
Illinois Capital Development Board Code Amendment Process for the Illinois Energy Conservation Code

1.0 Introduction

- 1.1 **Purpose:** The purpose of this policy is to prescribe the procedures utilized in the amendment process of the Illinois Energy Conservation Code (IECC).
- 1.2 **Objectives:** The IECC amendment process has the following objectives:
- 1.2.1 The open discussion of amendments by all parties desiring to participate.
 - 1.2.2 The final determination of Code text by the Illinois Energy Conservation Advisory Council (ILECAC) members.
- 1.3 **Process Maintenance:** The review and maintenance of the amendment process shall be by the ILECAC. The final content of the Code is determined by a majority vote of the ILECAC members.
- 1.4 **Correspondence:** All correspondence relating to amendments and public comments shall be addressed to the Council Chair or his or her Designee.

2.0 Code Adoption Cycle

- 2.1 **Intent:** The code amendment cycle shall consist of the complete consideration of amendments in accordance with the procedures herein specified, commencing with the deadline for submission of amendments and ending with proposed rules to be submitted to the CDB and JCAR.
- 2.2 **New Editions:** The ILECAC shall determine the schedule for the amendment process through submittal to the CDB.
- 2.3 **Code Development Record.** The code development record shall include the official documents and records developed in support of the given code development cycle. This includes the following:
- 1. Proposed Amendment
 - 2. Subcommittee Agenda
 - 3. Subcommittee Meeting Minutes
 - 4. ILECAC Meeting Agenda
 - 5. ILECAC Meeting Minutes

3.0 Submittal of Amendments

- 3.1 **Intent:** Any interested person, persons or group may submit a code amendment which will be considered when in conformance to these procedures.
- 3.2 **Withdrawal of Proposal:** An amendment may be withdrawn by the proponent at any time prior to action by the Subcommittee. All actions on the amendment shall cease immediately upon its withdrawal.
- 3.3 **Form and Content of Code Change Submittals:** Each amendment shall be submitted separately and shall be complete in itself. Each submittal shall contain the following information:
- 3.3.1 **Proponent:** Each amendment shall include the name, title, mailing address, telephone number, and email address of the proponent.

- 3.3.1.1 If a group, organization or committee submits an amendment, an individual with

- prime responsibility shall be indicated.
- 3.3.1.2** If a proponent submits an amendment on behalf of a client, group, organization or committee, the name and mailing address of the client, group, organization or committee shall be indicated.
- 3.3.2 Code Reference:** Each amendment shall relate to the applicable code sections(s) in the latest edition of the Code except for such amendments determined by the ILECAC.
- 3.3.2.1** If more than one section in the Code is affected by an amendment, appropriate proposals shall be included for all such affected sections.
- 3.3.3 Multiple Amendments to a Code Section.** A proponent shall not submit multiple amendments to the same code section. When a proponent submits multiple amendments to the same section, the proposals shall be considered as incomplete proposals and processed in accordance with Section 4.2. This restriction shall not apply to amendments that attempt to address differing subject matter within a code section.
- 3.3.4 Text Presentation:** The text of the amendment shall be presented in the specific wording desired with deletions shown struck out with a single line and additions shown underlined with a single line.
- 3.3.4.1** A charging statement shall indicate the referenced code section(s) and whether the amendment is intended to be an addition, a deletion or a revision to existing Code text.
- 3.3.4.2** Whenever practical, the existing wording of the text shall be preserved with only such deletions and additions as necessary to accomplish the desired change.
- 3.3.4.3** Each amendment shall be in proper code format and terminology.
- 3.3.4.4** Each amendment shall be complete and specific in the text to eliminate unnecessary confusion or misinterpretation.
- 3.3.4.5** The proposed text shall be in mandatory terms.
- 3.3.5 Supporting Information:** Each amendment shall include sufficient supporting information to indicate how the amendment is intended to affect the intent and application of the Code.
- 3.3.5.1 Purpose:** The proponent shall clearly state the purpose of the amendment (e.g. clarify the Code; revise outdated material; substitute new or revised material for current provisions of the Code; add new requirements to the Code; delete current requirements, etc.)
- 3.3.5.2 Reasons:** The proponent shall justify changing the current Code provisions, stating why the amendment is superior to the current provisions of the Code. Amendments which add or delete requirements shall be supported by a logical explanation which clearly shows why the current Code provisions are inadequate or overly restrictive, specifies the shortcomings of the current Code provisions and explains how such amendments will improve the Code.
- 3.3.5.3 Cost Impact:** The proponent shall indicate one of the following regarding the cost impact of the amendment: 1) the amendment will increase the cost of construction; or 2) the amendment will not increase the cost of construction. The proponent shall submit information which substantiates either assertion. This information will be considered by the subcommittee.
- 3.4 Online Submittal:** Each amendment and all substantiating information shall be submitted online at the email address designated by Council Chair or Designee.
- 3.5 Submittal Deadline:** The ILECAC shall establish a deadline for receipt of amendments. Each amendment shall be submitted online to the email address designated by Council Chair or Designee by the deadline. The submitter of an amendment is responsible for the proper and timely receipt of all pertinent materials by the Council Chair or Designee.

4.0 Processing of Amendments.

- 4.1 Review:** Upon receipt by the Council Chair or Designee, the amendments will be checked for compliance with these procedures as to division, separation, form, language, terminology, supporting statements and substantiating data.

- 4.2 Incomplete Amendments:** When an amendment is submitted with incorrect format, without the required information or judged as not in compliance with these procedures, the Council Chair or Designee shall notify the proponent of the specific deficiencies and the proposal shall be held until the deficiencies are corrected, with a final date set for receipt of a corrected submittal. If the Council Chair or Designee receives the corrected amendment after the final date, the proposal shall not be considered by the ILECAC.

5.0 Subcommittee Meeting

- 5.1 Intent:** The intent of the Subcommittee meetings is to permit interested parties to present their views including the cost and benefits on the amendments on the published agenda. The Subcommittee will consider such comments as may be presented in the development of their action on the disposition of such amendments. At the conclusion of the Subcommittee deliberations, the committee action on each amendment shall be placed before the ILECAC for consideration.
- 5.2 Date and Location:** The date and location of the Subcommittee meetings shall be posted on CDB's website.
- 5.3 General Procedures:** A quorum shall consist of a majority of the voting members of the Subcommittee.
- 5.3.1 Chair Voting:** The Chair or Designee of the Subcommittee shall vote only when the vote cast will break a tie vote of the Subcommittee.
- 5.3.2 Open Meeting:** The Subcommittee and ILECAC Meetings are open meetings. Any interested person may attend and participate in the discussion.
- 5.3.3 Presentation of Material at the Subcommittee Meeting:** Information to be provided at the meeting shall be limited to verbal presentations and modifications submitted in accordance with Section 5.4.2. Each individual presenting information at the meeting shall state their name and affiliation, and shall identify any entities or individuals they are representing in connection with their testimony.
- 5.3.4 Agenda:** The Council Chair or Designee shall publish a meeting agenda for the Subcommittee meetings, which will include all amendments that have been received and deemed complete by the Council Chair or Designee.
- 5.3.5 Reconsideration:** There shall be no reconsideration of an amendment after it has been voted on by the Subcommittee.
- 5.3.6 Time Limits:** Time limits shall be established for testimony on all amendments at the beginning of each meeting. Each person requesting to speak on an amendment shall be given equal time.
- 5.4 Discussion:** The Subcommittee Chair or Designee shall place each amendment before the Subcommittee for discussion by identifying the proposal and by regulating discussion as follows:
- 5.4.1 Discussion Order:**
1. Proponents. The Subcommittee Chair shall begin by asking the proponent and then others in support of the amendment for their comments.
 2. Opponents. After discussion by those in support of an amendment, those opposed hereto, if any, shall have the opportunity to present their views.
 3. Rebuttal in support. Proponents shall then have the opportunity to rebut points raised by the opponents.
 4. Re-rebuttal in opposition. Opponents shall then have the opportunity to respond to the proponent's rebuttal.
- 5.4.2 Modifications:** Modifications to amendments may be suggested from the floor by any person participating in the public meeting. The person proposing the modification is deemed to be the proponent of the modification.

5.4.2.1 Criteria. The Subcommittee Chair shall rule proposed modifications in or out of

order before they are discussed on the floor.

5.4.2.2 Testimony. When a modification is offered from the floor and ruled in order by the Subcommittee Chair, a specific floor discussion on that modification is to commence in accordance with the procedures listed in Section 5.4.1.

5.5 Committee Action: Following the floor discussion of each amendment, one of the following motions shall be made and seconded by members of the committee:

1. Approve the amendment as submitted or
2. Approve the amendment as modified with specific modifications, or
3. Disapprove the amendment

5.6 Report of the Subcommittee Meeting: The results of the Subcommittee meeting, including Subcommittee actions and voting results will be issued through meeting minutes following the meeting.

6.0 ILECAC Meeting

6.1 Intent: The ILECAC Meeting is to make a final determination on all amendments which have been approved by the Subcommittee.

6.2 Date and Location: The date and location of the ILECAC meetings will be posted on CDB's website per the Open Meetings Act.

6.3 Public Comment Agenda: The ILECAC agenda shall be comprised of amendments which were approved by the Subcommittee.

6.4 Procedure: A quorum shall consist of a majority of the voting members of the committee.

6.4.1 Chair Voting: The Council Chair shall vote only when the vote cast will break a tie or to create a quorum.

6.4.2 Open Meeting: The ILECAC Meeting is an open meeting. Any interested person may attend and participate in the floor discussion.

6.4.3 Presentation of Material at the ILECAC Meetings: Information to be provided at the meeting shall be limited to verbal presentations and modifications submitted in accordance with Section 6.4.8. Each individual presenting information at the meeting shall state their name and affiliation, and shall identify any entities or individuals they are representing in connection with their testimony.

6.4.4 Agenda: The Council Chair or Designee shall publish an agenda for the ILECAC Meeting placing individual amendments in a logical order to facilitate the meeting.

6.4.5 Reconsideration: There shall be no reconsideration of an amendment after it has been voted upon by the ILECAC.

6.4.6 Time Limits: Time limits shall be established for testimony on all amendments at the beginning of each meeting. Each person requesting to testify on an amendment shall be given equal time.

6.4.7 Discussion: Amendments will be presented by the Subcommittee Chairs. The Subcommittee Chair may also ask the proponent of the amendment to present. Discussion will be regulated as follows:

6.4.7.1 Discussion Order

1. Proponents. The Council Chair shall begin by asking the proponent and then others in support of the amendment for their comments.
2. Opponents. After discussion by those in support of an amendment, those opposed hereto, if any, shall have the opportunity to present their views.
3. Rebuttal in support. Proponents shall then have the opportunity to rebut points raised by the opponents.

4. Re-rebuttal in opposition. Opponents shall then have the opportunity to respond to the proponent's rebuttal.

6.4.8 Modifications: Modifications to amendments may be suggested from the floor by any person participating in the public meeting. The person proposing the modification is deemed to be the proponent of the modification.

6.4.8.1 Criteria. The Council Chair shall rule proposed modifications in or out of order before they are discussed on the floor.

6.4.8.2 Testimony. When a modification is offered from the floor and ruled in order by the Council Chair, a specific floor discussion on that modification is to commence in accordance with the procedures listed in Section 6.4.7.

6.5 Allowable Final Action Motions: The only allowable motions for Final Action are Approval as Submitted, Approval as Modified by the ILECAC and Disapproval. Modifications may also be sent back to the Subcommittees.

6.6 Report of the ILECAC Meeting: The results of the ILECAC meeting, including ILECAC actions and voting results will be issued through meeting minutes following the meeting.

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