SENATE BILL NO. 2555

AN ACT TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ADOPT CERTAIN RULES AND REGULATIONS REGARDING ENERGY PERFORMANCE OF STATE-FUNDED BUILDINGS THROUGHOUT THE STATE; TO PROVIDE THAT EACH MAJOR FACILITY CONSTRUCTION PROJECT SHALL BE DESIGNED, CONSTRUCTED AND CERTIFIED TO EXCEED THE REQUIREMENTS OF THE STATE ENERGY CODE BY AT LEAST 30% UNDER CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) The Department of Finance and Administration shall adopt rules and regulations which:

(a) Optimize the energy performance of state-funded buildings throughout the state;

(b) Increase the demand for building and construction materials, finishes, furnishings and other products made in or incorporating materials produced in Mississippi;

(c) Improve environmental quality in this state by decreasing the discharge of pollutants from state-funded buildings and their manufacture;

(d) Conserve energy and utilize local and renewable energy sources;

(e) Protect and restore this state's natural resources by avoiding development of inappropriate state-funded building sites;

(f) Reduce the burden on public water supply and treatment by reducing potable water consumption;

(g) Establish life cycle assessment as the appropriate and most efficient analysis to determine a state-funded building project's environmental performance level; and
(h) Encourage obtaining ENERGY STAR designation from the United States Environmental Protection Agency to further demonstrate a building project's energy independence.

(2) Each major facility project shall be designed, constructed and certified to exceed the requirements of the state energy code by at least thirty percent (30%) where it is determined by the Department of Finance and Administration that such thirty percent (30%) efficiency is cost effective based on a life cycle cost analysis with a payback at no more than thirty (30) years. Certification shall be performed by a professional engineer using IRS/DOE approved software methodology.

(3) In order to achieve sustainable building standards, construction projects may utilize a nationally recognized high performance environmental building rating system; provided, however, that any such rating system that uses a material or product-based credit system which is disadvantageous to materials or products manufactured or produced in Mississippi shall not be utilized. The Department of Finance and Administration shall designate rating systems which meet these criteria and may establish its own rating system.

(4) A professional engineer shall certify that the major facility project's systems for heating, ventilation, air conditioning, energy conservation and water conservation are installed and working properly to ensure that each major facility project performs according to the major facility project's overall environmental design intent and operational objectives.

(5) (1) For purposes of this act, a major facility project shall mean either:

(a) A state-funded new construction building project which is:

(i) From July 1 through December 31, 2009, the project shall be larger than twenty thousand (20,000) gross square feet;
(ii) From January 1, 2010, through December 31, 2010, the project shall be larger than fifteen thousand (15,000) gross square feet;

(iii) From January 1, 2011, through December 31, 2011, the project shall be larger than ten thousand (10,000) gross square feet; and

(iv) From January 1, 2012, and thereafter, the project shall be larger than five thousand (5,000) gross square feet;

(b) A state-funded renovation project which involves more than fifty percent (50%) of the replacement value of the facility or a change in occupancy.

(2) A major facility project shall not mean a building, regardless of size, which does not have conditioned space as defined by Standard 90.1 of the American Society of Heating, Refrigerating, and Air Conditioning Engineers.

SECTION 2. This act shall take effect and be in force from and after July 1, 2008.