

By: West

H.B. No. 2020

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of the state energy conservation office to the Railroad Commission of Texas.

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

SECTION 1. Section 447.001, Government Code, is amended to read as follows:

Sec. 447.001. GOVERNANCE AND GENERAL AUTHORITY. The state energy conservation office:

(1) is under the direction and control of the Railroad Commission of Texas ~~[comptroller]~~;

(2) shall promote the policies enumerated in this chapter; and

(3) may act in any capacity authorized by state or federal law.

SECTION 2. Section 2305.002(3), Government Code, is amended to read as follows:

(3) "Energy office" means the state energy conservation office of the Railroad Commission of Texas ~~[comptroller's office]~~ as established by Chapter 447.

SECTION 3. The heading to Section 2305.011, Government Code, is amended to read as follows:

Sec. 2305.011. ADMINISTRATION BY RAILROAD COMMISSION OF TEXAS ~~[COMPTROLLER'S OFFICE]~~ AND ENERGY OFFICE.

SECTION 4. Section 2305.011(f), Government Code, is amended

1 to read as follows:

2 (f) The Railroad Commission of Texas [~~comptroller~~] may
3 establish procedures and adopt rules as necessary to administer the
4 programs prescribed by this chapter.

5 SECTION 5. Section 2305.022, Government Code, is amended to
6 read as follows:

7 Sec. 2305.022. USE OF ACCOUNT. Money in the account may be
8 used only by the governor and the Railroad Commission of Texas
9 [~~comptroller's office~~] to implement and operate the programs
10 authorized by this chapter.

11 SECTION 6. On September 1, 2005:

12 (1) the state energy conservation office administered
13 by the comptroller is transferred to the Railroad Commission of
14 Texas;

15 (2) all functions and activities performed by the
16 comptroller that relate to direction and control of the state
17 energy conservation office under Chapters 447 and 2305, Government
18 Code, are transferred to the Railroad Commission of Texas;

19 (3) all employees of the comptroller who primarily
20 perform duties related to the state energy conservation office
21 under Chapter 447 or 2305, Government Code, become employees of the
22 Railroad Commission of Texas;

23 (4) a rule, standard, or form adopted by the
24 comptroller that relates to the state energy conservation office
25 under Chapter 447 or 2305, Government Code, is a rule, standard, or
26 form of the Railroad Commission of Texas and remains in effect until
27 altered by the railroad commission;

1 (5) a reference to the comptroller in a statute or rule
2 that relates to the state energy conservation office under Chapter
3 447 or 2305, Government Code, means the Railroad Commission of
4 Texas;

5 (6) any proceeding involving the comptroller that is
6 related to energy conservation under Chapter 447 or 2305,
7 Government Code, is transferred without change in status to the
8 Railroad Commission of Texas. The Railroad Commission of Texas
9 assumes, without change in status, the position of the comptroller
10 in any proceeding relating to energy conservation to which the
11 comptroller is a party;

12 (7) all money, contracts, leases, rights, and
13 obligations of the comptroller related to the state energy
14 conservation office under Chapter 447 or 2305, Government Code, are
15 transferred to the Railroad Commission of Texas;

16 (8) all property, including records, in the custody of
17 the comptroller related to the state energy conservation office
18 under Chapter 447 or 2305, Government Code, is transferred to the
19 Railroad Commission of Texas; and

20 (9) all money appropriated to the comptroller for
21 purposes related to the state energy conservation office under
22 Chapter 447 or 2305, Government Code, are transferred to the
23 Railroad Commission of Texas.

24 SECTION 7. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2005.