

By: Senator(s) Carter

To: Energy

SENATE BILL NO. 2339

1 AN ACT TO AMEND SECTION 57-39-21, MISSISSIPPI CODE OF 1972,
2 TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW ESTABLISHING
3 ENERGY EFFICIENCY STANDARDS FOR BUILDING CONSTRUCTION; AND FOR
4 RELATED PURPOSES.

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

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

8 57-39-21. (1) The board, in consultation with other
9 appropriate professional groups and organizations, and others
10 knowledgeable in the subject, shall review, amend and adopt, in
11 accordance with Standard 90.1-2010 of the American Society of
12 Heating, Refrigeration and Air-Conditioning Engineers, energy code
13 standards for building construction, standards for computer-based
14 energy management systems, standards for systems for cogeneration
15 of heating, cooling and electricity, and standards for design to
16 use passive solar energy concepts, in order to promote the
17 efficient use of energy. For the purposes of this section,
18 "building" shall mean any structure which includes provisions for
19 a heating or cooling system, or both, or for a hot water system,



20 except exempted buildings. Unless it is an exempted building,
21 each of the following are examples of buildings, within the
22 meaning of this section:

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

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

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

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

36 (2) Exempt buildings shall include:

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

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

43 (c) Any mobile home;



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

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

49 (3) Beginning July 1, 2013, the design, direction,
50 construction and alteration of any building for which the
51 standards promulgated pursuant to subsection (1) of this section
52 applies shall be accomplished so that the building or applicable
53 portions thereof shall meet or conform to the standards. The
54 board shall not have enforcement over this section. Local
55 governing authorities shall adopt rules and regulations for the
56 administration and enforcement of this section, and to adopt such
57 penalties for violation of this section as they deem appropriate,
58 except in regard to buildings owned by the state. In state-owned
59 buildings, the building commission shall provide for the
60 compliance with the standards adopted under this chapter. Local
61 governing authorities are authorized to adopt rules and
62 regulations as developed and promulgated by the commission for the
63 administration and enforcement of these standards and to adopt
64 such penalties for violations of the standards as they deem
65 appropriate. Local governing authorities are authorized to
66 establish an inspection fee for the inspection of thermal and
67 lighting standards in an amount not to exceed One Hundred Fifty
68 Dollars (\$150.00).



69 (4) This section shall stand repealed from and after July
70 1, * * * 2027.

71 **SECTION 2.** This act shall take effect and be in force from
72 and after June 30, 2023.

