By: Anchia, et al. H.B. No. 1993

Substitute the following for H.B. No. 1993:

By: Strama C.S.H.B. No. 1993

A BILL TO BE ENTITLED

AN ACT

relating to certain energy security technologies for critical governmental facilities.

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

SECTION 1. Subtitle G, Title 10, Government Code, is amended by adding Chapter 2311 to read as follows:

CHAPTER 2311. ENERGY SECURITY TECHNOLOGIES FOR CRITICAL GOVERNMENTAL FACILITIES

Sec. 2311.001. DEFINITIONS. In this chapter:

(1) "Combined heating and power system" means a system that:

(A) is located on the site of a facility;

(B) is the primary source of both electricity and thermal energy for the facility;

(C) can provide all of the electricity needed to power the facility's critical emergency operations for at least 14 days; and

(D) has an overall efficiency of energy use that exceeds 60 percent.

(2) "Critical governmental facility" means a building owned by the state or a political subdivision of the state that is expected to:

(A) be continuously occupied;

(B) maintain operations for at least 6,000 hours

each year;

(C) have a peak electricity demand exceeding 500 kilowatts; and

(D) serve a critical public health or public safety function during a natural disaster or other emergency situation that may result in a widespread power outage, including a:

(i) command and control center;

(ii) shelter;

(iii) prison or jail;

(iv) police or fire station;

(v) communications or data center;

(vi) water or wastewater facility;

(vii) hazardous waste storage facility;

(viii) biological research facility;

(ix) hospital; or

(x) food preparation or food storage facility.

Sec. 2311.002. COMBINED HEATING AND POWER SYSTEMS. (a) When constructing or extensively renovating a critical governmental facility or replacing major heating, ventilation, and air-conditioning equipment for a critical governmental facility, the entity with charge and control of the facility shall evaluate whether equipping the facility with a combined heating and power system would result in expected energy savings that would exceed the expected costs of purchasing, operating, and maintaining the system over a 20-year period. Notwithstanding Chapter 2302, the

entity may equip the facility with a combined heating and power system if the expected energy savings exceed the expected costs.

(b) The State Energy Conservation Office shall adopt rules governing responsibility for payment of expenses in connection with the evaluation required under Subsection (a). To the extent possible, the rules shall provide for the evaluation to be conducted by a third party willing to conduct the analysis without cost to the governmental entity or a potential provider of services in connection with the construction or extensive renovation of a critical governmental facility or the replacement of major heating, ventilation, and air-conditioning equipment for a critical governmental facility. The rules shall also provide for the payment of expenses from federal funds available for that purpose.

SECTION 2. Chapter 2311, Government Code, as added by this Act, applies only to the construction or renovation of a building or the replacement of equipment for a building for which the contract is entered into on or after September 1, 2009.

SECTION 3. This Act takes effect September 1, 2009.