

Before a state makes a final determination, it must solicit public comment and hold a hearing and base its determination on evidence obtained through public comments and public.

For **commercial buildings**: Within two years after DOE makes an affirmative determination of the most recently issued ASHRAE 90.1 commercial code, a state must certify that it has reviewed **and updated** the energy efficiency provisions of its

affirmative determination.

IF DOE does not issue an affirmative determination for the most recently issued commercial building energy efficiency code, the state code must meet or exceed the prior code receiving an affirmative determination from DOE.

Department of Energy State Assistance Requirements

DOE must grant deadline extensions to states that demonstrate a good faith effort and significant progress toward compliance.

DOE must provide technical assistance to states as they implement and improve their residential and commercial building energy efficiency codes, or otherwise promote the design and construction of energy efficient buildings.

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