

HOUSE \_\_\_\_\_ AMENDMENT NO. \_\_\_\_\_

Offered By

AMEND House Committee Substitute for House Bill Nos. 1076 & 1302, Page 2, Section 8.307, Line 29,  
by inserting after all of said section and line, the following:

"8.860. 1. As used in this section, the following words mean:

(1) "ASHRAE" or "American Society of Heating, Refrigerating, and Air Conditioning Engineers", an international technical society for all individuals and organizations interested in heating, ventilation, air conditioning, and refrigeration;

(2) "Building project", the design, construction, renovation, operation, and maintenance of any inhabited physical structure and its associated project building site;

(3) "Commercial interior fit-out", interior design and installation by owners or tenants of new or existing office space, typically exclusive of structural components and core and shell elements;

(4) "Energy Star", the most current national energy performance rating system created by the United States Environmental Protection Agency and the United States Department of Energy;

(5) "Energy Star rating", the rating achieved on the current Energy Star's current rating system on the one to one hundred scale, which rating evaluates the energy performance of a building;

(6) "GBI", Green Building Initiative;

(7) "Globes", the level of a building's sustainability and energy efficiency performance as determined by GBI's Green Globes Rating System;

(8) "Green Globes Rating System", the most current environmental building rating system established by the Green Building Initiative;

(9) "High-performance building", a building designed to achieve integrated systems design, construction, and operation so as to significantly reduce or eliminate the negative impact of the built environment and optimize positive attributes;

(10) "LEED", Leadership in Energy and Environmental Design as determined by the current version of the USGBC's Green Building Rating System;

(11) "LEED Silver", the current Silver standard as set forth by the USGBC's LEED Green Building Rating System;

(12) "Major facility project" or "major facility projects":

(a) A state-funded:

a. New construction building project in which the building's gross square footage is greater than five thousand;

1 b. Renovation project involving more than fifty percent of the square footage or occupancy  
2 displacement;  
3 c. Commercial interior fit-out project that is larger than seven thousand square feet of leasable  
4 area; or  
5 d. Project subject to regulation by the office of administration;  
6 (b) Shall not include:  
7 a. A building, regardless of size, that does not have conditioned space as defined by ASHRAE  
8 standard 90.1;  
9 b. A correctional facility constructed for the department of corrections or the department of  
10 mental health;  
11 (13) "Qualified existing facility", any existing building over ten thousand square feet that is  
12 operated under the Missouri office of administration, but does not include:  
13 (a) A building, regardless of size, that does not have conditioned space as defined by ASHRAE  
14 standard 90.1;  
15 (b) A correctional facility constructed for the department of corrections or the department of  
16 mental health;  
17 (c) A building not meeting the Environmental Protection Agency Energy Star benchmarking  
18 guidelines;  
19 (14) "Renovation project", a building project involving the modification or adaptive reuse of an  
20 existing facility;  
21 (15) "Third-party commissioning agent", a person accredited by the USGBC or GBI with  
22 expertise in building system performance who analyzes, evaluates, and confirms proper function and  
23 performance of a high-performance building, its systems, equipment, and indoor air quality and who did  
24 not participate in the original certification of the major facility project or renovation project;  
25 (16) "USGBC", the United States Green Building Council.  
26 2. All major facility projects in Missouri greater than five thousand square feet as provided in  
27 subparagraph a. of paragraph (a) of subdivision (12) of subsection 1 of this section shall be designed,  
28 constructed, and at least certified as receiving two Globes using the Green Globes Rating System or  
29 receiving the LEED Silver standard. All major facility projects in Missouri as defined under  
30 subparagraphs b. and c. of paragraph (a) of subdivision (12) of subsection 1 of this section shall be  
31 analyzed using:  
32 (1) A life cycle cost analysis comparing the cost and benefits of designing, constructing,  
33 maintaining, and operating the facility at the LEED Silver standard or two Globes standard, or better, with  
34 certification;  
35 (2) Normal industry and regulatory standards, as applicable; or  
36 (3) Some standard between subdivisions (1) and (2) of this subsection that causes the project to  
37 be designed, constructed, and operated in a manner that achieves the lowest thirty-year life cycle cost.  
38 3. In obtaining certification as receiving two Globes using the Green Globes Rating System, a  
39 major facility project shall earn at least twenty percent of the available points for energy performance  
40 under C.1.1 energy consumption. In obtaining certification as meeting the LEED Silver standard, a major

1 facility project shall reduce energy use twenty-four percent for new buildings or twenty percent for  
2 existing buildings over ASHRAE standard 90.1-2007. The office of administration may waive the  
3 requirements of this subsection for a proposed major facility project if it determines that the cost of  
4 meeting the requirements under this subsection are not economically feasible.

5 4. The office of administration may petition the general assembly to require all major facility  
6 projects be certified to a high-performance building rating system standard in addition to or in lieu of the  
7 systems provided in this section. However, any alternate rating system adopted by the general assembly  
8 shall be no less stringent than the systems provided in this section.

9 5. All major facility projects that were certified at the LEED Silver or two Globe standard or  
10 higher shall be inspected by a third-party commissioning agent, at a minimum, in the fifth, tenth, and  
11 fifteenth year following certification. The third-party commissioning agent shall determine whether the  
12 building is operating at the standard to which it was originally designed and certified. The third-party  
13 commissioning agent shall report its findings to the office of administration and the respective state  
14 department or departments occupying the facility. The report shall include but not be limited to the  
15 facility's savings on energy and water, the level of its indoor air quality, the existing system's function and  
16 performance, problems with the system, and whether the system's performance meets the facility's  
17 requirements. If the office of administration determines the building is not operating within the spirit of  
18 this section, the office of administration may take appropriate measures to bring the building into  
19 compliance.

20 6. The office of administration shall develop and implement a process to monitor and evaluate the  
21 energy and environmental benefits associated with each major facility project designed, constructed, and  
22 renovated under this section. The monitoring and evaluation of each major facility project shall  
23 commence one year after occupancy or use and shall continue for fifteen years thereafter. All data  
24 concerning energy, operational, and environmental benefits collected under this section shall be made  
25 available to the office of administration to be compiled and submitted to the general assembly under  
26 subsection 8 of this section. The recommendation of incorporation of the Energy Star rating system to  
27 fulfill the requirements of this subsection shall be made.

28 7. All qualified existing facilities in the state of Missouri shall meet the energy performance goals  
29 of the Energy Star program and shall try to earn minimum Energy Star rating of seventy within the  
30 following periods of time:

31 (1) (a) First Energy Star rating of less than forty shall achieve a rating increase of thirty points or  
32 greater within five years;

33 (b) First Energy Star rating of forty-one points to fifty points shall achieve an Energy Star rating  
34 to seventy points within four years;

35 (c) First Energy Star rating of fifty-one points to sixty points shall achieve a rating increase to  
36 seventy points within three years;

37 (d) First Energy Star rating of greater than sixty points shall achieve a rating increase to seventy  
38 points within two years; or

39 (2) Achieve the highest possible rating within a ten-year payback period within five years of the  
40 first Energy Star rating.

1       8. The office of administration shall submit a report regarding major facility projects and Energy  
2 Star data of qualified existing building to the house committee on energy and environment and the senate  
3 committee on energy and environment that includes:

4       (1) The number and types of buildings designed and constructed;

5       (2) The level of certification of each building designed, constructed, or renovated;

6       (3) The average Energy Star rating per department;

7       (4) Actual savings in energy costs;

8       (5) A description of all potential environmental benefits, including but not limited to, water  
9 savings and the reduction of waste generation;

10       (6) The ability of building to continue to operate at the standard to which it was originally  
11 certified;

12       (7) In the event of a waiver by the office of administration to not pursue certification, reasons for  
13 the waiver;

14       (8) Any conflicts or barriers that hinder the effectiveness of this section.

15       9. The office of administration shall promulgate rules to implement the provisions of this section.  
16 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority  
17 delegated in this section shall become effective only if it complies with and is subject to all of the  
18 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
19 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review,  
20 to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then  
21 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid  
22 and void.”; and

23  
24 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.