

BILL ANALYSIS

C.S.H.B. 3633
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State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, in the United States, nearly 20 percent of all electricity used is used for lighting. For many years a standard practice has been to use incandescent and high-intensity discharge lighting. Such lighting technologies rely on halogen, metal halide, high-pressure and low-pressure sodium, and mercury vapor lights. These lighting systems provide adequate light, but they are energy inefficient and have limited life spans.

Until recently, most consumers and lighting manufacturers have not been primarily concerned with energy efficiency. Increased nationwide focus on energy independence, coupled with rising energy costs, has contributed to a shift driving technological advancement in the lighting industry, marked by the development and marketing of new applications for extremely efficient lighting technologies. Setting high standards for the exterior lighting of state facilities will ensure that the latest available technologies are fully employed and further developed by manufacturers and lighting distributors, and will provide taxpayers with significant savings from reduced energy consumption and fewer expenses associated with maintenance and operation.

C.S.H.B. 3633 requires a state agency, before purchasing a lamp for an outdoor lighting fixture, to consider purchasing a lamp that meets prescribed energy efficiency and life expectancy standards. The bill requires the Energy Systems Laboratory at the Texas Engineering Experiment Station of The Texas A&M University System to conduct a study of outdoor lighting fixtures used by state agencies.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3633 amends the Government Code to require a state agency, before purchasing a lamp for an outdoor lighting fixture, to consider purchasing a lamp that achieves energy efficiency of at least 60 lumens per watt and has a life expectancy of at least 50,000 hours. The bill makes this provision applicable only to the new installation of a lamp or the repair, renovation, or retrofit of a lamp no longer functioning properly for an outdoor lighting fixture installed or maintained on property owned, operated, maintained, or developed by Texas, or for a lighting fixture at a state-owned parking facility.

C.S.H.B. 3633 requires the Energy Systems Laboratory at the Texas Engineering Experiment Station of The Texas A&M University System to conduct a study of outdoor lighting fixtures used by state agencies. The bill requires the study to examine types of outdoor lighting fixtures used by state agencies; lighting technology that achieves substantial energy efficiency compared to currently used technology and has a life expectancy of at least 50,000 hours; price comparisons and return on investment standards for the lighting technologies studied; and usage considerations as determined by the needs of individual state agencies. The bill requires the

Texas Facilities Commission, at the laboratory's request, to provide assistance in conducting the study. The bill requires a state agency that has considered a lamp as required above, at the laboratory's request, to provide data for use in conducting the study. The bill requires the laboratory, not later than September 1, 2010, to prepare a report regarding the results of the study, including the data collected and recommendations; to submit the report to the governor, the lieutenant governor, the speaker of the house of representatives, and the clerks of each of the standing committees of the senate and house of representatives with primary jurisdiction over state facilities; and to publish the report on the laboratory's Internet website or otherwise make the report available to the public through the Internet. The bill defines "laboratory."

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3633 differs from the original by requiring a state agency to consider purchasing a lamp that meets prescribed energy efficiency and life expectancy standards, whereas the original prohibits a state agency from purchasing a lamp unless the lamp meets prescribed energy efficiency and life expectancy standards.

C.S.H.B. 3633 removes a provision in the original authorizing an agency to waive the purchasing prohibition due to an existing contract if that contract provided for the installation, renovation, repair, or retrofit of outdoor lamp lighting, and was entered into prior to September 1, 2009, and is a contract for which inventory has been purchased or ordered prior to that date. The substitute adds a provision not in the original requiring the Energy Systems Laboratory at the Texas Engineering Experiment Station of The Texas A&M University System to conduct a study of outdoor lighting fixtures used by state agencies, and sets forth provisions not in the original relating to the study.

C.S.H.B. 3633 differs from the original in nonsubstantive ways by using language reflective of certain drafting conventions.