

BILL ANALYSIS

C.S.H.B. 67
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Government Reform
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Vending machines may display lights and operate refrigeration units even during non-peak hours, when they receive little or no usage. Devices now exist that can turn off vending machines when not in use. Likewise, these devices turn the vending machine on, only when necessary to keep the contents cold.

Some estimates show that installing an energy saving device or using an internal energy saving device on a vending machine, could save approximately \$100 from the estimated \$350 in the energy cost of a operating a vending machine. With approximately 7,000 vending machines affected by this bill, the potential savings could be substantial.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Building and Procurement Commission in SECTION 1 of this bill.

ANALYSIS

This bill amends the Government Code to require the Texas Building and Procurement Commission (commission) to require entities that operate a vending machine located in a building owned or leased by the state to activate and maintain any internal energy-saving or energy-management device that is already part of the machine.

Likewise, the bill requires the use of an external energy-saving or energy-management device on vending machines that: are located in a state-owned or -leased building; operates with a compressor; and do not have an activated and operational internal energy-saving or energy-management device.

The bill specifies that vending machine owners and operators are responsible for any expenses associated with this requirement. The commission is required to adopt rules relating to the specifications for and regulation of energy-saving devices on vending machines, located in state buildings. The commission is also granted the authority to impose an administrative fine of up to \$250 a year for each machine that violates this requirement or rules adopted by the commission regarding this bill.

This bill does not apply to vending machines containing perishable food products, as defined by Section 96.001, Civil Practice and Remedies Code.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute differs from the original by removing the exemption of entities that own or operate 20 or fewer vending machines. The substitute requires the use of an external energy-saving or energy-management device for each vending machine with a compressor that does not currently have an activated and operational internal energy saving or energy-management device; whereas the original measure required all vending machines to have an external energy saving device.