



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1612

Introduced 2/15/2011, by Rep. Karen May

#### SYNOPSIS AS INTRODUCED:

20 ILCS 3125/10  
20 ILCS 3125/20

Amends the Energy Efficient Building Act. Provides that an energy inspector shall inspect new residential and commercial construction and certify that the construction meets the standards of the International Energy Conservation Code. Defines "energy inspector". Effective immediately.

LRB097 08809 PJG 48939 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Energy Efficient Building Act is amended by  
5 changing Sections 10 and 20 as follows:

6 (20 ILCS 3125/10)

7 Sec. 10. Definitions.

8 "Board" means the Capital Development Board.

9 "Building" includes both residential buildings and  
10 commercial buildings.

11 "Code" means the latest published edition of the  
12 International Code Council's International Energy Conservation  
13 Code, excluding published supplements but including the  
14 adaptations to the Code that are made by the Board.

15 "Commercial building" means any building except a building  
16 that is a residential building, as defined in this Section.

17 "Department" means the Department of Commerce and Economic  
18 Opportunity.

19 "Energy inspector" means a person selected by the Capitol  
20 Development Board to inspect new residential and commercial  
21 building construction to ensure that the buildings comply with  
22 the latest published edition of the International Code  
23 Council's International Energy Conservation Code, excluding

1 published supplements but including the adaptations to the Code  
2 that are made by the Board.

3 "Municipality" means any city, village, or incorporated  
4 town.

5 "Residential building" means (i) a detached one-family or  
6 2-family dwelling or (ii) any building that is 3 stories or  
7 less in height above grade that contains multiple dwelling  
8 units, in which the occupants reside on a primarily permanent  
9 basis, such as a townhouse, a row house, an apartment house, a  
10 convent, a monastery, a rectory, a fraternity or sorority  
11 house, a dormitory, and a rooming house; provided, however,  
12 that when applied to a building located within the boundaries  
13 of a municipality having a population of 1,000,000 or more, the  
14 term "residential building" means a building containing one or  
15 more dwelling units, not exceeding 4 stories above grade, where  
16 occupants are primarily permanent.

17 (Source: P.A. 96-778, eff. 8-28-09.)

18 (20 ILCS 3125/20)

19 Sec. 20. Applicability.

20 (a) The Board shall adopt the Code within 9 months after  
21 its publication. The Code shall take effect within 3 months  
22 after it is adopted by the Board and shall apply to any new  
23 building or structure in this State for which a building permit  
24 application is received by a municipality or county, except as  
25 otherwise provided by this Act. In the case of any addition,

1 alteration, renovation, or repair to an existing commercial  
2 structure, the Code adopted under this Act applies only to the  
3 portions of that structure that are being added, altered,  
4 renovated, or repaired.

5 (b) The following buildings shall be exempt from the Code:

6 (1) Buildings otherwise exempt from the provisions of a  
7 locally adopted building code and buildings that do not  
8 contain a conditioned space.

9 (2) Buildings that do not use either electricity or  
10 fossil fuel for comfort conditioning. For purposes of  
11 determining whether this exemption applies, a building  
12 will be presumed to be heated by electricity, even in the  
13 absence of equipment used for electric comfort heating,  
14 whenever the building is provided with electrical service  
15 in excess of 100 amps, unless the code enforcement official  
16 determines that this electrical service is necessary for  
17 purposes other than providing electric comfort heating.

18 (3) Historic buildings. This exemption shall apply to  
19 those buildings that are listed on the National Register of  
20 Historic Places or the Illinois Register of Historic  
21 Places, and to those buildings that have been designated as  
22 historically significant by a local governing body that is  
23 authorized to make such designations.

24 (4) Additions, alterations, renovations, or repairs to  
25 existing residential structures ~~(Blank)~~.

26 (5) Other buildings specified as exempt by the

1 International Energy Conservation Code.

2 (c) Additions, alterations, renovations, or repairs to an  
3 existing commercial building, building system, or portion  
4 thereof shall conform to the provisions of the Code as they  
5 relate to new construction without requiring the unaltered  
6 portion of the existing building or building system to comply  
7 with the Code. The following need not comply with the Code,  
8 provided that the energy use of the building is not increased:

9 (i) storm windows installed over existing fenestration, (ii)  
10 glass-only replacements in an existing sash and frame, (iii)  
11 existing ceiling, wall, or floor cavities exposed during  
12 construction, provided that these cavities are filled with  
13 insulation, and (iv) construction where the existing roof,  
14 wall, or floor is not exposed.

15 (d) A unit of local government that does not regulate  
16 energy efficient building standards is not required to adopt,  
17 enforce, or administer the Code; however, any energy efficient  
18 building standards adopted by a unit of local government must  
19 comply with this Act. If a unit of local government does not  
20 regulate energy efficient building standards, any  
21 construction, renovation, or addition to buildings or  
22 structures is subject to the provisions contained in this Act.

23 (e) An energy inspector shall inspect new residential and  
24 commercial construction and certify that the construction  
25 meets the standards of the Code.

26 (Source: P.A. 96-778, eff. 8-28-09.)

1           Section 99. Effective date. This Act takes effect upon  
2           becoming law.