

SENATE AMENDMENTS

2nd Printing

By: Wu

H.B. No. 1864

A BILL TO BE ENTITLED

AN ACT

relating to certain energy security technologies for critical governmental facilities.

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

SECTION 1. Chapter 2311, Government Code, as added by Chapter 1280 (H.B. 1831), Acts of the 81st Legislature, Regular Session, 2009, is amended to read as follows:

CHAPTER 2311. ENERGY SECURITY TECHNOLOGIES FOR CRITICAL GOVERNMENTAL FACILITIES

Sec. 2311.001. DEFINITIONS. In this chapter:

(1) "Combined heating and power system" means a system that:

(A) is located on the site of a facility;

(B) is the primary source of both electricity and thermal energy for the facility;

(C) can provide all of the electricity needed to power the facility's critical emergency operations for at least 14 days; and

(D) has an overall efficiency of energy use that exceeds 60 percent.

(2) "Critical governmental facility" means a building owned by the state or a political subdivision of the state that is expected to:

(A) be continuously occupied;

1 (B) maintain operations for at least 6,000 hours
2 each year;

3 (C) have a peak electricity demand exceeding 500
4 kilowatts; and

5 (D) serve a critical public health or public
6 safety function during a natural disaster or other emergency
7 situation that may result in a widespread power outage, including
8 [a]:

- 9 (i) a command and control center;
- 10 (ii) a shelter;
- 11 (iii) a prison or jail;
- 12 (iv) a police or fire station;
- 13 (v) a communications or data center;
- 14 (vi) a water or wastewater facility;
- 15 (vii) a hazardous waste storage facility;
- 16 (viii) a biological research facility;
- 17 (ix) a hospital; ~~[or]~~
- 18 (x) a food preparation or food storage
19 facility; or
- 20 (xi) an institution of higher education, as
21 defined by Section 61.003, Education Code.

22 Sec. 2311.002. COMBINED HEATING AND POWER SYSTEMS. (a)
23 When constructing or extensively renovating a critical
24 governmental facility or replacing major heating, ventilation, and
25 air-conditioning equipment for a critical governmental facility,
26 the entity with charge and control of the facility shall evaluate
27 whether equipping the facility with a combined heating and power

1 system would result in expected energy savings that would exceed
2 the expected costs of purchasing, operating, and maintaining the
3 system over a 20-year period. Notwithstanding Chapter 2302, the
4 entity may equip the facility with a combined heating and power
5 system if the expected energy savings exceed the expected costs.

6 (b) The State Energy Conservation Office shall establish
7 guidelines for the evaluation under Subsection (a).

8 SECTION 2. Chapter 2311, Government Code, as added by
9 Chapter 1408 (H.B. 4409), Acts of the 81st Legislature, Regular
10 Session, 2009, is repealed.

11 SECTION 3. This Act takes effect September 1, 2013.

ADOPTED

MAY 22 2013

Atty. Gen.
Secretary of the Senate

By: *Estes*

H.B. No. 1809

Substitute the following for ___B. No. _____:

By: *Long Estes*

C.S. ___B. No. _____

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14 (B) is the primary source of both electricity and
15 thermal energy for the facility;

16 (C) can provide all of the electricity needed to
17 power the facility's critical emergency operations for at least 14
18 days; and

19 (D) has an overall efficiency of energy use that
20 exceeds 60 percent.

21 (2) "Critical governmental facility" means a building
22 owned by the state, including by an institution of higher
23 education, as defined by Section 61.003, Education Code, or a
24 political subdivision of the state that is expected to:

- 1 (A) be continuously occupied;
- 2 (B) maintain operations for at least 6,000 hours
3 each year;
- 4 (C) have a peak electricity demand exceeding 500
5 kilowatts; and
- 6 (D) serve a critical public health or public
7 safety function during a natural disaster or other emergency
8 situation that may result in a widespread power outage, including
9 a:
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9 Session, 2009, is repealed.

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LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 23, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1864** by Wu (Relating to certain energy security technologies for critical governmental facilities.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 2311 of the Government Code, as added by Chapter 1280, Acts of the Eighty-first Legislature, Regular Session, 2009, to add institutions of higher education to the list of facilities designated as a "critical governmental facility." This designation would place institutions of higher education under the purview of Section 2311.002, which requires an evaluation to determine if equipping a critical governmental facility with a combined heating and power system would result in expected energy savings that would exceed the expected costs of purchasing, operating, and maintaining the system over a 20-year period. If the expected energy savings exceeds the expected costs, the institution of higher education would be authorized to equip the facility with a combined heating and power system. The bill would also require the State Energy Conservation Office (SECO) to establish guidelines for evaluating the cost effectiveness of equipping a critical governmental facility with a combined heating and power system.

Several institutions of higher education, including Texas A&M University System, University of Houston, Texas State University System, Texas Tech University System, University of North Texas System, Texas State Technical College System, as well as the Higher Education Coordinating Board and SECO within the Comptroller of Public Accounts indicated that any additional work resulting from the passage of the bill could be reasonably absorbed within current resources. The University of Texas System estimates there would be a minimal cost associated with implementing the provisions of the bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 710 Texas A&M University System Administrative and General Offices, 719 Texas State Technical College System Administration, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

LBB Staff: UP, SD, LCO, SZ, EP, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 14, 2013

TO: Honorable Troy Fraser, Chair, Senate Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1864 by Wu (Relating to certain energy security technologies for critical governmental facilities.), **Committee Report 2nd House, Substituted**

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LBB Staff: UP, LCO, SZ, EP, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 13, 2013

TO: Honorable Troy Fraser, Chair, Senate Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HIB1864 by Wu (Relating to certain energy security technologies for critical governmental facilities.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

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LBB Staff: UP, SZ, EP, LCO, GO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 19, 2013

TO: Honorable Jim Keffer, Chair, House Committee On Energy Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1864 by Wu (Relating to certain energy security technologies for critical governmental facilities.), **As Introduced**

No significant fiscal implication to the State is anticipated.

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