

Amend **HB 1728** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, strike proposed Section 44.901(f-1), Education Code (page, 1 line 62, through page 2, line 6), and substitute the following:

(f-1) Notwithstanding other law, the board may use any available money, other than money borrowed from this state, to pay the provider of the energy or water conservation measures under this section, and the board is not required to pay for such costs solely out of the savings realized by the school district under an energy savings performance contract. The board may contract with the provider to perform work that is related to, connected with, or otherwise ancillary to the measures identified in the scope of an energy savings performance contract.

(2) In SECTION 3 of the bill, strike proposed Section 51.927(g-1), Education Code (page 3, lines 1 through 9), and substitute the following:

(g-1) Notwithstanding other law, the board may use any available money, other than money borrowed from this state, to pay the provider of the energy or water conservation measures under this section, and the board is not required to pay for such costs solely out of the savings realized by the institution of higher education under an energy savings performance contract. The board may contract with the provider to perform work that is related to, connected with, or otherwise ancillary to the measures identified in the scope of an energy savings performance contract.

(3) In SECTION 4 of the bill, strike proposed Section 2166.406(f-1), Government Code (page 3, line 61, through page 4, line 1), and substitute the following:

(f-1) Notwithstanding other law, the state agency may use any available money, other than money borrowed from this state, to pay the provider of the energy or water conservation measures under this section, and the state agency is not required to pay for such costs solely out of the savings realized by the state agency under an energy savings performance contract. The state agency may contract with the provider to perform work that is related to, connected with, or otherwise ancillary to the measures identified in the scope of an energy savings performance contract.

(4) In SECTION 6 of the bill, strike proposed Section 302.004(a-1), Local Government Code (page 4, line 69, through page 5, line 9), and substitute the following:

(a-1) Notwithstanding other law, the governing body of a local government may use any available money, other than money borrowed from this state, to pay the provider of the energy or water conservation measures under this section, and the governing body is not required to pay for such costs solely out of the savings realized by the local government under an energy savings performance contract. The governing body may contract with the provider to perform work that is related to, connected with, or otherwise ancillary to the measures identified in the scope of an energy savings performance contract.