

By: Farrar

H.B. No. 4086

A BILL TO BE ENTITLED

AN ACT

relating to energy efficiency in newly constructed buildings.

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

SECTION 1. Section 388.003, Health and Safety Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-4) to read as follows:

(a) To achieve energy conservation in single-family residential construction, the energy efficiency chapter of the International Residential Code, as it existed on January 1, 2009 [~~May 1, 2001~~], is adopted as the energy code in this state for single-family residential construction.

(b) To achieve energy conservation in all other residential, commercial, and industrial construction, the International Energy Conservation Code as it existed on January 1, 2009 [~~May 1, 2001~~], is adopted as the energy code for use in this state for all other residential, commercial, and industrial construction.

(b-4) The State Energy Conservation Office shall:

(1) not later than the 180th day before the date a new edition of the International Residential Code or International Energy Conservation Code is scheduled to be published, and in cooperation with the laboratory, the Public Utility Commission of Texas, and interested persons under Subsection (b-2), identify a list of energy code improvements anticipated to be contained in the

1 new edition and develop market transformation programs to train
2 builders, architects, and tradesmen to meet the anticipated code
3 improvements; and

4 (2) identify additional energy efficiency measures,
5 technologies, and practices that have the potential to
6 significantly reduce energy use in buildings.

7 SECTION 2. Section 388.003(b-1), Health and Safety Code, as
8 added by Chapters 262 (S.B. 12) and 939 (H.B. 3693), Acts of the
9 80th Legislature, Regular Session, 2007, is reenacted and amended
10 to read as follows:

11 (b-1) If the State Energy Conservation Office determines,
12 based on written recommendations from the laboratory, that the
13 latest published edition of the International Residential Code
14 energy efficiency provisions or the latest published edition of the
15 International Energy Conservation Code will result in residential
16 or commercial energy efficiency and air quality that is equivalent
17 to or better than the energy efficiency and air quality achievable
18 under the editions adopted under Subsection (a) or (b), the office
19 shall ~~may~~ by rule adopt the equivalent or more stringent editions
20 and substitute them for the energy codes described by Subsection
21 (a) or (b). The rule, if adopted, shall establish an effective
22 date for the new energy codes but not earlier than nine months after
23 the date of adoption. The laboratory shall make its
24 recommendations not later than six months after publication of new
25 editions at the end of each three-year code development cycle of the
26 International Residential Code and the International Energy
27 Conservation Code.

1 SECTION 3. Section 39.905, Utilities Code, is amended by
2 adding Subsection (d-1) to read as follows:

3 (d-1) In addition to the market-transformation programs
4 described by Subsection (d), the commission shall establish, and
5 each utility shall implement, market-transformation incentive
6 programs that:

7 (1) encourage the use of new building technologies and
8 construction practices that are anticipated to be included in a new
9 edition of the International Residential Code or International
10 Energy Conservation Code;

11 (2) offer incentives for a building that exceeds by at
12 least 15 percent the energy conservation standards of the most
13 current edition of the International Residential Code or
14 International Energy Conservation Code;

15 (3) offer increased incentives for a building that
16 exceeds by at least 30 percent the energy conservation standards of
17 the most current edition of the International Residential Code or
18 International Energy Conservation Code; and

19 (4) encourage the testing of new building technologies
20 and construction practices that:

21 (A) have significant potential to reduce
22 building energy use by 50 percent or more within 10 years of the
23 date the incentive is given; and

24 (B) integrate renewable energy into building
25 designs.

26 SECTION 4. This Act takes effect September 1, 2009.