

By: Representative Cockerham

To: Energy

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 STATEWIDE MINIMUM CODE FOR RESIDENTIAL  
 4 BUILDING CONSTRUCTION IN THE STATE OF MISSISSIPPI; TO CLARIFY THAT  
 5 THE 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 statewide minimum code for residential building construction  
51 in the 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 subsections (1) and (2) of



74 this section shall have statewide application and shall not  
75 require adoption by 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.

