
ASSEMBLY BILL NO. 295—ASSEMBLYMEN CONKLIN, KIRKPATRICK,
PARKS, ALLEN, HARDY, CARPENTER, GERHARDT,
GOICOECHEA, HORNE AND OCEGUERA

MARCH 13, 2007

JOINT SPONSORS: SENATORS SCHNEIDER, HECK,
CARE, HARDY AND AMODEI

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes regarding the Green Building
Rating System of the Director of the Office of
Energy. (BDR 58-945)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets **[omitted material]** is material to be omitted.

AN ACT relating to buildings and other structures; revising and
renaming the Green Building Rating System; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law provides for the Green Building Rating System, which is a system
2 that is adopted by the Director of the Office of Energy and which is used to
3 determine the eligibility of nonpublic buildings or structures for tax abatements or
4 exemptions. (NRS 701.217) **Section 1** of this bill renames the system the Green
5 Building Rating Program and makes the Leadership in Energy and Environmental
6 Design Green Building Rating System and the Green Globes v.1 Rating System
7 permanent parts of the new program.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 701.217 is hereby amended to read as follows:
2 701.217 1. The Director, in consultation with the State Public
3 Works Board and any other interested agency, shall:



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(a) In cooperation with representatives of the building and development industry, adopt guidelines establishing Green Building Standards for all occupied public buildings whose construction will be sponsored or financed by this State or a local government.

(b) Adopt a Green Building Rating ~~{System, such as}~~ **Program, which must include, without limitation,** the Leadership in Energy and Environmental Design Green Building Rating System ~~{or its equivalent,}~~ **and the Green Globes v.1 Rating System. Other equivalent rating systems may be added to the Program** pursuant to ~~{subsections} subsection 4 . {and 5.}~~

(c) With regard to **nonpublic** buildings or structures that ~~{are not public buildings or structures,}~~ **meet the requirements of** the Green Building Rating ~~{System adopted by the Director is to be used only for the purposes of determining eligibility}~~ **Program, use the Program to develop regulations to determine the eligibility of those buildings or structures** for **any** tax abatements or tax exemptions that are authorized by law to use the Green Building Rating ~~{System.}~~ **Program. With regard to nonpublic buildings or structures, the development of such regulations must be the only use of the Program.**

2. Guidelines adopted pursuant to paragraph (a) of subsection 1 must include, without limitation, suggested:

(a) Requirements for the use of resource-efficient materials for the construction and maintenance of the building;

(b) Standards for indoor environmental quality;

(c) Standards for the efficient use of water, including the efficient use of water for landscaping purposes;

(d) Standards for the efficient use of energy; and

(e) Requirements for the design and preparation of building lots.

3. If standards equivalent to the Leadership in Energy and Environmental Design Green Building Rating System are adopted, the standards adopted must provide reasonable exceptions based on the size, location and use of the building.

4. ~~{Subject to the provisions of subsection 5, the}~~ **The** Director shall establish a process for adopting ~~{a}~~ **additional, equivalent rating systems as part of the** Green Building Rating ~~{System, such as the Leadership in Energy and Environmental Design Green Building Rating System or its equivalent.}~~ **Program. The systems must be based on nationally recognized standards for green buildings or any combination of those standards.** The process must include, without limitation:

(a) The gathering and development of scientific data;

(b) Comments from representatives of the building industry;

(c) Consensus from representatives of the building industry;



(d) A method by which the Director, the State Public Works Board and other interested agencies may cast ballots on the proposed standards;

(e) A pilot program for the purpose of refining the standards; and

(f) A process by which an aggrieved person may file an appeal of the standards adopted.

~~{5. In adopting a Green Building Rating System pursuant to subsection 4, the Director is not required to adopt and is not limited to using the Leadership in Energy and Environmental Design Green Building Rating System but may adopt an equivalent rating system based on any other nationally recognized standards for green buildings, or any combination of those standards.}~~

Sec. 2. NRS 361.0775 is hereby amended to read as follows:

361.0775 1. The Commission on Economic Development shall grant a partial abatement from the tax imposed on real property by this chapter for property which has a building or other structure that is certified at or meets the equivalent of the silver level or higher by a person authorized to grant such certification in accordance with the Leadership in Energy and Environmental Design Green Building Rating System or ~~{its equivalent, as adopted by the Director of the Office of Energy}~~ **another system which is also part of the Green Building Rating Program** pursuant to NRS 701.217.

2. The partial abatement must be for a duration of not more than 10 years and must not exceed 50 percent of the taxes on real property payable each year pursuant to this chapter.

3. The Commission on Economic Development shall establish by regulation the qualifications and methods to determine eligibility for the abatement.

4. The Commission on Economic Development shall immediately forward a certificate of eligibility for the abatement to:

- (a) The Department of Taxation;
- (b) The Nevada Tax Commission;
- (c) The county treasurer; and
- (d) The county assessor.

Sec. 3. This act becomes effective on July 1, 2007.

