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H.B. No. 3070

A BILL TO BE ENTITLED

AN ACT

relating to a study of methods for increasing the availability of certain information on energy efficiency of certain residential property.

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

SECTION 1. Chapter 2305, Government Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. RESIDENTIAL ENERGY EFFICIENCY STUDY

Sec. 2305.101. DEFINITIONS. In this subchapter:

(1) "Residential real property" means a detached one-family or two-family dwelling.

(2) "Energy efficiency mortgage" means a mortgage that provides financing incentives for:

(A) the purchase of energy efficient residential real property; or

(B) energy efficiency improvements to existing residential housing by incorporating the cost of the improvements into the mortgage.

Sec. 2305.102. STUDY: METHODS FOR PROVIDING ENERGY EFFICIENCY INFORMATION FOR RESIDENTIAL REAL PROPERTY. (a) The energy office shall conduct a study to examine methods for introducing information into the residential real property marketplace regarding energy efficiency of residential real property.

1        (b) The energy office shall establish an advisory committee  
2 to direct the focus of the study. The advisory committee shall be  
3 composed of:

4            (1) state and local government agencies involved in  
5 residential housing programs;

6            (2) builders;

7            (3) organizations that develop and adopt uniform  
8 building codes;

9            (4) organizations that study and develop techniques  
10 and standards to enhance energy efficiency;

11           (5) utilities;

12           (6) real estate agents;

13           (7) mortgage lenders;

14           (8) financial agencies involved in mortgage markets;

15 and

16           (9) representatives from any other appropriate  
17 industry or other interested members of the public, as determined  
18 by the energy office.

19        (c) The study shall consider, at a minimum:

20           (1) establishing standards for rating the energy  
21 efficiency of new and existing residential real property, and  
22 providing information that reflects the manner in which that rating  
23 would change if certain recommended improvements were made;

24           (2) establishing procedures to ensure that new and  
25 existing residential real properties can receive an energy  
26 efficiency rating in the six months before the time of sale and that  
27 any rating performed may be communicated to potential buyers;

1           (3) possible methods for creating incentives for the  
2 growth and development of the market for home energy ratings;

3           (4) including a dedicated field in residential real  
4 property listings to allow for the provision of certain information  
5 regarding the energy efficiency of the residence, including:

6                   (A) past utility bills; or

7                   (B) an energy efficiency rating;

8           (5) possible methods for delivering energy efficiency  
9 mortgages to the buyers of properties that meet a minimum standard  
10 for energy efficiency; and

11           (6) creating public awareness of the energy efficiency  
12 rating system and the availability of energy efficiency mortgages.

13           (d) The study must:

14                   (1) address the question of whether introducing  
15 information into the marketplace regarding energy efficiency of  
16 residential real property through the method the advisory committee  
17 and the energy office determine most promising is likely to  
18 increase the average energy efficiency of residential real property  
19 in this state; and

20                   (2) specify any statutory changes the advisory  
21 committee and the energy office determine are necessary to achieve  
22 a particular result.

23           (e) To obtain information to conduct the study, the advisory  
24 committee or the energy office may contract with appropriate  
25 organizations, public or private institutions of higher education,  
26 and any other appropriate entities. State agencies, boards, and  
27 commissions and institutions of higher education shall comply with

1 requests from the energy office for information or assistance in  
2 conducting the study.

3 (f) The energy office shall report to the governor, the  
4 lieutenant governor, and the speaker of the house of  
5 representatives on the study and its results not later than October  
6 1, 2008.

7 Sec. 2305.103. EXPIRATION. This subchapter expires August  
8 31, 2009.

9 SECTION 2. This Act takes effect September 1, 2007.