778, eff. 8-28-09.)

18 (20 ILCS 3125/25)

19 Sec. 25. Technical assistance.

20 (a) The Department shall make available to builders,
21 designers, engineers, and architects implementation materials
22 and training to ~~that~~ explain the requirements of the Code and
23 describe methods of compliance acceptable to Code Enforcement
24 Officials.

25 (b) The materials shall include software tools, simplified

1 prescriptive options, and other materials as appropriate. The
2 simplified materials shall be designed for projects in which a
3 design professional may not be involved.

4 (b-5) The Department shall make funds available for the
5 training required under subsection (a).

6 (c) The Department shall provide local jurisdictions with
7 technical assistance concerning implementation and enforcement
8 of the Code.

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

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.