

By: Burnam

H.B. No. 3338

A BILL TO BE ENTITLED

AN ACT

1
2 relating to building code standards for energy efficiency
3 performance.

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

5 SECTION 1. Sections 388.003(a), (b), (e), and (f), Health
6 and Safety Code, are amended to read as follows:

7 (a) To achieve energy conservation in single-family
8 residential construction, the energy efficiency chapter of the
9 International Residential Code, as it existed on May 1, 2006
10 [~~2001~~], is adopted as the energy code in this state for
11 single-family residential construction.

12 (b) To achieve energy conservation in all other
13 residential, commercial, and industrial construction, the
14 International Energy Conservation Code as it existed on May 1, 2006
15 [~~2001~~], is adopted as the energy code for use in this state for all
16 other residential, commercial, and industrial construction.

17 (e) Local amendments may not result in [~~less stringent~~]
18 energy efficiency requirements in nonattainment areas and in
19 affected counties that are less stringent, by 15 percent or more,
20 than the annual energy baseline requirements established by [~~than~~]
21 the energy efficiency chapter of the International Residential Code
22 or International Energy Conservation Code as that chapter existed
23 in those codes on May 1, 2003. Local amendments must comply with
24 the National Appliance Energy Conservation Act of 1987 (42 U.S.C.

1 Sections 6291-6309), as amended. The laboratory, at the request of
2 a municipality or county, shall determine the relative impact of
3 proposed local amendments to an energy code, including whether
4 proposed amendments are substantially equal to or less stringent
5 than the unamended code. For the purpose of establishing uniform
6 requirements throughout a region, and on request of a council of
7 governments, a county, or a municipality, the laboratory may
8 recommend a climatically appropriate modification or a climate zone
9 designation for a county or group of counties that is different from
10 the climate zone designation in the unamended code. The laboratory
11 shall:

12 (1) report its findings to the council, county, or
13 municipality, including an estimate of any energy savings potential
14 above the base code from local amendments; and

15 (2) annually submit a report to the commission:

16 (A) identifying the municipalities and counties
17 whose codes are more stringent than the unamended code, and whose
18 codes are equally stringent or less stringent than the unamended
19 code; and

20 (B) quantifying energy savings and emissions
21 reductions from this program.

22 (f) Each municipality, and each county that has established
23 procedures under Subsection (d), shall periodically review and
24 consider revisions made by the International Code Council to the
25 International Energy Conservation Code and the energy efficiency
26 chapter of the International Residential Code adopted after May 1,
27 2003 [~~2001~~].

1 SECTION 2. The change in law made by this Act applies only
2 to construction that begins under a contract made on or after
3 January 1, 2008, or that begins, in the absence of a contract, on or
4 after that date. Construction that begins under a contract made
5 before January 1, 2008, or that begins, in the absence of a
6 contract, before that date is governed by the law in effect when the
7 contract was made or the activity began, as appropriate, and that
8 law is continued in effect for that purpose.

9 SECTION 3. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2007.