



# States Powering New, Innovative Green Building Policy: A Review of This Year's State Activity

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Despite a struggling economy that's putting tough budget constraints on states across the nation, the green building marketplace is driving innovation and competition, creating opportunity for savings and new jobs, and – bold though it may sound – our states are working overtime to help [win the future](#).

In a year of what feels like an unyielding stream of at least underwhelming news, there is still much to celebrate in the world of green building policymaking (note: last week's celebration of [green schools](#) by state lawmakers). Today USGBC released a report that highlights that market-transforming policy activity, "[Advancing Green Building Policy in the States: 2011 Victories from Alabama to Wyoming](#)." With positive policy activity in all 50 states, and countable wins in 25, here are some of this year's superlatives:

**Friend to All:** Florida [HB 639](#) and [HB 7003](#), which add another state to the list of state housing authorities that are increasingly rewarding green building practices as part of the scoring system for competitive loans offered to affordable housing developers.

**Most Popular:** Oregon [HB 3672](#), which creates tax credits for commercial construction or retrofit aging schools that achieve high standards for building energy efficiency and offers LEED Platinum certification as a compliance pathway.

**Most School Spirit:** Kansas [Senate Resolution 1856](#). Cheer for the first LEED Gold school in the state!

**Most Athletic:** Oregon [HB 2960](#), the "cool schools" bill, which will allow the state to repair and retrofit aging schools to help create jobs while enhancing student learning, reducing operational costs, and building healthy learning environments. Might the [Oregon Ducks](#) be inspiring legislators like Rep. Jules Bailey to [lay up](#) such a slam dunk?

**Craziest Driver:** New Mexico's [2009 Energy Conservation Code](#), which, after securing top spot in 2010 as the strongest building energy code in the nation, and after thousands of dollars of [code books](#) and [training](#), succumbed to a full-stop by [Executive Order](#) in January, a subsequent [lawsuit](#). An [apparent deal](#) to move forward produced a series of public [hearings](#), a June [repeal](#) of the original 2009 ECC and a then a replacement with a building energy code that's simply par-for-the-course that will take effect in February of next year... we think.

**Most Original:** Connecticut [HB 1243](#), which establishes the nation's first state-managed "green bank" – now known as the [Clean Energy Finance and Investment Authority](#) – that will leverage government dollars to provide financing for clean energy and efficiency projects all across the state.

**Most Dependable:** Texas [HB 51](#), a tried and true leadership-by-example policy that requires that public buildings and public-funded buildings or renovations of a certain size or scale (including universities) achieve certification under a high performance "building evaluation system." The State Energy Conservation Office and the Boards of Regents of state universities will identify the systems that will satisfy compliance with the law.

**Trend-Setter:** California's [Green Building Standards Code](#), the subject of both [excitement](#) and [confusion](#) since its 2010 adoption, became effective as a mandatory minimum code for all local jurisdictions on January 1. Which state will be next to integrate green building provisions into mandatory statewide minimum codes?

**Most Likely to Succeed:** A 2011 report in Illinois, [Moving Toward a Sustainable Future for Illinois Schools](#), which was developed in response to [HJR 45](#) (2009). The 2009 legislation and the effort to develop the report was championed by the [Illinois Working Group on Green Schools](#), and effectively establishes a plan to [green every school in the state](#). The report details findings from the [USGBC Illinois](#) Chapter's pilot program to support the greening of three underserved schools since 2009. Bravo!

**Best Looking:** New York [AB 8510](#), which creates an on-bill financing program that will enable property owners to access safe loans for retrofits and energy efficiency upgrades by repaying the loan with savings earned on utility bills. Utility bills never looked so nice.


**Most Likely to be Published:** Maryland [HB 972](#), which [enables the adoption](#) of the International Green Construction Code (IGCC) by all local governments across the state. Which local government will be first to upgrade their base codes? With

the proliferation of green building codes, [where do we go next?](#)


**Most Talkative:** [California State Legislature](#), which – surprise, surprise – introduced more than 30 bills on which USGBC's California Advocacy Committee has been active. Adding to the state's long list of green building accomplishments, the state continues to discuss ways to break new ground.

**Most Dreamy:** Michigan [HB 4286](#), a bill that has not yet passed, proposing wonderfully attractive incentives for new commercial construction or renovations that earn LEED certification.

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