

1-1 By: Ellis S.B. No. 1862  
1-2 (In the Senate - Filed March 11, 2009; March 24, 2009, read  
1-3 first time and referred to Committee on Government Organization;  
1-4 April 7, 2009, reported favorably by the following vote: Yeas 6,  
1-5 Nays 0; April 7, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to state purchasing of certain environmentally friendly  
1-9 items.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 2158.301, Government Code, as added by  
1-12 Chapter 939 (H.B. 3693), Acts of the 80th Legislature, Regular  
1-13 Session, 2007, is amended to read as follows:

1-14 Sec. 2158.301. ENERGY CONSERVATION: APPLIANCES, PRINTERS,  
1-15 AND PHOTOCOPY MACHINES. (a) Unless the comptroller approves a  
1-16 written request from a state agency for an exemption from the  
1-17 requirements of this subsection ~~[If available and cost-effective]~~,  
1-18 a state agency shall purchase equipment and appliances, including  
1-19 printers and photocopy machines, for state use that meet or  
1-20 exceed[+]

1-21 ~~[(1) the federal energy conservation standards under~~  
1-22 ~~Section 325, Energy Policy and Conservation Act (42 U.S.C. Section~~  
1-23 ~~6295), or a federal regulation adopted under that Act; or~~

1-24 ~~[(2)] the federal Energy Star standards designated by~~  
1-25 the United States Environmental Protection Agency and the United  
1-26 States Department of Energy.

1-27 (b) A printer or photocopy machine purchased by a state  
1-28 agency must have duplexing capability and the ability to be  
1-29 programmed to default to double-sided printing or copying.

1-30 (c) A state agency printer or photocopy machine that has  
1-31 duplexing capability shall be programmed to default to double-sided  
1-32 printing or copying.

1-33 (d) The comptroller shall collect data on appliances  
1-34 purchased by state agencies and on the energy efficiency of the  
1-35 appliances.

1-36 SECTION 2. Chapter 2158, Government Code, is amended by  
1-37 adding Subchapter G to read as follows:

1-38 SUBCHAPTER G. LANDSCAPING EQUIPMENT

1-39 Sec. 2158.351. PURCHASE OF LANDSCAPING EQUIPMENT. A state  
1-40 agency may not purchase a lawnmower or other landscaping equipment  
1-41 unless the lawnmower or equipment is powered by propane or natural  
1-42 gas or is electrically powered.

1-43 SECTION 3. Chapter 2166, Government Code, is amended by  
1-44 adding Subchapter M to read as follows:

1-45 SUBCHAPTER M. BUILDING ACCESSORIES

1-46 Sec. 2166.601. PAINT. A state agency in the executive  
1-47 branch of state government that owns, operates, maintains, or has  
1-48 charge and control of a building shall, when feasible, require  
1-49 paint purchased for a new facility or for a remodel, repair, or  
1-50 renovation project to be a zero or low volatile organic compound  
1-51 paint.

1-52 Sec. 2166.602. CARPET, CARPET BACKING, AND CARPET TILES. A  
1-53 state agency that owns, operates, maintains, or has charge and  
1-54 control of a building shall, when feasible, require carpet, carpet  
1-55 backing, and carpet tiles purchased for a new facility or for a  
1-56 remodel, repair, or renovation project to contain postconsumer  
1-57 recycled content that meets the Carpet and Rug Institute's Green  
1-58 Label standard.

1-59 SECTION 4. Section 2158.301, Government Code, as added by  
1-60 Chapter 262 (S.B. 12), Acts of the 80th Legislature, Regular  
1-61 Session, 2007, is repealed.

1-62 SECTION 5. This Act takes effect September 1, 2009.

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