

SENATE No. 1418

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to energy efficiency disclosure forms..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) Notwithstanding the provisions of any general or special law to the
2 contrary, to ensure that property owners, construction supervisors, architects and contracting
3 authorities are aware of energy efficiency opportunities and strategies for reducing energy
4 consumption and carbon emissions, within one hundred eighty days of the effective date of this
5 act, the department of energy resources, jointly with the board of building regulations and
6 standards, shall (i) formulate an environmental efficiency disclosure form setting forth
7 environmentally efficient building standards, designs and construction materials currently
8 available that would reduce energy consumption in a completed building or structure and (ii)
9 establish a threshold for the value of the work being performed that would require submission of
10 the disclosure form. The disclosure form shall be updated at least every twelve months to
11 incorporate the latest energy conservation technologies.

12 (b) The disclosure form shall be provided to each local building authority and shall be
13 used as part of the building permit process established by the state building code, but no
14 additional fees shall be imposed or collected in connection with the form. Submission of the

15 disclosure form shall be a pre-condition of issuance of a building permit. No building permit
16 shall issue until the local building authority has received the completed disclosure form, signed
17 under the pains and penalties of perjury by the property owner and any construction supervisor
18 seeking to obtain a building permit. In the case where a construction supervisor is required to
19 sign the disclosure form, the construction supervisor may authorize an architect licensed under
20 chapter 112 of the general laws to execute said form in his/her stead.

21 (c) Within ninety days of the creation of the disclosure form and standards set forth
22 above, the board of building regulations and standards shall adopt regulations requiring the
23 submission of the disclosure form as part of the building permit process and shall conform the
24 building code to the provisions of this act.