

By: Representative Cockerham

To: Energy

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1152

1 AN ACT TO AMEND SECTION 57-39-21, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE 2009 INTERNATIONAL ENERGY CONSERVATION CODE
3 (IECC) IS ADOPTED AS THE MINIMUM CODE FOR RESIDENTIAL BUILDING
4 CONSTRUCTION IN THE STATE OF MISSISSIPPI; TO CLARIFY THAT THE
5 STANDARD 90.1-2010 OF THE AMERICAN SOCIETY OF HEATING,
6 REFRIGERATION AND AIR CONDITIONING ENGINEERS, ENERGY CODE
7 STANDARDS FOR BUILDING CONSTRUCTION, STANDARDS FOR COMPUTER-BASED
8 ENERGY MANAGEMENT SYSTEMS, STANDARDS FOR SYSTEMS FOR COGENERATION
9 OF HEATING, COOLING AND ELECTRICITY, AND STANDARDS FOR DESIGN TO
10 USE PASSIVE SOLAR ENERGY CONCEPTS IS THE STATEWIDE MINIMUM
11 BUILDING STANDARD FOR COMMERCIAL BUILDINGS IN THE STATE OF
12 MISSISSIPPI; TO PROVIDE FOR EXEMPTIONS TO BOTH STATEWIDE MINIMUM
13 BUILDING STANDARDS; TO PROVIDE THE LOCAL GOVERNING AUTHORITIES
14 WITH CERTAIN AUTHORIZATION TO ADOPT RULES AND REGULATIONS; AND FOR
15 RELATED PURPOSES.

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

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

19 57-39-21. (1) * * * In order to promote the efficient use
20 of energy, Standard 90.1-2010 of the American Society of Heating,
21 Refrigeration and Air Conditioning Engineers, energy code
22 standards for building construction, standards for computer-based
23 energy management systems, standards for systems for cogeneration
24 of heating, cooling and electricity, and standards for design to



25 use passive solar energy concepts, * * * is adopted as the
26 statewide minimum building standard for commercial buildings in
27 the State of Mississippi. For the purposes of this section,
28 "building" shall mean any structure which includes provisions for
29 a heating or cooling system, or both, or for a hot water system,
30 except for residential buildings as defined in subsection (2) of
31 this section or exempted buildings described in subsection (3) of
32 this section. Unless it is an exempted building, each of the
33 following are examples of commercial buildings, within the meaning
34 of this subsection:

35 (a) Any building which provides facilities or shelter
36 for public assembly, or which is used for educational, office or
37 institutional purposes;

38 (b) Any inn, hotel, motel, sports arena, supermarket,
39 transportation terminal, retail store, restaurant or other
40 commercial establishment which provides service or retail
41 merchandise;

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

44 (d) Any building owned by a state or political
45 subdivision or instrumentality thereof, including libraries,
46 museums, schools, hospitals, auditoriums, sports arenas and
47 university buildings.

48 (2) In order to promote the efficient use of energy, the
49 2009 International Energy Conservation Code (IECC) is adopted as



50 the minimum code for residential building construction in the
51 State of Mississippi. For the purposes of this section,
52 "residential building" means any privately owned, noncommercial
53 building or structure that includes provisions for a heating or
54 cooling system, or both, or for a hot water system, except for
55 exempted buildings listed in subsection (3) of this section.

56 (* * *3) Exempt buildings shall include:

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

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

63 (c) Any * * * structure exempted by the provisions of
64 Section 17-2-7 or Section 17-2-9;

65 * * *

66 (* * *d) Any building owned or leased, in whole or in
67 part, by the United States government.

68 (* * *4) Beginning * * * January 1, 2019, the design,
69 direction, construction and alteration of any building for which
70 the standards * * * adopted in subsections (1) and (2) of this
71 section * * * apply shall be accomplished so that the building or
72 applicable portions thereof shall meet or conform to the
73 standards; the standards adopted in subsection (1) of this section



74 shall have statewide application and shall not require adoption by
75 a municipality or county. * * *

76 * * *

77 (5) Local governing authorities may adopt rules and
78 regulations for the administration and enforcement of this
79 section, and to adopt such penalties for violation of this section
80 as they deem appropriate, except in regard to buildings owned by
81 the state. In state-owned buildings, the building commission
82 shall provide for the compliance with the standards adopted under
83 this chapter. Local governing authorities may adopt rules and
84 regulations as developed and promulgated by the commission for the
85 administration and enforcement of these standards and to adopt
86 such penalties for violations of the standards as they deem
87 appropriate. Local governing authorities may establish an
88 inspection fee for the inspection of thermal and lighting
89 standards in an amount not to exceed One Hundred Fifty Dollars
90 (\$150.00).

91 **SECTION 2.** This act shall take effect and be in force from
92 and after July 1, 2018.

