

Amend CSSB 1863 (House committee printing) by adding the following appropriately numbered article to the bill and renumbering subsequent articles accordingly:

ARTICLE \_\_\_\_\_. USE OF ENERGY-SAVING DEVICES FOR VENDING MACHINES IN  
STATE BUILDINGS

SECTION \_\_.01. Subchapter B, Chapter 2165, Government Code, is amended by adding Section 2165.058 to read as follows:

Sec. 2165.058. VENDING MACHINES; ENERGY-SAVING DEVICE REQUIRED. (a) The commission shall require the use of an energy-saving device for each vending machine located in a building owned or leased by the state except a vending machine that contains a perishable food product, as defined by Section 96.001, Civil Practice and Remedies Code.

(b) Notwithstanding Subsection (a), the commission may not require the acquisition or installation of an energy-saving device for a vending machine that is owned or operated by an entity that owns or operates a total of 20 or fewer vending machines. However, the commission shall require the entity to activate and maintain any internal energy-saving or energy-management device or option that is already part of the machine or contained in the machine.

(c) An entity that owns or operates a vending machine subject to this section is responsible for any expenses associated with the acquisition, installation, or maintenance of an energy-saving device required by this section.

(d) The commission may impose an administrative fine on an entity that operates a vending machine subject to this section in an amount not to exceed \$250 a year for each machine found to be in violation of this section or related rules adopted by the commission.

(e) The commission shall adopt rules relating to the specifications for and regulation of energy-saving devices required by this section.

SECTION \_\_.02. (a) An entity that owns or operates a vending machine subject to Section 2165.058, Government Code, as added by this article, is not required to comply with that section or a related rule of the Texas Building and Procurement Commission until September 1, 2006.

(b) Notwithstanding Section 2165.058(d), Government Code, as added by this article, the Texas Building and Procurement Commission may impose a fine only in relation to a vending machine that is found to be operating in violation of Section 2165.058, Government Code, as added by this article, or a related rule of the commission, on or after September 1, 2006.