

By: Armbrister

S.B. No. 778

A BILL TO BE ENTITLED

AN ACT

relating to water and energy saving performance standards for commercial clothes-washing machines.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 372.001, Health and Safety Code, is amended by adding a new Subdivision (1) and renumbering existing Subdivision (1) as Subdivision (1-a) and amending that subdivision to read as follows:

(1) "Commercial clothes-washing machine" means a clothes washer that:

(A) is designed to be used in a commercial setting; and

(B) has a capacity of:

(i) less than 3.5 cubic feet, if it is a front-loading machine; or

(ii) more than 1.6 cubic feet but less than 3.5 cubic feet, if it is a top-loading machine.

(1-a) "Commission" means the Texas ~~Natural Resource Conservation~~ Commission on Environmental Quality.

SECTION 2. Chapter 372, Health and Safety Code, is amended by adding Section 372.005 to read as follows:

Sec. 372.005. COMMERCIAL CLOTHES-WASHING MACHINE PERFORMANCE STANDARDS. (a) A person may not sell, offer for sale, distribute, lease, or import into this state a commercial

1 clothes-washing machine for use in this state unless the machine:

2 (1) meets the water and energy saving performance
3 standards provided by Subsection (b); and

4 (2) is listed by the commission under Subsection (c).

5 (b) For a commercial clothes-washing machine, the water
6 consumption factor may not exceed 9.5 gallons per cubic foot per
7 cycle and the modified energy factor must be at least 1.42 cubic
8 feet per kilowatt-hours per cycle, as determined using the test
9 procedures established by the United States Department of Energy as
10 specified in 10 C.F.R. Part 430, Subpart B, Appendix J1, as that
11 appendix existed on September 1, 2002.

12 (c) The commission shall make and maintain a current list of
13 commercial clothes-washing machines that are certified to the
14 commission by the manufacturer or importer to meet the water and
15 energy saving performance standards provided by Subsection (b). To
16 have a commercial clothes-washing machine included on the list, the
17 manufacturer or importer must supply to the commission, in the form
18 prescribed by the commission, the identification and the
19 performance specifications of the commercial clothes-washing
20 machine. The commission may test a listed commercial
21 clothes-washing machine to determine the accuracy of the
22 manufacturer's or importer's certification and shall remove from
23 the list a machine the commission determines to be inaccurately
24 certified.

25 (d) The commission may include on the list described by
26 Subsection (c) commercial clothes-washing machines that are
27 certified by the Consortium for Energy Efficiency, Inc., to meet

1 the water and energy saving performance standards provided by
2 Subsection (b).

3 (e) The commission may assess against a manufacturer or an
4 importer a reasonable fee for an inspection of a commercial
5 clothes-washing machine to determine the accuracy of the
6 manufacturer's or importer's certification in an amount determined
7 by the commission to cover the expenses incurred in the
8 administration of this chapter. A fee received by the commission
9 under this subsection shall be deposited in the state treasury to
10 the credit of the water resource management account. Fees deposited
11 under this section may be appropriated only for the administration
12 of this chapter.

13 (f) The commission shall, to the extent appropriate and
14 practical, employ the standards established by the United States
15 Department of Energy in determining or evaluating performance
16 standards or testing procedures under this chapter.

17 SECTION 3. (a) This Act takes effect January 1, 2004.

18 (b) Section 372.005, Health and Safety Code, as added by
19 this Act, does not apply to a commercial clothes-washing machine
20 that as of January 1, 2004:

21 (1) is in the inventory of a commercial
22 clothes-washing machine retailer, distributor, lessor, or
23 importer; or

24 (2) has been ordered by a commercial clothes-washing
25 machine retailer, distributor, lessor, or importer.