

By: Representative Cockerham

To: Energy

HOUSE BILL NO. 1266

1 AN ACT TO AMEND SECTION 31-11-35, MISSISSIPPI CODE OF 1972,
 2 TO REQUIRE EACH MAJOR FACILITY PROJECT TO BE DESIGNED AND
 3 CONSTRUCTED TO MEET OR EXCEED CERTAIN ENERGY STANDARDS OF THE
 4 AMERICAN SOCIETY OF HEATING, REFRIGERATING AND AIR-CONDITIONING
 5 ENGINEERS (ASHRAE) OR ANY MORE STRINGENT CODE ADOPTED BY THE
 6 DEPARTMENT OF FINANCE AND ADMINISTRATION, BUREAU OF BUILDING,
 7 GROUNDS AND REAL PROPERTY MANAGEMENT; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 31-11-35, Mississippi Code of 1972, is
 10 amended as follows:

11 31-11-35. (1) The Department of Finance and Administration
 12 shall adopt rules and regulations which:

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

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

18 (c) Improve environmental quality in this state by
 19 decreasing the discharge of pollutants from state-funded
 20 buildings;



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

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

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

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

31 (2) Each major facility project shall be designed and
32 constructed to meet or exceed the requirements of * * * ASHRAE
33 90.1-2010 or any more stringent code adopted by the Department of
34 Finance and Administration, Bureau of Building.

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

44 (4) A nationally certified commissioning authority
45 professional shall certify that the major facility project's



46 systems for heating, ventilation, air conditioning, energy
47 conservation and water conservation are installed and working
48 properly to ensure that each major facility project performs
49 according to the major facility project's overall environmental
50 design intent and operational objectives.

51 (5) For purposes of this section, a major facility project
52 shall mean either:

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

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

58 (ii) From January 1, 2010, through December 31,
59 2010, the project shall be larger than fifteen thousand (15,000)
60 gross square feet;

61 (iii) From January 1, 2011, through December 31,
62 2011, the project shall be larger than ten thousand (10,000) gross
63 square feet; and

64 (iv) From January 1, 2012, and thereafter, the
65 project shall be larger than five thousand (5,000) gross square
66 feet * * *.

67 (b) A state-funded renovation project which involves
68 more than fifty percent (50%) of the replacement value of the
69 facility.



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

74 (7) For purposes of this section, a "major facility project"
75 shall include, but not be limited to, the construction or
76 renovation of buildings that are financed in whole or in part
77 through the use of a community development block grant.

78 **SECTION 2.** This act shall take effect and be in force from
79 and after July 1, 2013.

