

HOUSE BILL No. 2036

AN ACT concerning energy efficiency of buildings; relating to the applicable standards; relating to certain required disclosures; amending K.S.A. 66-1227 and 66-1228 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 66-1227 is hereby amended to read as follows: 66-1227. (a) The International Energy Conservation Code ~~2003~~ 2006 (IECC ~~2003~~ 2006) is hereby adopted as the applicable ~~thermal~~ energy efficiency standard for new commercial and industrial structures in this state.

(b) The state corporation commission has no authority to adopt or enforce energy efficiency standards for residential, commercial or industrial structures.

(c) Nothing in this section shall be construed to preclude a city or county from adopting or enforcing ~~thermal~~ energy efficiency standards for structures within the jurisdiction of such city or county.

Sec. 2. K.S.A. 66-1228 is hereby amended to read as follows: 66-1228. (a) Except as provided by subsection (b), the person building or selling a previously unoccupied new residential structure *which is a single family or multifamily unit of four units or less* shall disclose to the buyer or a prospective buyer, ~~upon request or prior to the signing of the contract to purchase and prior to closing if changes have occurred or are requested, and at any other time upon request,~~ information regarding the ~~thermal~~ energy efficiency of the structure. *For new residential structures that are completed and suitable for occupancy, but unsold, the completed disclosure form shall be made available to the buyer or a prospective buyer by the builder or seller when the residence is shown and at any other time upon request. The disclosure shall be made on a form prepared and disseminated by the state corporation commission, which form shall be substantially as follows:*

~~“ENERGY EFFICIENCY DISCLOSURE~~

~~—This residence (mark one of the following):~~

~~_____ 1. Has been built to meet the energy efficiency standards of the International Energy Conservation Code ~~2003~~ 2006.~~

~~_____ 2. Has received a Home Energy Rating score of 80 or greater when performed in accordance with the Mortgage Industry National Home Energy Rating System Accreditation Standard (June 15, 2002) by a rater certified and listed by the Residential Energy Services Network (RESNET).~~

~~_____ 3. Has been built to include the following energy efficiency elements:~~

~~(1) Insulation values (R-value of insulation installed) for each of the following:~~

~~Ceiling with attic above R-value _____~~

~~Cathedral ceiling R-value _____~~

~~Opaque walls R-value _____~~

~~Floors over unheated spaces R-value _____~~

~~Floors over outside air R-value _____~~

~~Foundation type:~~

~~Slab-on-grade _____~~

~~Crawlspace _____~~

~~Basement and percent of basement walls underground _____~~

~~(2) Thermal properties of windows and doors for each of the following:~~

~~Entry door(s) R-value _____~~

~~Sliding door(s) R-value _____~~

~~Other exterior doors R-value _____~~

~~Garage to house door R-value _____~~

~~Window U-value (determined from NFRC rating label or default table) _____~~

~~(3) HVAC equipment efficiency levels:~~

~~Heating systems:~~

~~—Gas fired forced air furnace AFUE rating _____~~

~~—Electric heat pump HSPF rating _____~~

~~Air conditioning systems:~~

~~—Electric unit SEER rating _____~~

~~—Electric heat pump EER rating _____~~

~~—Ground source heat pump EER rating _____~~

~~—Duct insulation levels. Insulation R-value of ducts outside envelope _____~~

~~Thermostat:~~

~~—Manual control type _____~~

- ~~—Automatic set-back type =====~~
- ~~(4) —Water heating efficiency levels:~~
 - ~~—Water heater fuel type =====~~
 - ~~—Water heater capacity =====~~
 - ~~—NAECA energy factor =====”~~

(b) If a structure is subject to both the national manufactured housing construction and safety standards act (42 U.S.C. 5403) and the federal trade commission regulation on labeling and advertising of home insulation, 16 CFR section 460.16, both as in effect on the effective date of this act, the builder or seller may disclose, instead of the information required by subsection (a), the information regarding such structure that is required to be disclosed pursuant to such federal act and regulation.

Sec. 3. K.S.A. 66-1227 and 66-1228 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.