

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2851

By: Jackson

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5
6 AS INTRODUCED

7 An Act relating to school buildings; stating purpose
8 to promote energy and environmental standards in
9 public school building construction; directing the
10 Department of Central Services to adopt construction
11 standards for public school buildings; listing goals
12 of the construction standards; defining terms;
13 directing the Department to adopt and update a high-
14 performance certification program; making school
15 districts eligible for certain incentives for
16 attaining the highest performance certification;
17 specifying criteria for attaining certification;
18 requiring the Department to examine the estimates
19 before authorizing and qualifying the school district
20 for incentives; providing for codification; providing
21 an effective date; and declaring an emergency.

22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 220.1 of Title 61, unless there
is created a duplication in numbering, reads as follows:

A. The purpose of this section is to promote effective energy
and environmental standards for the construction, renovation, and
maintenance of public school buildings in this state and to provide

1 incentives to school districts to implement the energy and
2 environmental standards. To accomplish the objectives of this
3 section, the Department of Central Services shall adopt construction
4 standards which school districts may use for public school buildings
5 that:

6 1. Optimize the energy performance of public school buildings
7 in the state;

8 2. Increase the demand for environmentally preferable building
9 materials, finishes, and furnishings;

10 3. Reduce the dependence on imported sources of energy through
11 buildings that conserve energy and utilize local and renewable
12 energy sources;

13 4. Protect and restore the natural resources by avoiding
14 development of inappropriate building sites;

15 5. Reduce the burden on municipal water supply and treatment by
16 reducing potable water consumption;

17 6. Reduce waste generation and manage waste through recycling
18 and diversion from landfill disposal;

19 7. Establish life-cycle cost analysis as the appropriate and
20 most efficient analysis to determine the optimal performance level
21 of a building project; and

22 8. Ensure that the systems of each school building project are
23 designed, installed, and tested to perform according to the design
24

1 intent and operational needs of the building through third-party
2 postconstruction review and verification.

3 B. For purposes of this section:

4 1. "High-performance certification program" means a public
5 building design, construction, and renovation standard which meets
6 either the standards of the United States Green Building Council's
7 Leadership in Energy and Environmental Design Rating System (LEED)
8 or the standards of the Green Building Initiative's Green Globes
9 Rating System, and which:

- 10 a. is quantifiable, measurable, and verifiable as
11 certified by an independent third party,
- 12 b. reduces the operating costs of public school buildings
13 by reducing the consumption of energy, water, and
14 other resources,
- 15 c. results in the recovery of the increased initial
16 capital costs attributable to compliance with the
17 program over a time period by reducing long-term
18 energy, maintenance, and operating costs,
- 19 d. improves the indoor environmental quality of public
20 school buildings for a healthier educational and work
21 environment,
- 22 e. encourages the use of products harvested, created, or
23 mined within Oklahoma, regardless of product
24 certification status, and

1 f. protects the environment of Oklahoma;

2 2. a. "Public school building" means a facility that:

3 (1) is constructed or renovated in whole or in part
4 with funds from a school district in the state
5 and the school district funds constitute at least
6 fifty percent (50%) of the project cost,

7 (2) contains ten thousand (10,000) or more gross
8 square feet,

9 (3) includes a heating, ventilation, or air
10 conditioning system, and

11 (4) has not entered the design phase prior to July 1,
12 2012.

13 b. A public school building shall not include a building
14 constructed or renovated where the primary purpose of
15 the building project is for storage; and

16 3. "Substantial renovation" means any renovation of a public
17 school building the cost of which exceeds fifty percent (50%) of the
18 replacement value of the facility.

19 C. The Department of Central Services shall adopt and update
20 from time to time a high-performance certification program for
21 public school buildings.

22 D. If a school district designing, constructing, or controlling
23 the substantial renovation of a public school building carries out
24 the design, construction, or substantial renovation so as to achieve

1 the highest performance certification attainable as certified by an
2 independent third party pursuant to the high-performance
3 certification program adopted by the Department pursuant to
4 subsection C of this section, the school district shall be eligible
5 for the incentives set forth in this section. For purposes of this
6 subsection, a certification is attainable if the increased initial
7 costs of achieving the certification, including the time value of
8 money, can be recouped from decreased operational costs within five
9 (5) years.

10 E. If the school district estimates that the increased initial
11 costs of achieving certification will exceed five percent (5%) of
12 the total cost of the design, construction, or substantial
13 renovation project, the Department of Central Services shall
14 specifically examine the estimate before authorizing the design,
15 construction or substantial renovation and before determining that
16 the school district qualifies for the incentives set forth in this
17 section.

18 SECTION 2. This act shall become effective July 1, 2012.

19 SECTION 3. It being immediately necessary for the preservation
20 of the public peace, health and safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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