

By: Rodriguez

H.B. No. 4261

A BILL TO BE ENTITLED

AN ACT

relating to establishing a no-interest loan program to promote the use of energy efficiency measures and renewable energy technology in certain residential dwellings and commercial buildings.

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

SECTION 1. Chapter 447, Government Code, is amended by adding Section 447.014 to read as follows:

Sec. 447.014. LOAN PROGRAM TO PROMOTE USE OF ENERGY EFFICIENCY MEASURES AND RENEWABLE ENERGY TECHNOLOGY. (a) In this section:

(1) "Energy efficiency" means a measure that is aimed at reducing the rate at which energy is used by equipment or processes and may be achieved by:

(A) substituting more advanced equipment to produce the same or higher level of end-use services with less energy;

(B) adopting technology and processes that reduce heat or other energy losses;

(C) installing materials, including weatherization materials, or equipment that reduces or facilitates a reduction in heat or other energy loss; or

(D) reorganizing processes to make use of waste heat.

(2) "Program" means the loan program to promote energy

1 efficiency measures and renewable energy technology established by
2 the section.

3 (3) "Renewable energy technology" has the meaning
4 assigned by Section 39.904(d), Utilities Code.

5 (4) "Small business" has the meaning assigned by
6 Section 481.191.

7 (b) The State Energy Conservation Office shall establish
8 and administer, from money expressly appropriated for the purpose,
9 or obtained under subsection (f), a program to make no-interest
10 loans to individuals and small businesses to promote the use of
11 energy efficiency measures and renewable energy technology in the:

12 (1) residential dwellings owned by the individuals;
13 and

14 (2) commercial buildings owned or operated by the
15 small businesses.

16 (c) A loan made under the program:

17 (1) may not exceed a term of 20 years;

18 (2) may be secured by a lien on the real property; and

19 (3) may be made with respect to a new or existing
20 structure.

21 (d) To be eligible to receive a loan under the program, a
22 person must:

23 (1) apply to the State Energy Conservation Office on a
24 form prescribed by the office; and

25 (2) meet any additional eligibility requirements
26 established by rule by the office.

27 (e) The State Energy Conservation Office shall adopt rules

1 as necessary to implement this section, including rules regarding:

2 (1) the types of renewable energy technologies or
3 energy efficiency measures that are eligible for loan funding under
4 the program;

5 (2) the maximum amount of any loan made under the
6 program; and

7 (3) the manner in which loans are to be repaid to the
8 office.

9 (f) The State Energy Conservation Office shall retain and
10 use any loan payments received under the program to administer the
11 program.

12 SECTION 2. Not later than December 1, 2009, the State Energy
13 Conservation Office shall establish the loan program to promote
14 energy efficiency measures and renewable energy technology under
15 Section 447.014, Government Code, as added by this Act.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2009.