

By: Raney

H.B. No. 2894

A BILL TO BE ENTITLED

AN ACT

1
2 relating to reports on energy use at buildings of certain
3 governmental entities and energy efficiency projects for those
4 buildings.

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

6 SECTION 1. SECTION 1. Section 2265.001, Government Code,
7 is amended to read as follows:

8 Sec. 2265.001. RECORDING AND REPORTING OF ELECTRICITY,
9 WATER, AND NATURAL GAS CONSUMPTION. (a) In this section:

10 (1) "Benchmark" means to enter data on the total
11 energy consumed for a building and other descriptive information
12 for a building as required by the benchmarking tool.

13 (2) "Benchmarking information" means a building's
14 energy consumption information generated by the benchmarking tool
15 and descriptive information about the building and its operational
16 characteristics. The information includes:

17 (A) the building's address;

18 (B) energy use intensity for the building;

19 (C) water use for the building; and

20 (D) the energy performance score that compares
21 the energy use of the building to energy use of similar buildings,
22 if available.

23 (3) "Benchmarking tool" means the United States
24 Environmental Protection Agency's ENERGY STAR Portfolio Manager

1 tool, or an equivalent tool adopted by the comptroller's state
2 energy conservation office that can be used to collect energy use
3 data for a building and track energy use over time.

4 (4) "Governmental [~~,"governmental]~~ entity" means:

5 (A) [~~(1)~~] a board, commission, or department of
6 the state or a political subdivision of the state, including a
7 municipality, a county, or any kind of district; or

8 (B) [~~(2)~~] an institution of higher education as
9 defined by Section 61.003, Education Code.

10 (b) Notwithstanding any other law, a governmental entity
11 responsible for payments for electric, water, or natural gas
12 utility services shall record in an electronic repository the
13 governmental entity's metered amount of electricity, water, or
14 natural gas consumed for which it is responsible to pay and the
15 aggregate costs for those utility services. The governmental
16 entity shall report the recorded information on a publicly
17 accessible Internet website with an interface designed for ease of
18 navigation [~~if available, or at another publicly accessible~~
19 ~~location~~]. The governmental entity shall submit to the
20 comptroller's state energy conservation office a link to the
21 recorded information. A governmental entity may benchmark public
22 buildings using a benchmarking tool and submit the benchmarking
23 information to the office. A governmental entity may not apply for
24 a grant under Subchapter E, Chapter 386, Health and Safety Code,
25 unless the governmental entity submits the benchmarking
26 information to the office.

27 SECTION 2. Sections 386.202, 386.203, and 386.205, Health

1 and Safety Code, are amended to read as follows:

2 Sec. 386.202. GRANT PROGRAM. (a) The [~~utility~~] commission
3 shall develop an energy efficiency grant program for energy
4 efficiency projects in governmental entity buildings and
5 facilities [~~using program templates that are consistent with rules~~
6 ~~of the utility commission adopted under Section 39.905, Utilities~~
7 ~~Code~~].

8 (b) Energy efficiency projects awarded a grant [~~Programs~~
9 ~~approved~~] under this subchapter [~~and other energy efficiency~~
10 ~~programs administered by the utility commission~~] must include
11 energy conservation projects that improve the operational energy
12 efficiency of buildings or facilities or that retire [~~programs for~~
13 ~~the retirement of~~] materials and appliances that contribute to
14 energy consumption or peak energy demand to ensure the reduction of
15 energy consumption, energy demand, or peak loads, and associated
16 emissions of air contaminants.

17 Sec. 386.203. ADMINISTRATION OF GRANTS. Money allocated to
18 [~~by the utility commission under~~] the grant program developed under
19 this subchapter shall be administered by the commission [~~electric~~
20 ~~utilities, electric cooperatives, and municipally owned utilities.~~
21 ~~A participating electric utility, electric cooperative, or~~
22 ~~municipally owned utility shall be reimbursed from the fund for~~
23 ~~costs incurred by the utility in administering the energy~~
24 ~~efficiency grant program established under this subchapter.~~
25 ~~Reimbursable administrative costs of a participating entity may not~~
26 ~~exceed 10 percent of the entity's total program budget before~~
27 ~~January 1, 2003, and may not exceed five percent of the entity's~~

1 ~~total program budget on or after that date].~~

2 Sec. 386.205. EVALUATION OF STATE ENERGY EFFICIENCY
3 PROGRAMS. In cooperation with the laboratory, the comptroller's
4 state energy conservation office [~~utility commission~~] shall
5 provide an annual report to the commission that, by county,
6 quantifies the reductions of energy demand, peak loads, and
7 associated emissions of air contaminants achieved from the projects
8 awarded a grant [~~programs implemented~~] under this subchapter [~~and~~
9 ~~from those implemented under Section 39.905, Utilities Code~~].

10 SECTION 3. Sections 386.201 and 386.204, Health and Safety
11 Code, are repealed.

12 SECTION 4. This Act takes effect September 1, 2013.