

AN ACT

relating to certain low-income weatherization programs.

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

SECTION 1. Subsection (f), Section 39.905, Utilities Code, is amended to read as follows:

(f) Unless funding is provided under Section 39.903, each unbundled transmission and distribution utility shall include in its energy efficiency plan a targeted low-income energy efficiency program as described by Section 39.903(f)(2), and the savings achieved by the program shall count toward the transmission and distribution utility's energy efficiency goal. The commission shall determine the appropriate level of funding to be allocated to both targeted and standard offer low-income energy efficiency programs in each unbundled transmission and distribution utility service area. The level of funding for low-income energy efficiency programs shall be provided from money approved by the commission for the transmission and distribution utility's energy efficiency programs. The commission shall ensure that annual ~~[total]~~ expenditures for the ~~[both]~~ targeted ~~[and standard offer]~~ low-income energy efficiency programs of each unbundled transmission and distribution utility are not less than 10 percent of the transmission and distribution utility's energy efficiency budget for the year. A targeted low-income energy efficiency program must comply with the same audit requirements that apply to

1 federal weatherization subrecipients [~~will be based on the amount~~
2 ~~spent by the transmission and distribution utility on the~~
3 ~~commission's hard-to-reach program in calendar year 2003~~]. In an
4 energy efficiency cost recovery factor proceeding related to
5 expenditures under this subsection, the commission shall make
6 findings of fact regarding whether the utility meets requirements
7 imposed under this subsection [~~This level of funding for low-income~~
8 ~~energy efficiency programs shall be provided from money approved by~~
9 ~~the commission for the transmission and distribution utility's~~
10 ~~energy efficiency programs~~]. The state agency that administers the
11 federal weatherization assistance program shall provide reports as
12 required by the commission to provide the most current information
13 available on energy and peak demand savings achieved in each
14 transmission and distribution utility service area. The agency
15 shall participate in energy efficiency cost recovery factor
16 proceedings related to expenditures under this subsection to ensure
17 that targeted low-income weatherization programs are consistent
18 with federal weatherization programs and adequately funded.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2011.

S.B. No. 1434

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1434 passed the Senate on April 20, 2011, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 1434 passed the House on May 25, 2011, by the following vote: Yeas 139, Nays 7, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor