

Amend CSSB 1863 by adding the following Article _____. and renumbering the following Articles accordingly.

ARTICLE _____. WATER CONSERVATION SYSTEMS FOR CORRECTIONAL FACILITIES

SECTION _____. Chapter 493, Government Code, is amended by adding Section 493.0101 to read as follows:

Sec.493.0101. WATER CONSERVATION SYSTEMS FOR CORRECTIONAL FACILITIES. (a) The department shall contract with a performance contractor to hire a private vendor, at no initial cost to the state, to install electronic water conservation systems on prison toilets, sinks, and showers.

(b) A performance contractor contracting with the department under this section shall:

(1) demonstrate that the electronic water conservation systems used will yield the greatest amount of annual water consumption and maintenance cost savings available.

(c) A contract between the department and a performance contractor under this section must include a provision that will ensure a budget-neutral or positive fiscal impact to the state.

(d) The department shall contract for the installation of the conservation systems in every correctional facility. In designating the order of installation in a correctional facility under this subsection, the department shall consider:

(1) the facility where the greatest amount of savings can be achieved;

(2) the age of the facility; and

(3) the potential operational and security concerns of the facility.

(e) A performance contractor that contracts with the department under this section may not receive any remuneration under the contract until cost savings to the state have been verified.

(f) Not later than December 31, 2006, the department shall submit a progress report to the lieutenant governor, speaker of the house of representatives, and the Legislative Budget Board. The report must include an evaluation of the initial installation of the water conservation systems, effectiveness of the technology

used, and the amount of cost savings to the state. The department may request assistance from the State Auditor and the Legislative Budget Board with the preparation of the report and the calculation of savings.

SECTION _____. (a) Not later than October 1, 2005, the Texas Department of Criminal Justice shall submit a request for proposals from performance contractors to provide water conservation systems under Section 493.0101, Government Code, as added by this Act.

(b) The installation of the water conservation systems described by Subsection (a) of this section shall begin not later than February 1, 2006, and shall be completed by January 1, 2011.