

By: Leibowitz

H.B. No. 67

A BILL TO BE ENTITLED

AN ACT

relating to energy-saving devices and options for vending machines in buildings owned or leased by the state; imposing an administrative fine.

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

SECTION 1. 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.

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

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

9 SECTION 2. (a) An entity that owns or operates a vending
10 machine subject to Section 2165.058, Government Code, as added by
11 this Act, is not required to comply with that section or a rule of
12 the Texas Building and Procurement Commission adopted under that
13 section until September 1, 2008.

14 (b) Notwithstanding Section 2165.058(d), Government Code,
15 as added by this Act, the Texas Building and Procurement Commission
16 may impose a fine only in relation to a vending machine that is
17 found to be operating in violation of Section 2165.058, Government
18 Code, as added by this Act, or a rule of the commission adopted
19 under that section, on or after September 1, 2008.

20 SECTION 3. This Act takes effect September 1, 2007.