

REFERENCE TITLE: residential energy efficiency; building codes

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

SB 1321

Introduced by
Senators Griffin, Burges, Farley: Crandell, Ward

AN ACT

AMENDING TITLE 9, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-808; AMENDING TITLE 11, CHAPTER 6, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-867; RELATING TO RESIDENTIAL ENERGY EFFICIENCY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, chapter 7, article 1, Arizona Revised Statutes, is
3 amended by adding section 9-808, to read:

4 9-808. Residential energy conservation or efficiency; state
5 preemption; conformation; definitions

6 A. THE REGULATION OF RESIDENTIAL ENERGY CONSUMPTION AND ENERGY
7 EFFICIENCY IS OF STATEWIDE CONCERN. THE REGULATION OF RESIDENTIAL ENERGY
8 CONSUMPTION AND ENERGY EFFICIENCY PURSUANT TO THIS SECTION IS NOT SUBJECT TO
9 FURTHER REGULATION BY A COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF
10 THIS STATE.

11 B. A RESIDENTIAL BUILDING THAT ACHIEVES A HOME ENERGY RATING SYSTEM
12 INDEX SCORE OF SEVENTY-FIVE OR LOWER THAT IS CONFIRMED IN WRITING BY A HOME
13 ENERGY RATING PROVIDER SHALL BE DEEMED TO COMPLY WITH ANY, OR PART OF ANY,
14 BUILDING CODE, ORDINANCE, STIPULATION OR OTHER LEGAL REQUIREMENT RELATING TO
15 ENERGY CONSERVATION OR ENERGY EFFICIENCY ADOPTED OR ENFORCED BY A CITY OR
16 TOWN.

17 C. FOR THE PURPOSES OF THIS SECTION:

18 1. "BUILDING CODE" MEANS CONSTRUCTION CODES, INCLUDING THE
19 INTERNATIONAL ENERGY CONSERVATION CODE AND CHAPTER ELEVEN OF THE
20 INTERNATIONAL RESIDENTIAL CODE, HOWEVER DENOMINATED.

21 2. "HOME ENERGY RATING PROVIDER" MEANS AN ORGANIZATION THAT IS
22 ACCREDITED BY THE RESIDENTIAL ENERGY SERVICES NETWORK AND THAT DEVELOPS,
23 MANAGES AND OPERATES A HOME ENERGY RATING PROGRAM ACCORDING TO THE
24 PROCEDURES, RULES AND GUIDELINES SPECIFIED BY THE RESIDENTIAL ENERGY SERVICES
25 NETWORK.

26 3. "HOME ENERGY RATING SYSTEM INDEX" MEANS A NUMERICAL INTEGER VALUE
27 THAT REPRESENTS THE RELATIVE ENERGY USE OF A RATED HOME AS COMPARED WITH THE
28 ENERGY USE OF THE HOME ENERGY RATING SYSTEM REFERENCE HOME AND WHERE AN INDEX
29 VALUE OF ONE HUNDRED REPRESENTS THE ENERGY USE OF THE HOME ENERGY RATING
30 SYSTEM REFERENCE HOME AND AN INDEX VALUE OF ZERO REPRESENTS A HOME THAT USES
31 ZERO NET PURCHASED ENERGY.

32 4. "RESIDENTIAL BUILDING" MEANS ANY DETACHED ONE-FAMILY AND TWO-FAMILY
33 DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS, INCLUDING MULTIFAMILY
34 BUILDINGS THAT ARE THREE STORIES OR LESS IN HEIGHT ABOVE GRADE PLANE.

35 Sec. 2. Title 11, chapter 6, article 5, Arizona Revised Statutes, is
36 amended by adding section 11-867, to read:

37 11-867. Residential energy conservation or efficiency; state
38 preemption; conformation; definitions

39 A. THE REGULATION OF RESIDENTIAL ENERGY CONSUMPTION AND ENERGY
40 EFFICIENCY IS OF STATEWIDE CONCERN. THE REGULATION OF RESIDENTIAL ENERGY
41 CONSUMPTION AND ENERGY EFFICIENCY PURSUANT TO THIS SECTION IS NOT SUBJECT TO
42 FURTHER REGULATION BY A COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF
43 THIS STATE.

44 B. A RESIDENTIAL BUILDING THAT ACHIEVES A HOME ENERGY RATING SYSTEM
45 INDEX SCORE OF SEVENTY-FIVE OR LOWER THAT IS CONFIRMED IN WRITING BY A HOME

1 ENERGY RATING PROVIDER SHALL BE DEEMED TO COMPLY WITH ANY, OR PART OF ANY,
2 BUILDING CODE, ORDINANCE, STIPULATION OR OTHER LEGAL REQUIREMENT RELATING TO
3 ENERGY CONSERVATION OR ENERGY EFFICIENCY ADOPTED OR ENFORCED BY A COUNTY.

4 C. FOR THE PURPOSES OF THIS SECTION:

5 1. "BUILDING CODE" MEANS CONSTRUCTION CODES, INCLUDING THE
6 INTERNATIONAL ENERGY CONSERVATION CODE AND CHAPTER ELEVEN OF THE
7 INTERNATIONAL RESIDENTIAL CODE, HOWEVER DENOMINATED.

8 2. "HOME ENERGY RATING PROVIDER" MEANS AN ORGANIZATION THAT IS
9 ACCREDITED BY THE RESIDENTIAL ENERGY SERVICES NETWORK AND THAT DEVELOPS,
10 MANAGES AND OPERATES A HOME ENERGY RATING PROGRAM ACCORDING TO THE
11 PROCEDURES, RULES AND GUIDELINES SPECIFIED BY THE RESIDENTIAL ENERGY SERVICES
12 NETWORK.

13 3. "HOME ENERGY RATING SYSTEM INDEX" MEANS A NUMERICAL INTEGER VALUE
14 THAT REPRESENTS THE RELATIVE ENERGY USE OF A RATED HOME AS COMPARED WITH THE
15 ENERGY USE OF THE HOME ENERGY RATING SYSTEM REFERENCE HOME AND WHERE AN INDEX
16 VALUE OF ONE HUNDRED REPRESENTS THE ENERGY USE OF THE HOME ENERGY RATING
17 SYSTEM REFERENCE HOME AND AN INDEX VALUE OF ZERO REPRESENTS A HOME THAT USES
18 ZERO NET PURCHASED ENERGY.

19 4. "RESIDENTIAL BUILDING" MEANS ANY DETACHED ONE-FAMILY AND TWO-FAMILY
20 DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS, INCLUDING MULTIFAMILY
21 BUILDINGS THAT ARE THREE STORIES OR LESS IN HEIGHT ABOVE GRADE PLANE.