



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Identifying States that will Benefit Most from Updating Building Energy Codes: American Council for an Energy-Efficient Economy Policy Brief

01/23/2023

The American Council for an Energy-Efficient Economy (“ACEEE”) issued a January 2023 policy brief titled: *Identifying States That Will Benefit Most from Updated Building Energy Code (“Policy Brief”)*

The *Policy Brief* notes that \$45 million in funding is being provided by the United States Department of Energy through the 2021 Bipartisan Infrastructure Law (“BIL”) to facilitate states’ adoption and implementation of updated building energy codes. Further funding for state adoption of updated energy codes includes:

- \$225 million in BIL funding over five years
- \$1 billion in funding from the Inflation Reduction Act

The *Policy Brief* takes the position that:

. . . While all states’ residents and businesses would benefit from reducing building energy usage, states with older energy codes (or none at all) will see the biggest improvements in efficiency.

An analysis is stated to have been undertaken of publicly available data to identify the 10 states with statewide codes that are best positioned to take advantage of the upcoming funding.

One of those states is Arkansas. The other nine include:

- Louisiana
- North Carolina
- Minnesota
- Virginia
- Tennessee
- South Carolina
- Wisconsin
- Kentucky
- Oklahoma

Note that the State of Arkansas is currently undertaking a public review of its energy code with the purpose of updating. (See previous blog post [here](#).)

In identifying the states that are believed to most benefit, the factors stated to have been identified include:

- Energy cost savings expected from energy code updates to the most recent model energy codes for both residential/commercial buildings
- Review of existing building-energy-related greenhouse gas emissions in each state, identifying building stock that could benefit the most from improvement
- Construction activity because energy codes primarily impact new homes/buildings
- Evaluation of state climate policies with specific greenhouse gas emissions targets to gauge policy landscape and what is needed to meet 2030 goals

A copy of the Policy Brief can be downloaded [here](#).