

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **Senate Bill No. 76**

5 (SENATOR UNGER, *original sponsor*)

6 \_\_\_\_\_  
7 [Passed March 10, 2012; in effect ninety days from passage.]  
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10 AN ACT to amend the Code of West Virginia, 1931, as amended, by  
11 adding thereto a new article, designated §22-29-1, §22-29-2,  
12 §22-29-3 and §22-29-4, all relating to requiring new building  
13 construction projects of public agencies and projects  
14 receiving state funds to be designed and constructed complying  
15 with the ICC International Energy Conservation Code and the  
16 ANSI/ASHRAE/IESNA Standard 90.1-2007; setting forth findings;  
17 defining terms; and setting standards for construction  
18 projects with federal funding.

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, 2012.

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 (a) "ANSI" means the American National Standards Institute;

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

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

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

22 (e) "Public agency" means an agency of the state and political  
23 subdivisions, public institutions of higher education and boards of  
24 education.

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 that  
3 have not entered the schematic design phase prior to July 1, 2012,  
4 or any building construction project receiving state grant funds  
5 and appropriations, including public schools, that have not entered  
6 the schematic design phase prior to July 1, 2012, shall be designed  
7 and constructed complying with the ICC International Energy  
8 Conservation Code, adopted by the State Fire Commission, and the  
9 ANSI/ASHRAE/IESNA Standard 90.1-2007: *Provided*, That if any  
10 construction project has a commitment of federal funds to pay for  
11 a portion of such project, this section shall only apply to the  
12 extent such standards are consistent with the federal standards.