



# House of Representatives

General Assembly

**File No. 272**

January Session, 2021

Substitute House Bill No. 6572

*House of Representatives, April 6, 2021*

The Committee on Energy and Technology reported through REP. ARCONTI of the 109th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING THE ESTABLISHMENT OF ENERGY USE BUILDING STANDARDS FOR VOLUNTARY ADOPTION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-253 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2021*):

3 (a) The State Building Code, including any amendment to said code  
4 adopted by the State Building Inspector and Codes and Standards  
5 Committee, shall be the building code for all towns, cities and boroughs.

6 (b) Nothing in this section shall prevent any town, city or borough  
7 from adopting an ordinance governing the demolition of buildings  
8 deemed to be unsafe. As used in this subsection, "unsafe building"  
9 means a building that constitutes a fire hazard or is otherwise  
10 dangerous to human life or the public welfare and "building official"  
11 means the person appointed pursuant to section 29-260.

12 (c) (1) Any town, city or borough may, through its legislative body,

13 require all buildings greater than forty thousand square feet that qualify  
14 as a new construction or a substantial renovation to demonstrate an  
15 energy use at least ten per cent per square foot less than the energy use  
16 permitted by the State Building Code, except that on and after January  
17 1, 2024, the Commissioner of Administrative Services, in consultation  
18 with the Commissioner of Energy and Environmental Protection, may  
19 adopt regulations, in accordance with the provisions of chapter 54,  
20 limiting such demonstrated energy use that towns, cities and boroughs  
21 may require to a maximum per cent, not to exceed ten per cent, that is  
22 cost effective over a thirty-year period, as determined by such  
23 commissioners.

24 (2) Any town, city or borough that requires a demonstrated energy  
25 use pursuant to this subsection shall inform the State Building Inspector  
26 and the Commissioner of Energy and Environmental Protection of such  
27 requirement.

28 (3) Any town, city or borough that requires a demonstrated energy  
29 use pursuant to this subsection may authorize the building official to  
30 accept a report from a licensed professional engineer as verification of  
31 compliance with such requirement. The owner of a building subject to a  
32 demonstrated energy use required by a town, city or borough pursuant  
33 to this subsection may appeal a decision of the building official pursuant  
34 to the procedure established in section 29-266.

35 (4) Notwithstanding the provisions of subdivision (1) of this  
36 subsection, all buildings greater than forty thousand square feet that  
37 qualify as a new construction or a substantial renovation shall satisfy  
38 the requirements of subdivision (1) of this subsection if such buildings  
39 are constructed in accordance with a nationally accepted green building  
40 rating system, included in the state building code pursuant to  
41 subsection (b) of section 29-256a, provided the State Building Inspector  
42 and the Codes and Standards Committee determine such nationally  
43 accepted green building rating system equals or exceeds the  
44 demonstrated energy use requirements prescribed by subdivision (1) of  
45 this subsection and provide such determination in writing.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2021</i>	29-253
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**Statement of Legislative Commissioners:**

In Section 1(c)(4), technical clarifying language was inserted for conformity with standard drafting conventions.

**ET**      *Joint Favorable Subst. -LCO*

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

There is no fiscal impact resulting from the bill, which allows municipalities to adopt regulations that would require new construction or significant renovations for buildings that exceed 40,000 square feet to be at least 10 percent more efficient than the State Building Code requires.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sHB 6572*****AN ACT CONCERNING THE ESTABLISHMENT OF ENERGY USE BUILDING STANDARDS FOR VOLUNTARY ADOPTION.*****SUMMARY**

This bill allows municipalities to establish a requirement that new or substantially renovated buildings over 40,000 square feet demonstrate that they use at least 10% per square foot less energy than maximum levels permitted under the state building code (i.e., a “stretch code”). Under the bill, municipalities choosing to establish this requirement must inform the State Building Inspector and the Department of Energy and Environmental Protection (DEEP) commissioner about it.

The bill allows municipalities to authorize the municipal building official to accept a report from a licensed professional engineer to verify compliance with the requirement. It allows building owners to appeal a municipal building official’s decision to the municipal appeals board. (By law, aggrieved parties may appeal the board’s decisions to the state Codes and Standards Committee and the committee’s decisions to Superior Court (CGS § 29-266).)

Under the bill, if the State Building Inspector and the Codes and Standards Committee determine in writing that a nationally accepted green building rating system meets or exceeds the municipal energy use requirement, all buildings constructed in accordance with that rating system satisfy the municipal requirement. Under the bill, a green building rating system is one that is included in the State Building Code for certain large buildings.

Beginning January 1, 2024, the bill allows the Department of Administrative Services commissioner, in consultation with the DEEP commissioner, to adopt regulations limiting municipal energy use

requirements to a maximum percentage that is cost effective over a 30-year period, up to 10%.

EFFECTIVE DATE: July 1, 2021

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable

Yea 16 Nay 10 (03/18/2021)