



Ohio Legislative Service Commission

Bill Analysis

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Sub. H.B. 7

128th General Assembly

(As Reported by H. Local Government and Public Administration)

Reps. Harris and Pillich, Garrison, Stewart, B. Williams, Phillips, Hagan, Fende, Murray, Ujvagi, Koziura, Newcomb, Szollosi, Bolon, Letson, Yuko, Luckie, S. Williams, Heard

BILL SUMMARY

- Requires a building or structure constructed using state capital budget moneys to adhere to certain energy efficiency building standards.
- Encourages the use of Ohio-produced products for the construction of a building or structure using any state capital budget moneys.
- Encourages the costs of complying with the energy efficiency building standards to be recouped within 20 years through reduced energy costs.

CONTENT AND OPERATION

Energy efficiency building standards

(R.C. 153.013(A) and (E))

The bill requires that whenever any building or structure is to be constructed using any state capital budget moneys, including moneys from the Education Facilities Trust Fund, the building or structure must meet both of the following:

(1) Achieve at least one of the following building standards:

(a) Certification at the silver level or higher from the Leadership in Energy and Environmental Design (LEED) Green Building Rating System developed by the United States Green Building Council (USGBC). USGBC is a nonprofit organization that is committed to expanding sustainable building practices. According to its web site, LEED "provides building owners and operators with a concise framework for identifying and implementing practical and measurable green building design,

construction, operations and maintenance solutions."¹ The LEED Green Building Rating System "encourages and accelerates global adoption of sustainable green building and development practices through the creation and implementation of universally understood and accepted tools and performance criteria."² LEED certification provides third-party verification that a building project meets the highest green building and performance measures.³ "To earn LEED certification, a project must satisfy all prerequisites and earn a minimum number of points outlined in the LEED Rating System under which it is registered."⁴ There is an application process and fees involved in the certification. The rating system assigns points to certain criteria. In order to obtain the silver level as optioned under the bill, the applicant must receive enough points to fall within the range allotted for that status. Apparently, the silver standard level ranks above certified level and below gold level, which in turn ranks below platinum level.

(b) Certification at the two green globes level or higher from the Green Globes Environmental Assessment and Rating System owned and operated in the United States by the Green Building Initiative (GBI). The GBI states, "The Green Globes environmental analysis and assessment process is one of the leading green building rating systems in the U.S."⁵ Under this system, "new and existing commercial buildings can be certified for their environmental achievements and sustainability by pursuing Green Globes certification that assigns a rating of one to four globes."⁶ The two green globes level optioned under the bill "demonstrates excellent progress in reducing environmental impacts by applying best practices in energy and environmental efficiency."⁷ The process for achieving a Green Globes certification requires purchasing a subscription and following a number of steps.

(c) A design standard determined by the Director of Administrative Services to be a nationally recognized green building rating standard equivalent to the standards listed above. The Director is authorized to adopt rules establishing a process and criteria for recognizing these equivalent green building rating standards.

¹ <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=1988>.

² <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=222>.

³ <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=64>.

⁴ <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=1497>.

⁵ <http://www.thegbi.org/>.

⁶ <http://www.thegbi.org/green-globes/>.

⁷ <http://www.thegbi.org/green-globes/ratings-and-certifications.asp>.

(2) Achieve at least one of the following energy efficiency standards:

(a) Exceed by at least 30% the most current energy efficiency standards developed by the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE). ASHRAE states that their "certification programs are developed by industry practitioners who understand the knowledge and experience that are expected for superior building design and system operation."⁸

(b) Achieve a national energy performance rating of not less than 77 using the Energy Star rating system developed by the United States Environmental Protection Agency (EPA) as validated by a professional engineer. The EPA has a free online tool, Portfolio Manager, that calculates a building score on a scale of one to 100. Buildings that score a 75 or greater may qualify for the ENERGY STAR.⁹

Use of Ohio products

(R.C. 153.013(B))

For the award of any contract for construction of a building or structure using any state capital budget moneys, including moneys from the Education Facilities Trust Fund, that bill requires reasonable efforts to be made to use Ohio products and materials and to recoup the costs of implementing the requirements of the bill over a period of not more than 20 years as measured by reduced energy costs.

Exemptions from the bill

(R.C. 153.013(C) and (E))

Under the bill, the following construction projects are exempt from its requirements:

- (1) A building or structure that is less than 5,000 square feet;
- (2) A building or structure that does not consume energy for heating, ventilating, or air conditioning;
- (3) A building or structure that has construction costs less than \$500,000.

The bill allows the Director of Administrative Services to adopt rules establishing waiver requirements and procedures pertaining to its operation.

⁸ <http://www.ashrae.org/certification/>.

⁹ http://www.energystar.gov/index.cfm?c=business.bus_bldgs.

State agency compliance

(R.C. 153.013(D))

Except as otherwise provided by law, the bill requires each state agency overseeing the erection or construction of a building or structure using any state capital budget moneys, including moneys from the Education Facilities Trust Fund, to oversee compliance with the bill.

HISTORY

ACTION	DATE
Introduced	02-17-09
Reported, H. Local Gov't & Public Administration	10-14-09

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