

The House Committee on State Institutions and Property offers the following substitute to HB 1125:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to the Department of Community Affairs, so as to
3 provide for energy efficient construction of a major state-funded facility project; to provide
4 for duties and responsibilities for the enforcement of certain energy efficient provisions; to
5 provide a short title; to provide legislative findings; to provide a definition; to provide for
6 related matters; to provide an effective date and applicability; to repeal conflicting laws; and
7 for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to
11 general provisions relative to the Department of Community Affairs, is amended by adding
12 a new Code section to read as follows:

13 "50-8-18.

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

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

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

22 (1) New construction building project of a building exceeding 10,000 square feet;

23 (2) A renovation project that is more than 50 percent of the replacement value, as
24 determined by the Department of Administrative Services Risk Management Division,
25 of the facility, a change in occupancy, or any roof replacement project exceeding 10,000
26 square feet; or

1 (3) A commercial interior tenant fit-out project exceeding 10,000 square feet of leaseable
2 area where the state is intended to be the lessor of such property.

3 A major facility project shall not include a building, regardless of size, that does not have
4 conditioned space as defined by the American Society of Heating, Refrigerating, and
5 Air-Conditioning Engineers (ASHRAE) and shall not include a state owned building that
6 is on the historical registry or any local, county, or municipal building.

7 (d) Consistent with the intent of this Code section, the department, in consultation with the
8 Georgia State Finance and Investment Commission, shall adopt policies and procedures as
9 standards for all buildings owned or managed by this state that:

10 (1) Optimize the energy performance;

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

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

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

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

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

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

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

23 (e) All major facility projects shall be designed, constructed, and commissioned or
24 modeled to exceed the standards set forth in ASHRAE 90.1.2004 by 30 percent where it
25 is determined by the department that such 30 percent efficiency is cost effective based on
26 a life cycle cost analysis with a payback at no more than ten years. Commissioning or
27 modeling must be performed by a professional engineer, design professional, or
28 commissioning agent using software methodology approved by the Internal Revenue
29 Service, the Department of Energy, current ASHRAE standards, or other similar
30 methodology. For all major renovation projects, such requirements shall apply to the
31 specific building assemblies, envelope components, and equipment involved in the project.

32 (f) All major facility projects shall be designed, constructed, and commissioned or
33 modeled to achieve a 15 percent reduction in water use when compared to water use based
34 on plumbing fixture selection in accordance with the Energy Policy Act of 1992.

35 (g) To achieve sustainable building standards, construction projects may utilize a
36 nationally recognized high performance energy modeling and environmental building
37 rating system; provided, however, that any such rating system that uses a material or

1 product based credit system that operates to the detriment of materials or products
2 manufactured or produced in Georgia shall not be utilized. The department shall designate
3 rating systems that meet these criteria and is authorized to establish its own alternative
4 rating system. All major facility projects shall include Georgia products such that not less
5 than 10 percent of all building materials used in a project are harvested, extracted, or
6 manufactured in the State of Georgia where such products are commercially available in
7 a manner consistent with the purposes of this Code section.

8 (h) A professional engineer, design professional, or commissioning agent shall certify that
9 the building project's systems for heating, ventilating, air conditioning, energy
10 conservation, and water conservation are installed and working properly to ensure that each
11 building project performs according to the building's overall environmental design intent
12 and operational objectives."

13 **SECTION 2.**

14 This Act shall become effective on July 1, 2010, and shall apply to design agreements for
15 major facilities projects entered into on or after such date.

16 **SECTION 3.**

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