

HOUSE BILL No. 2131

AN ACT concerning certain thermal efficiency standards; 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 American Society of Heating and Air Conditioning Engineers/Illuminating Society of North America 1989-90-1 Standard or Code (ASHRAE/IES 90.1-89)~~ *International Energy Conservation Code 2003 (IECC 2003)* is hereby adopted as the applicable thermal 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 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 shall disclose to ~~the buyer~~ *the buyer or a prospective buyer, upon request or prior to closing*, information regarding the thermal efficiency of the structure 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 ~~Model Energy Code of 1993~~ *International Energy Conservation Code 2003*.

\_\_\_\_\_ 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).*

\_\_\_\_\_ ~~2~~ 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.

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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 concurred in  
SENATE amendments \_\_\_\_\_

\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

Passed the SENATE  
as amended \_\_\_\_\_

\_\_\_\_\_  
*President of the Senate.*

\_\_\_\_\_  
*Secretary of the Senate.*

APPROVED \_\_\_\_\_

\_\_\_\_\_  
*Governor.*