

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

392S0412

SENATE BILL NO. 94

Introduced by: Senators Johnston, Adelstein, Lederman, Nelson (Tom), Nygaard, and Rave
and Representatives Munsterman, Hawley, and Solum

1 FOR AN ACT ENTITLED, An Act to repeal and revise certain provisions related to building
2 energy codes.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 11-10-1 be repealed.

5 ~~— 11-10-1. Pages 12 to 83, inclusive, of the Model Code for Thermal and Lighting Efficiency~~
6 ~~in Building Construction for the State of South Dakota as prepared December 1977, and revised~~
7 ~~November 1978, by the Office of Energy Policy is hereby adopted, and shall be filed in the~~
8 ~~Office of the Secretary of State.~~

9 Section 2. That § 11-10-2 be repealed.

10 ~~— 11-10-2. The model code shall apply to the construction and major renovation of buildings~~
11 ~~with the following exceptions:~~

12 ~~— (1) Any building or portion thereof which does not have a heating or a cooling system;~~

13 ~~— (2) Any building used exclusively for construction or storage purposes, and not heated~~
14 ~~or cooled mechanically;~~

15 ~~— (3) Any renovation project the value of which is less than fifty percent of the current~~



1 market value of a building;

2 ~~(4) Any mobile home;~~

3 ~~(5) Any building or portion thereof owned or leased by the United States;~~

4 ~~(6) Any building specifically designated as historically significant by a governmental~~
5 ~~entity or listed or eligible for listing in the National Register of Historic Places;~~

6 ~~(7) The model code lighting standards shall not apply to residential buildings.~~

7 Section 3. That § 11-10-3 be repealed.

8 ~~11-10-3. The model code lighting standards shall apply to all public buildings.~~

9 Section 4. That § 11-10-4 be repealed.

10 ~~11-10-4. The counties and municipalities are hereby authorized to enforce said code.~~

11 Section 5. That § 11-10-7 be amended to read as follows:

12 11-10-7. The State of South Dakota hereby adopts the International Energy Conservation
13 Code of ~~2006~~ 2009, published by the International Code Council, as the voluntary standard
14 applying to the construction of new residential buildings in the state.

15 Section 6. That § 11-10-10 be amended to read as follows:

16 11-10-10. The disclosure form required in § 11-10-8 shall read as follows:

17 BUILDER'S ENERGY EFFICIENCY DISCLOSURE STATEMENT

18 Builder _____

19 Property Address _____

20 _____

21 This Disclosure Statement concerns the real property identified above situated in the City of
22 _____ County of _____, State of South Dakota.

23 Part 1. Builder shall provide the following information about the new residential building:

24 1. Has this new residential building been built or will it be built to meet the energy efficiency

1 standards of the International Energy Conservation Code of ~~2006~~ 2009 (IECC ~~2006~~ 2009)?

2 Yes _____ No _____

3 2. Has this new residential building received or will it receive any other energy efficient
4 certification?

5 Yes _____ No _____

6 If yes, which certification(s): _____

7 Part 2. Builder shall describe the following energy efficiency elements of the new residential
8 building:

	Actual	2006 <u>2009</u> IECC*	2006 <u>2009</u> IECC*
	Value	Zone 5	Zone 6
9 Wall Insulation R-Value	_____	R-19 <u>R-20</u> (or R-13	R-19 <u>R-20</u> (or
10		cavity + R-5 insulated	<u>R-13 cavity +</u>
11		sheathing)	<u>R-5 insulated</u>
12			<u>sheathing)</u>
13 Attic Insulation R-Value	_____	R-38	R-49
14 Foundation Insulation R-Value			
15 Basement Walls	_____	R-10/13**	R-10/13 <u>15-19</u> **
16 Crawlspace Walls	_____	R-10/13**	R-10/13**
17 Slab-on-Grade	_____	R-10, 2 ft. depth	R-10, 4 ft. depth
18 Floors over Unheated Spaces	_____	R-30	R-30
19 Window U-Value	_____	0.35	0.35
20 Door U-Value	_____	0.35***	0.35***

24 Part 3. Builder shall provide the following information about equipment:

25 1. Does the new residential building contain an Energy Star certified:

26 a. Water heater?

1 Yes _____ No _____

2 b. Heating system (furnace, heat pump, or other)?

3 Yes _____ No _____

4 c. Cooling system (air conditioner, heat pump, or other)?

5 Yes _____ No _____

6 Part 4. Builder's Notes and Comments:

7 _____

8 _____

9 _____

10 _____

11 *IECC stands for International Energy Conservation Code.

12 **The first R-Value applies to continuous insulation; the second to framing cavity insulation.

13 ***One opaque door per building is exempt from this requirement.