

By: Representative Cockerham

To: Energy

HOUSE BILL NO. 906

1 AN ACT TO AMEND SECTION 57-39-21, MISSISSIPPI CODE OF 1972,  
2 WHICH REQUIRES CERTAIN STANDARDS THAT PROMOTE EFFICIENT ENERGY USE  
3 TO BE IMPLEMENTED DURING THE DESIGN, DIRECTION, CONSTRUCTION AND  
4 ALTERATION OF CERTAIN BUILDINGS, BY EXTENDING THE DATE OF REPEAL  
5 FROM JULY 1, 2016, TO JULY 1, 2019; AND 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, in  
12 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 retail  
30 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 (3) Beginning July 1, 2013, the design, direction,  
51 construction and alteration of any building for which the  
52 standards promulgated pursuant to subsection (1) of this section  
53 applies shall be accomplished so that the building or applicable  
54 portions thereof shall meet or conform to the standards. The  
55 board shall not have enforcement over this section. Local  
56 governing authorities shall adopt rules and regulations for the  
57 administration and enforcement of this section, and to adopt such  
58 penalties for violation of this section as they deem appropriate,  
59 except in regard to buildings owned by the state. In state-owned  
60 buildings, the building commission shall provide for the  
61 compliance with the standards adopted under this chapter. Local  
62 governing authorities are authorized to adopt rules and  
63 regulations as developed and promulgated by the commission for the  
64 administration and enforcement of these standards and to adopt  
65 such penalties for violations of the standards as they deem  
66 appropriate. Local governing authorities are authorized to  
67 establish an inspection fee for the inspection of thermal and  
68 lighting standards in an amount not to exceed One Hundred Fifty  
69 Dollars (\$150.00).



70 (4) This section shall stand repealed from and after July 1,  
71 \* \* \* 2019.

72 **SECTION 2.** This act shall take effect and be in force from  
73 and after July 1, 2016.

