

**SENATE BILL No. 120**

By Committee on Utilities

1-18

9 AN ACT concerning certain thermal efficiency standards; relating to dis-  
10 closure of such standards to potential real estate buyers; amending  
11 K.S.A. 2006 Supp. 66-1227 and 66-1228 and repealing the existing  
12 sections.

13

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

15 Section 1. K.S.A. 2006 Supp. 66-1227 is hereby amended to read as  
16 follows: 66-1227. (a) ~~The International Energy Conservation Code 2003~~  
17 ~~(IECC 2003) is hereby adopted as the applicable~~ *The state corporation*  
18 *commission shall adopt* thermal efficiency standard for new commercial  
19 and industrial structures in this state.

20 (b) The state corporation commission has no authority to ~~adopt or~~  
21 enforce energy efficiency standards for residential, commercial or indus-  
22 trial structures.

23 (c) Nothing in this section shall be construed to preclude a city or  
24 county from adopting or enforcing thermal efficiency standards for struc-  
25 tures within the jurisdiction of such city or county. *The Kansas energy*  
26 *office of the state corporation commission may propose thermal efficiency*  
27 *standards for structures within the jurisdiction of a city or county.*

28 (d) *The state corporation commission shall adopt rules and regula-*  
29 *tions to implement the provisions of this section.*

30 Sec. 2. K.S.A. 2006 Supp. 66-1228 is hereby amended to read as  
31 follows: 66-1228. (a) Except as provided by subsection (b), the person  
32 building or selling a previously unoccupied new residential structure shall  
33 disclose to the buyer or a prospective buyer, ~~upon request or prior to~~  
34 ~~closing,~~ information regarding the thermal efficiency of the structure on  
35 a form prepared and disseminated by the state corporation commission;  
36 ~~which form shall be substantially as follows:~~

37

~~“ENERGY EFFICIENCY DISCLOSURE~~

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

39 ~~\_\_\_\_\_ 1. Has been built to meet the energy efficiency standards of the International~~  
40 ~~Energy Conservation Code 2003:~~

41 ~~\_\_\_\_\_ 2. Has received a Home Energy Rating score of 60 or greater when performed~~  
42 ~~in accordance with the Mortgage Industry National Home Energy Rating System Accred-~~  
43 ~~itation Standard (June 15, 2002) by a rater certified and listed by the Residential Energy~~

- 1 Services Network (RESNET):  
 2 ~~\_\_\_\_\_ 3. Has been built to include the following energy efficiency elements:~~  
 3 ~~(1) Insulation values (R-value of insulation installed) for each of the following:~~  
 4 ~~Ceiling with attic above R-value \_\_\_\_\_~~  
 5 ~~Cathedral ceiling R-value \_\_\_\_\_~~  
 6 ~~Opaque walls R-value \_\_\_\_\_~~  
 7 ~~Floors over unheated spaces R-value \_\_\_\_\_~~  
 8 ~~Floors over outside air R-value \_\_\_\_\_~~  
 9 ~~Foundation type:~~  
 10 ~~Slab-on-grade \_\_\_\_\_~~  
 11 ~~Crawlspace \_\_\_\_\_~~  
 12 ~~Basement and percent of basement walls underground \_\_\_\_\_~~  
 13 ~~(2) Thermal properties of windows and doors for each of the following:~~  
 14 ~~Entry door(s) R-value \_\_\_\_\_~~  
 15 ~~Sliding door(s) R-value \_\_\_\_\_~~  
 16 ~~Other exterior doors R-value \_\_\_\_\_~~  
 17 ~~Garage to house door R-value \_\_\_\_\_~~  
 18 ~~Window U-value (determined from NFRC rating label or default table) \_\_\_\_\_~~  
 19 ~~(3) HVAC equipment efficiency levels:~~  
 20 ~~Heating systems:~~  
 21 ~~Gas fired forced air furnace AFUE rating \_\_\_\_\_~~  
 22 ~~Electric heat pump HSPF rating \_\_\_\_\_~~  
 23 ~~Air conditioning systems:~~  
 24 ~~Electric unit SEER rating \_\_\_\_\_~~  
 25 ~~Electric heat pump EER rating \_\_\_\_\_~~  
 26 ~~Ground source heat pump EER rating \_\_\_\_\_~~  
 27 ~~Duct insulation levels: Insulation R-value of ducts outside envelope \_\_\_\_\_~~  
 28 ~~Thermostat:~~  
 29 ~~Manual control type \_\_\_\_\_~~  
 30 ~~Automatic set-back type \_\_\_\_\_~~  
 31 ~~(4) Water heating efficiency levels:~~  
 32 ~~Water heater fuel type \_\_\_\_\_~~  
 33 ~~Water heater capacity \_\_\_\_\_~~  
 34 ~~NAECA energy factor \_\_\_\_\_~~  
 35 *. Such disclosure shall be made available to the buyer or prospective buyer*  
 36 *at the time the residential structure is offered for sale, prior to closing and*  
 37 *at any time upon request of the buyer or prospective buyer.*  
 38 (b) If a structure is subject to both the national manufactured housing  
 39 construction and safety standards act (42 U.S.C. 5403) and the federal  
 40 trade commission regulation on labeling and advertising of home insula-  
 41 tion, 16 CFR section 460.16, both as in effect on the effective date of this  
 42 act, the builder or seller may disclose, instead of the information required  
 43 by subsection (a), the information regarding such structure that is re-

- 1 quired to be disclosed pursuant to such federal act and regulation.
- 2     Sec. 3. K.S.A. 2006 Supp. 66-1227 and 66-1228 are hereby repealed.
- 3     Sec. 4. This act shall take effect and be in force from and after its
- 4 publication in the statute book.