

LC003214

JANUARY SESSION, A.D. 2026

(2) "Carbon impact report(s)" means a report, prepared by an independent firm of building professionals, which may include, but not be limited to, licensed architects or engineers for the purpose of reviewing the proposed energy uses at the proposed development, and a determination as to whether the development will meet its building energy needs with one hundred percent (100%) clean energy usage by the year 2050. For the purposes of this analysis, electricity may be presumed to be one hundred percent (100%) renewable energy by 2050.

1 (3) "Large development(s)" means a proposed development that will be constructed on a
2 parcel of land that is greater than fifty thousand square feet (50,000 ft²) in size, and that proposes a
3 building or buildings that will individually or collectively contain more than fifty thousand square
4 feet (50,000 ft²) of gross building area.

5 **42-6.3-3. Permits for large developments.**

6 (a) No city or town shall issue a permit for the construction of any new large development,
7 if the initial application for such permit was submitted after December 31, 2026, unless the
8 circumstances set forth in subsection (b) or (c) of this section apply. For purposes of this subsection,
9 the initial application along with a carbon impact report shall be the first site or building permit
10 application, associated with the building or project.

11 (b) Notwithstanding the provisions of subsection (a) of this section, a city or town may
12 issue a permit for construction of a large development upon a finding by the permitting body of
13 such city or town, that constructing a large development which is likely to meet its building energy
14 needs with one hundred percent (100%) clean energy usage by 2050 is physically or technically
15 unfeasible and that a modification is warranted. Financial considerations shall not be a sufficient
16 basis to determine physical or technical infeasibility. Modifications shall only be issued under this
17 exception where the permitting body finds that:

18 (1) Sufficient evidence was submitted to substantiate the infeasibility of an all-electric
19 building or project design. Such evidence shall show that the building is either:

20 (i) Unable to satisfy necessary building code requirements, without the usage of gas or oil
21 piping systems, fixtures and/or infrastructure; or

22 (ii) The building is specifically designated for occupancy by a commercial food service
23 establishment, and such establishment cannot feasibly operate using commercially available
24 electric appliances.

25 (2) The installation of natural gas or oil piping systems, fixtures and/or infrastructure is
26 strictly limited to the system and area of the building for which an all-electric building or project
27 design is infeasible.

28 (3) The area or service within the project where gas or oil piping systems, fixtures and/or
29 infrastructure are installed, is all-electric ready; and

30 (4) The project's modified design provides equivalent health, safety and fire protection to
31 an all-electric building or project design.

32 (c) Exemptions. Notwithstanding the provisions of subsection (a) of this section, a city or
33 town may issue a permit for a large development, in which said building or group of buildings are
34 for the sole or primary use as a hospital, medical facility, laboratory for biological research or

1 [restaurant.](#)

2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO STATE AFFAIRS AND GOVERNMENT -- BUILDINGS CARBON
EMISSIONS REDUCTION ACT

1 This act would require large developments, those to be constructed on a parcel of land that
2 is greater than fifty thousand square feet (50,000 ft²) in size, and that propose a building or buildings
3 that will individually or collectively contain more than fifty thousand square feet (50,000 ft²) of
4 gross building area to provide carbon impact reports as part of the permitting process prior to
5 approval and issuance of a building permit.

6 This act would take effect upon passage.

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