

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 287

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE IDAHO ENERGY CONSERVATION CODE; AMENDING SECTION 39-9701,
2 IDAHO CODE, TO PROVIDE FOR PREEMPTION, TO REVISE A PROVISION REGARDING
3 APPLICABILITY, AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN
4 EMERGENCY.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 39-9701, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 39-9701. IDAHO ENERGY CONSERVATION CODE. (1) On and after July 1,
10 2022, the Idaho state energy code shall be the 2018 international energy
11 conservation code, as amended, revised, or modified by the Idaho building
12 code board and approved by the legislature. The international energy con-
13 servation code, together with such amendments, revisions, or modifications
14 as approved by the Idaho building code board through rulemaking conducted
15 pursuant to the Idaho administrative procedure act, chapter 52, title 67,
16 Idaho Code, and approved by the legislature, shall collectively constitute
17 and be named the Idaho energy conservation code and shall be deemed approved
18 by the Idaho building code board and the legislature.

19 (2) The provisions of this chapter preempt, eliminate, and prohibit any
20 cities, counties, incorporated or unincorporated areas, special use dis-
21 tricts, or any other local governmental entities of any kind from adopting
22 energy code or energy-related requirements through any code, ordinance,
23 process, policy, or guidance that differ from or are more extensive than the
24 requirements of the Idaho energy conservation code as provided for in this
25 chapter. The provisions of this chapter shall not apply to chapter 1 of the
26 2018 international energy conservation code with respect to the administra-
27 tive processes of any city, county, incorporated or unincorporated area,
28 special use district, or any other local governmental entity.

29 (3) This chapter shall ~~not be applied retroactively~~ apply to codes or
30 amendments adopted by local jurisdictions prior to, on, or after July 1, ~~2018~~
31 2022.

32 SECTION 2. An emergency existing therefor, which emergency is hereby
33 declared to exist, this act shall be in full force and effect on and after its
34 passage and approval.