

House Bill 1125

By: Representatives Horne of the 71<sup>st</sup>, Ehrhart of the 36<sup>th</sup>, Greene of the 149<sup>th</sup>, and Lewis of the 15<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 9 of Title 50 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to the Georgia Building Authority, so as to provide for  
3 energy efficient construction of a major state-funded facility project; to provide for duties  
4 and responsibilities for the enforcement of certain energy efficient provisions; to provide a  
5 short title; to provide legislative findings; to provide a definition; to provide for related  
6 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 9 of Title 50 of the Official Code of Georgia Annotated, relating to  
10 general provisions relative to the Georgia Building Authority, is amended by adding a new  
11 Code section to read as follows:

12 "50-9-17.

13 (a) This Code section shall be known and may be cited as the 'Energy Efficiency and  
14 Sustainable Construction Act of 2008.'

15 (b) The General Assembly finds that the welfare of this state is enhanced by the promotion  
16 of effective energy and environmental standards for construction, rehabilitation, and  
17 maintenance of buildings in this state and that such standards in turn improve this state's  
18 capacity to design, build, and operate high-performance buildings, contributing to  
19 economic growth, promoting job development, and increasing energy conservation.

20 (c) For purposes of this Code section, 'major facility project' means a state-funded:

21 (1) New construction building project of a building exceeding 5,000 square feet;

22 (2) A renovation project that is more than 50 percent of the replacement value of the  
23 facility, a change in occupancy, or any roof replacement project exceeding 5,000 square  
24 feet; or

25 (3) A commercial interior tenant fit-out project exceeding 5,000 square feet of leaseable  
26 area.

1 A major facility project shall not include a building, regardless of size, that does not have  
2 conditioned space as defined by the American Society of Heating, Refrigerating, and  
3 Air-Conditioning Engineers (ASHRAE).

4 (d) Consistent with the intent of this Code section, the Georgia Building Authority shall  
5 adopt policies and procedures applicable to all buildings owned, leased, or managed by this  
6 state that:

7 (1) Optimize the energy performance;

8 (2) Increase the demand for construction materials and furnishings produced in Georgia;

9 (3) Improve the environmental quality in this state by decreasing the discharge of  
10 pollutants from such state buildings;

11 (4) Conserve energy and utilize local and renewable energy sources;

12 (5) Protect and restore this state's natural resources by avoiding the development of  
13 inappropriate building sites;

14 (6) Reduce the burden on municipal water supply and treatment by reducing potable  
15 water consumption;

16 (7) Establish life cycle assessments as the appropriate and most efficient analysis to  
17 determine a building project's environmental performance level; and

18 (8) Encourage obtaining Energy Star designation from the United States Environmental  
19 Protection Agency to further demonstrate a building project's energy independence.

20 (e) All major facility projects shall be designed, constructed, and certified to exceed the  
21 standards set forth in ASHRAE 90.1.2004 by 30 percent where it is determined by the State  
22 Properties Commission that such 30 percent efficiency is cost effective based on a life  
23 cycle cost analysis with a payback at no more than ten years. Certification must be  
24 performed by a professional engineer using software methodology approved by the Internal  
25 Revenue Service and the Department of Energy. For all major renovation projects, such  
26 requirements shall apply to the specific building assemblies, envelope components, and  
27 equipment involved in the project.

28 (f) To achieve sustainable building standards, construction projects may utilize a nationally  
29 recognized high performance energy modeling and environmental building rating system;  
30 provided, however, that any such rating system that uses a material or product based credit  
31 system that operates to the detriment of materials or products manufactured or produced  
32 in Georgia shall not be so utilized. The Georgia State Financing and Investment  
33 Commission shall designate rating systems that meet these criteria and is authorized to  
34 establish its own alternative rating system.

35 (g) Local governing authorities and local school systems shall use the energy modeling  
36 and rating systems designated by the Georgia Building Authority.

1 (h) A professional engineer shall certify that the building project's systems for heating,  
2 ventilating, air conditioning, energy conservation, and water conservation are installed and  
3 working properly to ensure that each building project performs according to the building's  
4 overall environmental design intent and operational objectives."

5 **SECTION 2.**

6 This Act shall become effective on July 1, 2008.

7 **SECTION 3.**

8 All laws and parts of laws in conflict with this Act are repealed.