

State of Wisconsin



2009 Senate Bill 616

Date of enactment:
Date of publication*:

2009 WISCONSIN ACT

AN ACT *to renumber and amend* 13.48 (15) and 101.025 (4) (intro.); *to amend* 16.84 (5), 101.027 (2), 101.027 (3) (a) 1., 101.027 (3) (b) 1., 101.05 (1) and (3) and 119.04 (1); and *to create* 13.48 (2) (jm), 13.48 (15) (b), 16.85 (3m), 16.856, 66.0902, 101.02 (23), 101.025 (4) (ar), 101.028, 101.61 (1m), 101.63 (1g), 101.63 (1m), 120.24 and 145.133 of the statutes; **relating to:** energy conservation standards for the construction of certain buildings, energy and environmental design standards for state buildings, structures, and facilities, energy and environmental design standards for school district facilities and other local government buildings, leasing of state buildings, structures, and facilities, standards for the construction and use of graywater systems, and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 13.48 (2) (jm) of the statutes is created to read:

13.48 (2) (jm) 1. In this paragraph, “conditioned space” means space that is designed to have controlled environmental conditions.

2. The building commission shall not approve the design or construction of any project for the construction of any building, structure, or facility for a board, agency, officer, department, commission, or body corporate, if the building, structure, or facility after construction will contain at least 10,000 gross square feet of conditioned space for occupancy by any such entity, or of any project for the repair, renewal, renovation, or expansion of any existing building, structure, or facility for occupancy by any such entity if the building, structure, or facility contains at least 10,000 gross square feet of conditioned space and the project affects more than 50 percent of the existing gross square feet of conditioned space in the building, structure, or facility, regardless of the funding source of the project, unless the department of adminis-

tration verifies and certifies to the commission, after reviewing the plans and specifications, all of the following:

a. That the project conforms at a minimum to the requirements under the LEED Green Building Rating System for certification at the silver level, as defined in s. 16.856 (1) (f), for construction projects.

b. That the energy performance for the project is at least 30 percent better than the performance standard prescribed by the department of commerce under s. 101.028 based upon standard 90.1–2007 of the American Society of Heating, Refrigerating and Air Conditioning Engineers or its most current equivalent, as documented by energy modeling and certified in writing by the chief engineer for the project.

c. That at least 75 percent of the construction materials delivered to the project site but not used in the project and the demolition materials from any demolition required to undertake the project are recycled in the project or transferred to a 3rd party for recycling.

d. That the ventilation components for the project are strictly in conformity with standards prescribed by the department of commerce under s. 101.028 based upon

* Section 991.11, WISCONSIN STATUTES 2007–08 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

standard 62.1-2004 of the American Society of Heating, Refrigerating, and Air Conditioning Engineers, and the chief engineer for the project certifies in writing that no exemptions from strict conformity with that standard have been authorized.

e. That the project has an indoor air quality management plan that addresses adherence to the heating, ventilation, and air conditioning performance standards for the project, source control that ensures use of low emission materials and finishes, pathway interruption to prevent migration of contaminants during the construction process, housekeeping procedures to prevent the spread and growth of contaminants during the construction process, and construction activity scheduling to prevent cross contamination of materials used in the project during the construction process. The plan shall be consistent at a minimum with standards promulgated by the department of commerce under s. 101.028 based upon indoor air quality guidelines for occupied building of the Sheet Metal and Air Conditioning Contractors' National Association, 2nd edition, 2007.

f. That the project upon completion will attain a maximum level of interior water use no greater than a level that is 70 percent of the interior water use baseline, as determined by the department of administration in accordance with the LEED Green Building Rating System, as defined in s. 16.856 (1) (e).

3. The building commission shall not enter into an agreement for the purchase of or for the lease of, or renewal of a lease of, with option to purchase, any building, structure, or facility that is constructed or to be constructed for occupancy by any board, agency, officer, department, commission, or body corporate, if the building, structure, or facility after construction will contain at least 10,000 gross square feet of conditioned space for occupancy by any such entity, or any building, structure, or facility that is to be repaired, renewed, renovated, or expanded for occupancy by any such entity if the building, structure, or facility contains at least 10,000 gross square feet of conditioned space and the repair, renewal, renovation, or expansion affects more than 50 percent of the existing gross square feet of conditioned space in the building, structure, or facility, regardless of the funding source of the agreement, unless the department of administration verifies and certifies that the building, structure, or facility conforms or will after construction, repair, renewal, renovation or expansion conform to all of the standards specified in subd. 2. The building commission shall obtain certification by the U.S. Green Building Council that the building, structure, or facility conforms at a minimum to the requirements for certification at the LEED silver level.

4. The building commission shall apply all moneys available for its use under the authorized state building program to achieve certification as of January 1, 2015, by the U.S. Green Building Council for not less than 15 per-

cent of the total gross square footage of conditioned space in buildings, structures, and facilities that are owned or leased by agencies on that date, as determined by the department of administration under s. 16.856 (3), as conforming at a minimum to LEED performance requirements for the operation and maintenance of existing buildings, as defined in s. 16.856 (1) (h).

5. The building commission shall apply all moneys available for its use under the authorized state building program to achieve certification by the dates specified by rule of the department of administration under s. 16.856 (6) by the U.S. Green Building Council for not less than the percentages specified by that rule of the total gross square footage of conditioned space in buildings, structures, and facilities that are owned or leased by agencies on the dates specified by that rule, as determined by the department of administration under s. 16.856 (3), for meeting at a minimum the LEED performance requirements for the operation and maintenance of existing buildings, as defined in s. 16.856 (1) (h).

SECTION 2. 13.48 (15) of the statutes is renumbered 13.48 (15) (a) and amended to read:

13.48 (15) (a) Subject to the requirements of par. (b) and s. 20.924 (1) (i), the building commission shall have the authority to acquire leasehold interests in land and buildings where such authority is not otherwise provided to an agency by law.

SECTION 3. 13.48 (15) (b) of the statutes is created to read:

13.48 (15) (b) The building commission shall not approve the leasing of, or the renewal or extension of any lease for, property for use by this state unless the department of administration has certified to the commission that the energy use intensity for the total property and the annual energy usage for the total property conform to standards promulgated by the department of commerce under s. 101.028 based upon Energy Star standards consistent with the minimum LEED performance requirements for the operation and maintenance of existing buildings. The commission shall also require other agencies, as defined in s. 16.70 (1e), that have authority to lease improved real property, to certify to the commission, before entering into, or renewing or extending, any lease of real property, that the energy use intensity for the total property and the annual energy usage for the total property conform to the same standards.

SECTION 4. 16.84 (5) of the statutes is amended to read:

16.84 (5) Have responsibility, subject to approval of the governor, for all functions relating to the leasing, acquisition, allocation and utilization of all real property by the state, except where such responsibility is otherwise provided by the statutes. In this connection, the Prior to entering into any lease, or renewing or extending any lease, for property to be used by this state, the department shall require the prospective lessor to disclose the

energy use intensity for the total property, measured on a square foot basis, and the annual energy usage for the total property, calculated in accordance with standards promulgated by the department of commerce under s. 101.028 based upon Energy Star standards, as defined in s. 13.48 (15) (b), consistent with the minimum LEED performance requirements for the operation and maintenance of existing buildings, as defined in s. 16.856 (1) (h). The department shall verify and certify this information to the building commission before the commission considers approval of the lease, or the renewal or extension of the lease. The department shall also require other agencies, as defined in s. 16.70 (1e), that have authority to enter into leases for real property to obtain, verify, and certify the same information to the commission before entering into any lease, or renewing or extending any lease, for property to be used by those agencies. The department shall, with the governor's approval, require physical consolidation of office space utilized by any executive branch agency having fewer than 50 authorized full-time equivalent positions with office space utilized by another executive branch agency, whenever feasible. The department shall lease or acquire office space for legislative offices or legislative service agencies at the direction of the joint committee on legislative organization. In this subsection, "executive branch agency" has the meaning given in s. 16.70 (4).

SECTION 5. 16.85 (3m) of the statutes is created to read:

16.85 (3m) To appoint or approve the appointment of a chief engineer for each major construction project, as defined in s. 16.856 (1) (g).

SECTION 6. 16.856 of the statutes is created to read:

16.856 Energy and environmental design standards for certain state buildings, structures, and facilities. (1) In this section:

(a) "Agency" has the meaning given in s. 16.70 (1e).

(b) "ASHRAE standard" means the standard promulgated by the department of commerce under s. 101.028 based upon standard 90.1-2007 of the American Society of Heating, Refrigerating and Air Conditioning Engineers or its current equivalent as determined by the department of commerce under s. 101.028.

(c) "Conditioned space" means space that is designed to have controlled environmental conditions.

(d) "IECC standards" means the energy efficiency design standards promulgated by the department of commerce under s. 101.028 based upon the national energy efficiency design standards of the International Energy Conservation Code or their current equivalents as determined by the department of commerce under s. 101.028.

(e) "LEED Green Building Rating System" means the green building rating system of the U.S. Green Building Council designated as the leadership in energy and environmental design system or its current equivalent as

determined by the department of commerce under s. 101.028.

(f) "LEED silver level" means the performance level designated as the silver level under the LEED Green Building Rating System or its current equivalent, or an equivalent performance level under an equivalent rating system, as determined by the department of commerce under s. 101.028. The department shall recognize the use of wood-based materials and products certified by the Forest Stewardship Council, American Tree Farm System, or Sustainable Forest Initiative programs.

(g) "Major construction project" means a project for the construction of a state building, structure, or facility that will, upon completion, contain at least 10,000 gross square feet of conditioned space, or for the repair, renewal, or renovation of an existing state building, structure, or facility containing at least 10,000 gross square feet of conditioned space that affects more than 50 percent of the existing gross square feet of conditioned space in that building, structure, or facility, or for the expansion of an existing state building, structure, or facility to add at least 10,000 gross square feet of conditioned space.

(h) "Minimum LEED performance requirements for the operation and maintenance of existing buildings" means the performance requirements so designated under the LEED Green Building Rating System, as prescribed by the U.S. Green Building Council, or its current equivalent as determined by the department of commerce under s. 101.028.

(i) "Zero net energy" means an energy consumption level under which a building, structure, or facility produces as much energy for electricity, heating, and cooling from renewable sources in any calendar year as the building, structure, or facility consumes during the same period.

(2) The department shall ensure that the plans and specifications for each major construction project conform at a minimum to the requirements for certification at the LEED silver level. Upon completion of each major construction project, the department shall obtain certification by the U.S. Green Building Council that the project conforms at a minimum to the requirements for certification at the LEED silver level. The department shall also ensure that the energy performance, recycling of construction and demolition materials, ventilation components, indoor air quality performance, and water usage level for each major construction project conform to the standards specified s. 13.48 (2) (jm) 2.

(3) The department shall maintain a current inventory of the location and gross square footage of the conditioned space in all buildings, structures, and facilities that are owned or leased by any agency for its use or the use of another agency. The inventory shall include for each building, structure, or facility information concerning the

conditioned space in the building, structure, or facility and whether the building, structure, or facility or any portion thereof is certified or eligible for certification by the U.S. Green Building Council as conforming at a minimum to LEED performance requirements for the operation and maintenance of existing buildings.

(4) Except as provided in sub. (5), the department shall ensure that each building, structure, or facility constructed, repaired, renewed, renovated, or expanded by or for the state that is a major construction project conforms to whichever of the following energy performance standards applies, based upon the year in which construction, repair, renewal, renovation, or expansion of the building, structure, or facility begins:

(a) For a building, structure, or facility the construction, repair, renewal, renovation, or expansion of which begins on or after the first day of the 7th month beginning after the effective date of this paragraph [LRB inserts date], but before January 1, 2015, the energy performance shall be at least 30 percent better than the energy performance under the ASHRAE standard or the IECC standards, whichever is the most stringent.

(b) For a building, structure, or facility the construction, repair, renewal, renovation, or expansion of which begins after December 31, 2014, but before January 1, 2020, the energy performance shall be at least 70 percent better than the performance under the ASHRAE standard or the IECC standards, whichever is the most stringent.

(c) For a building, structure, or facility the construction, repair, renewal, renovation, or expansion of which begins after December 31, 2019, but before January 1, 2025, the energy performance shall be at least 80 percent better than the energy performance under the ASHRAE standard or the IECC standards, whichever is the most stringent.

(d) For a building, structure, or facility the construction, repair, renewal, renovation, or expansion of which begins after December 31, 2024, but before January 1, 2030, the energy performance shall be at least 90 percent better than the energy performance under the ASHRAE standard or the IECC standards, whichever is the most stringent.

(e) For a building, structure, or facility the construction, repair, renewal, renovation, or expansion of which begins after December 31, 2029, the energy performance shall be 100 percent better than the energy performance under the ASHRAE standard or the IECC standards, whichever is more stringent, and the building, structure, or facility shall consume zero net energy.

(5) Subsection (4) does not apply to the gross square footage of enclosed space of any building, structure, or facility that is dedicated for laboratory usage if the ventilation requirements for that gross square footage do not permit compliance with sub. (4) in that area.

(6) The department shall assess the feasibility of achieving certification by the U.S. Green Building Council

for greater than 15 percent of the total gross square footage of conditioned space in buildings, structures, and facilities that are owned or leased by agencies, as determined under sub. (3), as conforming at a minimum to LEED performance requirements for the operation and maintenance of existing buildings and shall, by rule, specify, for purposes of s. 13.48 (2) (jm) 5., increased levels of certification and dates during the period from January 1, 2015, to January 1, 2030, by which those increased levels are to be achieved.

(7) Annually no later than March 31, the department shall report to the governor and the building commission concerning the percentage level of adherence as of the preceding December 31 to each of the requirements under s. 13.48 (2) (jm) and this section that become effective on a date following that December 31 and the percentage level of adherence as of the preceding December 31 to the applicable requirement under s. 13.48 (2) (jm) 4. or 5.

SECTION 7. 66.0902 of the statutes is created to read:
66.0902 Energy and environmental design standards for political subdivision facilities. (1) In this section:

(a) "Conditioned space" means space that is designated to have controlled environmental conditions.

(b) "LEED silver level" has the meaning given in s. 16.856 (1) (f).

(c) "Major construction project" means a project for the construction of a public building by or for a political subdivision that will, upon completion of the project, contain at least 10,000 gross square feet of conditioned space, or for the renovation of an existing public building by or for a political subdivision containing at least 10,000 gross square feet of conditioned space that affects more than 50 percent of the existing gross square feet of conditioned space in that building, or for the expansion of, or addition to, an existing public building by or for a political subdivision that adds conditioned space that is equal in size to at least 50 percent of the gross square feet of the existing building.

(d) "Political subdivision" means any city, village, town, or county.

(2) A political subdivision shall ensure that the plans and specifications for each major construction project conform at a minimum to the requirements for certification at the LEED silver level. The political subdivision shall also ensure that the energy performance, use and disposal of construction and demolition materials, ventilation components, indoor air quality performance, and water usage level for each major construction project conform to the standards specified s. 13.48 (2) (jm) 2.

SECTION 8. 101.02 (23) of the statutes is created to read:

101.02 (23) The department may promulgate rules that establish building and design requirements for public buildings and places of employment that are based

upon standard 189.1-2009 developed by the American Society of Heating, Refrigerating and Air-Conditioning Engineers in conjunction with the U.S. Green Building Council and the Illuminating Engineering Society, that are based on the International Green Construction Code, Public Version 1.0, or that are based upon the current equivalent of that standard or code. If the department promulgates rules under this subsection, the department shall review the rules whenever a revision of standard 189.1-2009, the International Green Construction Code, Public Version 1.0, or either of their current equivalents, are published. The department shall complete its review of the rules and submit to the legislature proposed rules changing the requirements no later than 18 months after the date on which the revision of the standard or code is published.

SECTION 9. 101.025 (4) (intro.) of the statutes is renumbered 101.025 (4) (ag), and 101.025 (4) (ag) (intro.), as renumbered, is amended to read:

101.025 (4) (ag) (intro.) For ventilation systems in public buildings and places of employment, the department shall ~~adopt~~ promulgate rules ~~setting that incorporate standard 62.1-2007, or its current equivalent, of the American Society of Heating, Refrigerating and Air Conditioning Engineers and that set all of the following:~~

SECTION 10. 101.025 (4) (ar) of the statutes is created to read:

101.025 (4) (ar) The department shall review the rules promulgated under par. (ag) whenever a revision of standard 62.1-2007, or its current equivalent, of the American Society of Heating, Refrigerating and Air Conditioning Engineers, is published. The department shall complete its review of the rules and submit to the legislature a proposed rule changing the rules no later than 18 months after the date on which the revision of the standard is published.

SECTION 11. 101.027 (2) of the statutes is amended to read:

101.027 (2) The department shall review the energy conservation code and shall promulgate rules that change the requirements of the energy conservation code to improve energy conservation. No rule may be promulgated that has not taken into account the cost of the energy conservation code requirement, as changed by the rule, in relationship to the benefits derived from that requirement, including the reasonably foreseeable economic and environmental benefits to the state from any reduction in the use of imported fossil fuel. The proposed rules changing the energy conservation code shall be submitted to the legislature in the manner provided under s. 227.19. In conducting a review under this subsection, the department shall ~~consider incorporating~~ incorporate, into the energy conservation code, ~~design requirements from standard 90.1-2007, or its current equivalent, of the most current national energy efficiency design standards, including the International Energy Conservation Code or~~

~~an energy efficiency code other than the International Energy Conservation Code if that energy efficiency code is used to prescribe design requirements for the purpose of conserving energy in buildings and is generally accepted and used by engineers and the construction industry~~ American Society of Heating, Refrigerating and Air Conditioning Engineers or energy efficiency design requirements from the International Energy Conservation Code, or its current equivalent, whichever standard or design requirement is more stringent.

SECTION 12. 101.027 (3) (a) 1. of the statutes is amended to read:

101.027 (3) (a) 1. A revision of ~~standard 90.1-2007, or its current equivalent, of the International Energy Conservation Code~~ American Society of Heating, Refrigerating and Air Conditioning Engineers or a revision of the International Energy Conservation Code, or its current equivalent, is published.

SECTION 13. 101.027 (3) (b) 1. of the statutes is amended to read:

101.027 (3) (b) 1. If the department begins a review under sub. (2) because a revision of ~~standard 90.1-2007, or its current equivalent, of the International Energy Conservation Code~~ American Society of Heating, Refrigerating and Air Conditioning Engineers is published, ~~or because a revision of the International Energy Conservation Code, or its current equivalent, is published,~~ the department shall complete its review of the energy conservation code, as defined in sub. (1), and submit to the legislature proposed rules changing the energy conservation code, as defined in sub. (1), no later than 18 months after the date on which the revision of ~~the International Energy Conservation Code~~ is published.

SECTION 14. 101.028 of the statutes is created to read:

101.028 Energy performance and environmental design standards for certain public buildings, structures and facilities. (1) In this section:

(a) “Energy Star standards” means the standards prescribed by the U.S. Environmental Protection Agency under 42 USC 7403 (g) for energy use in buildings.

(b) “LEED Green Building Rating System” means the green building rating system of the U.S. Green Building Council designated as the leadership in energy and environmental design system or its current equivalent as determined by the department.

(c) “LEED silver level” means the performance level designated as the silver level under the LEED Green Building Rating System or its current equivalent as determined by the department. The department shall recognize the use of wood-based materials and products certified by the Forest Stewardship Council, American Tree Farm System, or Sustainable Forest Initiative programs.

(d) “Minimum LEED performance requirements for the operation and maintenance of existing buildings” means the performance requirements so designated under the LEED Green Building Rating System, as pre-

scribed by the U.S. Green Building Council, or its current equivalent as determined by the department.

(e) “U.S. Green Building Council” means the United States Green Building Council or any successor organization that is substantially the same organization, as determined by the department.

(2) The department shall prescribe, by rule, standards for energy performance and environmental design in buildings, structures, and facilities which shall apply to the extent required under ss. 13.48 (2) and (15), 16.84 (5), 16.856, 66.0902, and 120.24. The standards shall be based upon the following standards or, if they are updated, their current equivalents:

(a) The LEED silver level for new building construction.

(b) Minimum LEED performance requirements for the operation and maintenance of existing buildings.

(c) Energy Star standards.

(d) Energy performance standard 90.1–2007 of the American Society of Heating, Refrigerating, and Air Conditioning Engineers.

(e) Standard 62.1–2004 of the American Society of Heating, Refrigerating, and Air Conditioning Engineers.

(f) National energy efficiency design standards of the International Energy Conservation Code adopted by the International Code Council–2006.

(i) Indoor air quality guidelines for occupied buildings promulgated by the Sheet Metal and Air Conditioning Contractors’ National Association, 2nd edition, 2007.

(3) The department shall review a rule promulgated under sub. (2) whenever a revision of a standard on which the rule is based is published. The department shall complete its review of the rule and submit to the legislature a proposed rule changing the standard no later than 18 months after the date on which the revision of the standard is published.

SECTION 15. 101.05 (1) and (3) of the statutes are amended to read:

101.05 (1) ~~No~~ Except for rules promulgated under s. 101.028, no building code adopted by the department under this chapter shall affect buildings located on research or laboratory farms of public universities or other state institutions and used primarily for housing livestock or other agricultural purposes.

(3) ~~No~~ Except for rules promulgated under s. 101.028, no standard, rule, code or regulation of the department under this subchapter applies to construction undertaken by the state for the purpose of renovation of the state capitol building.

SECTION 16. 101.61 (1m) of the statutes is created to read:

101.61 (1m) “Generally accepted energy code” means energy design standards contained in an energy efficiency code that is generally accepted and used by

architects, engineers, and the construction industry in the construction of one- and 2-family dwellings.

SECTION 17. 101.63 (1g) of the statutes is created to read:

101.63 (1g) Promulgate rules that establish voluntary energy efficiency standards for the construction of one- and 2-family dwellings. The standards shall provide at least a 30 percent better energy efficiency benefit as the standards established by the department under rules promulgated under sub. (1). If the rules promulgated by the department under this subsection incorporate standards from a generally accepted energy code, the department shall revise the rules promulgated under this subsection not later than 18 months after the generally accepted energy code is revised.

SECTION 18. 101.63 (1m) of the statutes is created to read:

101.63 (1m) Develop at least one descriptive term and one logo that the department may authorize to be used to identify one- and 2-family dwellings that meet the voluntary energy efficiency standards established in the rules promulgated by the department under sub. (1g).

SECTION 19. 119.04 (1) of the statutes, as affected by 2009 Wisconsin Acts 60 and 96, is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.365 (3), 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.225, 118.24 (1), (2) (c) to (f), (6) and (8), 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), 120.24, and 120.25 are applicable to a 1st class city school district and board.

SECTION 20. 120.24 of the statutes is created to read:

120.24 Energy performance and environmental design standards for school district facilities. (1) In this section:

(a) “Conditioned space” has the meaning given in s. 16.856 (1) (c).

(b) “LEED silver level” has the meaning given in s. 16.856 (1) (f).

(c) “Major construction project” means a project for the construction of a building that will, upon completion, contain at least 10,000 gross square feet of conditioned space, or for the renovation of an existing building containing at least 10,000 gross square feet of conditioned space that affects more than 50 percent of the existing gross square feet of conditioned space in that building, or for the expansion of, or addition to, an existing public building that adds conditioned space that is equal in size

to at least 50 percent of the gross square feet of the existing building.

(2) Each school board shall ensure that the plans and specifications for each major construction project conform at a minimum to the requirements for certification at the LEED silver level. The school board shall also ensure that the energy performance, use and disposal of construction and demolition materials, ventilation components, indoor air quality performance, and water usage level for each major construction project conform to the standards specified s. 13.48 (2) (jm) 2.

SECTION 21. 145.133 of the statutes is created to read:

145.133 Graywater systems. (1) In this section:

(a) "Graywater" means wastewater generated from the use of a clothes washer, sink, shower, or bathtub.

(b) "Graywater system" means a system for the collection and reuse of graywater.

(c) "Rainwater system" means a system for the collection and reuse of rainwater generated from building roofs.

(2) The department shall promulgate rules that establish standards for the installation of graywater and rainwater systems. The standards shall authorize the reuse of graywater and rainwater within the building, or on the

property surrounding the building, from which the graywater or rainwater was generated.

SECTION 22. Initial applicability.

(1) The treatment of section 13.48 (2) (jm) 2. and 3. of the statutes first applies with respect to projects approved and agreements entered into on the effective date of this subsection.

(2) The treatment of section 16.856 (2) of the statutes first applies with respect to projects for which design is commenced on the effective date of this subsection.

(3) The treatment of section 16.84 (5) of the statutes, the renumbering and amendment of section 13.48 (15) of the statutes, and the creation of section 13.48 (15) (b) of the statutes first apply with respect to leases of real property by the state that are entered into, renewed, or extended on the effective date of this subsection.

(4) The treatment of section 120.24 (2) of the statutes first applies with respect to projects for which design is commenced on the effective date of this subsection.

(5) The treatment of section 66.0902 (2) of the statutes first applies with respect to projects for which a request for proposal is issued by a political subdivision on the effective date of this subsection.

