

By: Senator(s) Baria, Hewes

To: Public Property

SENATE BILL NO. 2555

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

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

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

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

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

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

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

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

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

26 (g) Establish life cycle assessment as the appropriate
 27 and most efficient analysis to determine a state-funded building
 28 project's environmental performance level; and



29 (h) Encourage obtaining ENERGY STAR designation from
30 the United States Environmental Protection Agency to further
31 demonstrate a building project's energy independence.

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

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

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

55 (5) (1) For purposes of this act, a major facility project
56 shall mean either:

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

59 (i) From July 1 through December 31, 2009, the
60 project shall be larger than twenty thousand (20,000) gross square
61 feet;



62 (ii) From January 1, 2010, through December 31,
63 2010, the project shall be larger than fifteen thousand (15,000)
64 gross square feet;

65 (iii) From January 1, 2011, through December 31,
66 2011, the project shall be larger than ten thousand (10,000) gross
67 square feet; and

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

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

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

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

