

By: Representative Cockerham

To: Energy

HOUSE BILL NO. 1281  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 57-39-21, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE ENERGY EFFICIENCY STANDARDS FOR COMMERCIAL  
3 BUILDINGS; TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY  
4 SHALL NOT HAVE ENFORCEMENT AUTHORITY OVER THIS SECTION OF LAW; AND  
5 FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 57-39-21, Mississippi Code of 1972, is  
8 amended as follows:

9 57-39-21. (1) The board, in consultation with other  
10 appropriate professional groups and organizations, and others  
11 knowledgeable in the subject, shall \* \* \* review, amend and adopt,  
12 in accordance with Standard 90.1-2010 of the American Society of  
13 Heating, Refrigeration and Air-Conditioning Engineers, energy code  
14 standards for building construction, standards for computer-based  
15 energy management systems, standards for systems for cogeneration  
16 of heating, cooling and electricity, and standards for design to  
17 use passive solar energy concepts, in order to promote the  
18 efficient use of energy. \* \* \* For the purposes of this section,  
19 "building" shall mean any structure which includes provisions for



20 a heating or cooling system, or both, or for a hot water system,  
21 except exempted buildings. Unless it is an exempted building,  
22 each of the following \* \* \* are examples of buildings, within the  
23 meaning of this section:

24 (a) Any building which provides facilities or shelter  
25 for public assembly, or which is used for educational, office or  
26 institutional purposes;

27 (b) Any inn, hotel, motel, sports arena, supermarket,  
28 transportation terminal, retail store, restaurant or other  
29 commercial establishment which provides \* \* \* service or \* \* \*  
30 retail merchandise;

31 (c) Any portion of an industrial plant building used  
32 primarily as office space; and

33 (d) Any building owned by a state or political  
34 subdivision or instrumentality thereof, including libraries,  
35 museums, schools, hospitals, auditoriums, sports arenas and  
36 university buildings.

37 (2) Exempt buildings shall include:

38 (a) Buildings and structures or portions thereof whose  
39 peak design rate of energy usage is less than three and  
40 four-tenths (3.4) British thermal units per hour per square foot  
41 or one (1.0) watt per square foot of floor area for all purposes;

42 (b) Buildings and structures or portions thereof which  
43 are neither heated nor cooled by fuel;

44 (c) Any mobile home;



45 (d) Any privately owned, noncommercial building or  
46 structure whose construction, heating, cooling or lighting  
47 arrangement is not in conflict with federal law;

48 (e) Any building owned or leased, in whole or in part,  
49 by the United States Government.

50 \* \* \*

51 ( \* \* \*3) Beginning July 1, \* \* \* 2013, the design,  
52 direction, construction and alteration of any building for which  
53 the standards promulgated pursuant to subsection (1) of this  
54 section \* \* \* applies shall be accomplished so that the building  
55 or applicable portions thereof shall meet or conform to \* \* \* the  
56 standards. The board shall not have enforcement over this  
57 section. Local governing authorities shall adopt rules and  
58 regulations for the administration and enforcement of this  
59 section, and to adopt such penalties for violation of this section  
60 as they deem appropriate, except in regard to buildings owned by  
61 the state. In state-owned buildings, the building commission  
62 shall provide for the compliance with the standards adopted under  
63 this chapter. Local governing authorities are authorized to adopt  
64 rules and regulations as developed and promulgated by the  
65 commission for the administration and enforcement of these  
66 standards and to adopt such penalties for violations of the  
67 standards as they deem appropriate. Local governing authorities  
68 are authorized to establish an inspection fee for the inspection



69 of thermal and lighting standards in an amount not to exceed \* \* \*  
70 One Hundred Fifty Dollars (\$150.00).

71 (4) This section shall stand repealed from and after July 1,  
72 2016.

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

