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Indicates New Matter

AMENDED

May 23, 2013

**H. 3592**

Introduced by Reps. Sandifer and Loftis

S. Printed 5/23/13--H. [SEC 5/24/13 3:40 PM]

Read the first time February 21, 2013.

**A** **BILL**

TO AMEND ARTICLE 8, CHAPTER 52, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE “ENERGY INDEPENDENCE AND SUSTAINABLE CONSTRUCTION ACT OF 2007”, SO AS TO DELETE CERTAIN DEFINITIONS, TO CHANGE CERTIFICATION STANDARDS WITH WHICH MAJOR FACILITY PROJECTS MUST COMPLY, TO ELIMINATE REFERENCE TO THE LEED AND GREEN GLOBES CERTIFICATION RATING SYSTEMS, AND TO MAKE TECHNICAL CORRECTIONS.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 48-52-830 of the 1976 Code is amended to read:

“Section 48-52-830. (A)(1) All major facility projects in this State, as defined in Section 48‑52‑810(10)(i), must be designed, constructed, and at least certified as receiving two globes using the Green Globes Rating System in place as of January 1, 2013 or receiving the LEED Silver standard in place as of January 1, 2013. All major facility projects in this State, as defined in Section 48‑52‑810(10)(a)(ii) or (iii), must be analyzed using a life cycle cost analysis comparing the cost and benefits of designing, constructing, maintaining, and operating the facility at the LEED Silver standard or two globes standard, or better, with certification; normal industry and regulatory standards as applicable; or some standard between the two that causes the project to be designed and constructed in a manner that achieves the lowest thirty‑year life cycle cost.

(2) In obtaining certification as receiving two globes using the Green Globes Rating System, a major facility project must earn at least twenty percent of the available points for energy performance under ‘C.1.1 Energy Consumption’. In obtaining certification as meeting the LEED Silver standard, a major facility project must earn at least forty percent of the available points for energy performance under ‘EA Credit 1: Optimize Energy Performance’. The State Engineer’s Office may waive the requirements of this item for a proposed major facility project should it determine that the costs of meeting this item are not economically feasible. The State Engineer’s Office shall notify the board of the reason for the issuance of a waiver.

(B) Notwithstanding another provision of law, the board may ~~petition the General Assembly to require all major facility projects be certified to a high‑performance~~ utilize the Green Globes Rating System in place as of January 1, 2013, or the LEED Silver standard in place as of January 1, 2013 as a building rating system standard ~~in addition to or instead of the systems provided in this chapter. However, any alternate rating system adopted by the General Assembly must be no less stringent than the systems provided in this chapter~~ for purposes of this article.

(C) The board shall administer and enforce the provisions in this article. Also, the board may adopt rules and promulgate regulations to comply with the goals set forth in Section 48‑52‑820.”

SECTION 2. This act takes effect upon approval by the Governor.

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