

By: Strama

H.B. No. 2429

A BILL TO BE ENTITLED

AN ACT

relating to availability of certain information regarding energy use and efficiency of certain residential property.

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

SECTION 1. Chapter 1101, Occupations Code, is amended by adding Subchapter R to read as follows:

SUBCHAPTER R. MULTIPLE-LISTING SERVICES

Sec. 1101.851. DEFINITIONS. In this subchapter:

(1) "Energy Star rating" is the Energy Star rating under the energy performance rating system for products, homes, and buildings developed by the United States Environmental Protection Agency and the United States Department of Energy.

(2) "Home energy rating" means the energy rating of a home under a home energy rating system developed under Chapter 388, Health and Safety Code.

(3) "ICC 700 rating" is the residential green building rating under the ICC 700 National Green Building Standard developed by the National Association of Home Builders and the International Code Council.

(4) "LEED rating or certification" means the green building rating or certification under the Leadership in Energy and Environmental Design green building rating and certification system developed by the United States Green Building Council.

(5) "Multiple-listing service" means a database owned

1 or operated by a person or group of persons licensed under this
2 chapter that allows license holders representing sellers to share
3 information regarding properties that are for sale with other
4 license holders.

5 (6) "Residential real property" means property that
6 has a single-family or multifamily dwelling.

7 Sec. 1101.852. ENERGY EFFICIENCY INFORMATION. A
8 multiple-listing service that lists for sale residential or
9 commercial real property must include a field for providing
10 information related to energy use or efficiency of a residence or
11 building on the property.

12 Sec. 1101.853. SELLER'S DISCLOSURE OF CERTAIN ENERGY
13 EFFICIENCY INFORMATION. On request of a seller of residential or
14 commercial real property, a license holder shall include in the
15 multiple-listing service listing of the property information
16 related to the energy use or efficiency of a residence or building
17 on the property, including the residence's or building's:

- 18 (1) Energy Star rating;
19 (2) home energy rating;
20 (3) ICC 700 rating; or
21 (4) LEED rating or certification.

22 SECTION 2. A multiple-listing service is not required to
23 comply with Subchapter R, Chapter 1101, Occupations Code, as added
24 by this Act, before January 1, 2012.

25 SECTION 3. This Act takes effect September 1, 2011.