

BILL ANALYSIS

C.S.H.B. 2905
By: Haggerty
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

With 107 prison units, the Texas Department of Criminal Justice (TDCJ) has a large amount of plumbing fixtures using billions of gallons of water every year. The toilets, lavatories and showers in correctional institutions are an area for targeted conservation. The most common issues for correctional plumbing fixtures are excessive toilet use due to the nature of the prison facility resulting in an enormous waste of water and increased maintenance costs, replacement parts and labor, leading to expensive, emergency repairs.

The purpose of CSHB 2905 is to reduce the cost of water through the installation of electronic plumbing controls on prison toilets, lavatories and showers.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Chapter 493, Government Code is amended by adding Section 493.0101.

(a) Requires TDCJ to enter into an agreement with a private provider to install electronic water conservation systems on prison toilets, sinks and showers at no cost to the state.

(b) Requires the provider to show a cost savings of at least 50 percent to TDCJ current costs and requires the provider to have a minimum of 5-years verifiable experience with prison retrofit installations and any technology shall have a minimum 5-year history in prison facilities.

(c) Ensures that the state achieves a budget neutral or positive outcome in any contract.

(d) Requires TDCJ to install units in at least 15 correctional facilities and establishes criteria for prison unit selection including the greatest amount of savings, the age of the unit, and operational and security considerations.

(e) The provider will receive no remuneration until savings are verified.

(f) Requires TDCJ to provide a progress report back to the Lt. Governor, the Speaker of the House and the Legislative Budget Board on the initial installation and savings and the report shall include criteria on the effectiveness of the technology and a calculation of the savings for the State no later than December 31, 2006.

SECTION 2. Requires TDCJ to request for proposals by October 1, 2005 and requires the initial installation to begin not later than February 1, 2006 and completed by January 1, 2008.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

Original:

SECTION 1

- (a) Requires TDCJ to contract with a provider to install water conservation devices.
- (b) Requires the devices to yield at least a 50% savings of water.
- (c) In order for the vendor to be paid, there must be verified savings.

Substitute:

Changes subsection (a) the state will enter into an agreement at no cost to the state with a private provider to install water conservation devices.

Adds subsection (b) at least 50% savings must be achieved and any potential provider must have at least 5-years experience in prison retrofit installations and the technology must also have at least a 5-year history.

Adds subsection (c) the contract shall be at least revenue neutral or positive.

Adds subsection (d) to establish criteria for installation.

Adds subsection (e) the provider can not receive remuneration until savings are verified.

Adds subsection (f) to require a progress report.

Adds SECTION 2. to establish timeline for RFP and installation.

Adds SECTION 3. Emergency Clause and Effective Date.