

1-1 By: Hinojosa, West, Ellis S.B. No. 445
1-2 (In the Senate - Filed February 5, 2007; February 21, 2007,
1-3 read first time and referred to Committee on Government
1-4 Organization; April 10, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
1-6 April 10, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 445 By: Hegar

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to design, construction, and renovation standards for
1-11 state buildings and facilities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter I, Chapter 2166, Government Code, is
1-14 amended by adding Section 2166.409 to read as follows:

1-15 Sec. 2166.409. HIGH-PERFORMANCE, SUSTAINABLE DESIGN,
1-16 CONSTRUCTION, AND RENOVATION STANDARDS FOR STATE BUILDINGS.

1-17 (a) This section applies to the construction of a state building,
1-18 or the renovation of a state building the cost of which is more than
1-19 50 percent of the value of the building, including a building for
1-20 education, assembly, or office occupancy under the charge and
1-21 control of the Texas Department of Transportation, the Parks and
1-22 Wildlife Department, the Texas Department of Housing and Community
1-23 Affairs, the Texas State Affordable Housing Corporation, or the
1-24 Veterans' Land Board that is otherwise exempt from this chapter
1-25 under Section 2166.003.

1-26 (b) A building to which this section applies must be
1-27 designed and constructed or renovated so that the building achieves
1-28 certification under a high-performance building standard that:

1-29 (1) is developed and revised through a consensus-based
1-30 process;

1-31 (2) provides minimum requirements for energy use,
1-32 natural resources use, and indoor air quality;

1-33 (3) requires substantiating documentation for
1-34 certification;

1-35 (4) employs third-party, post-construction review and
1-36 verification for certification; and

1-37 (5) is determined by the state energy conservation
1-38 office to be nationally recognized in the building industry.

1-39 (c) A contract between the commission and a private design
1-40 professional relating to services in connection with the
1-41 construction or renovation of a building to which this section
1-42 applies must provide that, for billing purposes, any service
1-43 provided by the private design professional that is necessary to
1-44 satisfy the requirements of Subsection (b) is considered an
1-45 additional service rather than a basic service.

1-46 SECTION 2. Subchapter B, Chapter 55, Education Code, is
1-47 amended by adding Section 55.115 to read as follows:

1-48 Sec. 55.115. HIGH-PERFORMANCE, SUSTAINABLE DESIGN,
1-49 CONSTRUCTION, AND RENOVATION STANDARDS FOR CERTAIN FACILITIES.

1-50 (a) This section applies to the construction of an institution of
1-51 higher education facility, or the renovation of a facility the cost
1-52 of which is more than 50 percent of the value of the facility, any
1-53 part of the construction or renovation of which is financed by
1-54 revenue bonds issued under this subchapter.

1-55 (b) A facility to which this section applies must be
1-56 designed and constructed or renovated so that the facility achieves
1-57 certification under a high-performance building standard that:

1-58 (1) is developed and revised through a consensus-based
1-59 process;

1-60 (2) provides minimum requirements for energy use,
1-61 natural resources use, and indoor air quality;

1-62 (3) requires substantiating documentation for
1-63 certification;

