

**House Bill 1864**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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;
- (B) maintain operations for at least 6,000 hours each year;
- (C) have a peak electricity demand exceeding 500 kilowatts; and
- (D) serve a critical public health or public safety function during a natural disaster or other emergency situation that may result in a widespread power outage, including [a]:
  - (i) a command and control center;
  - (ii) a shelter;
  - (iii) a prison or jail;
  - (iv) a police or fire station;
  - (v) a communications or data center;

SENATE VERSION (CS)

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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, including by an institution of higher education, as defined by Section 61.003, Education Code, or a political subdivision of the state that is expected to:

- (A) be continuously occupied;
- (B) maintain operations for at least 6,000 hours each year;
- (C) have a peak electricity demand exceeding 500 kilowatts; and
- (D) serve a critical public health or public safety function during a natural disaster or other emergency situation that may result in a widespread power outage, including a:
  - (i) command and control center;
  - (ii) shelter;
  - (iii) prison or jail;
  - (iv) police or fire station;
  - (v) communications or data center;

CONFERENCE

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- (vi) a water or wastewater facility;
- (vii) a hazardous waste storage facility;
- (viii) a biological research facility;
- (ix) a hospital; ~~[or]~~
- (x) a food preparation or food storage facility; or
- (xi) an institution of higher education, as defined by Section 61.003, Education Code.

Sec. 2311.002. COMBINED HEATING AND POWER SYSTEMS. (a) When constructing or extensively renovating a critical governmental facility or replacing major heating, ventilation, and air-conditioning equipment for a critical governmental facility, the entity with charge and control of the facility shall evaluate whether equipping the 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. Notwithstanding Chapter 2302, the entity may equip the facility with a combined heating and power system if the expected energy savings exceed the expected costs.

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

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

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

SENATE VERSION (CS)

- (vi) water or wastewater facility;
- (vii) hazardous waste storage facility;
- (viii) biological research facility;
- (ix) hospital; or
- (x) food preparation or food storage facility.

Sec. 2311.002. COMBINED HEATING AND POWER SYSTEMS. (a) When constructing or extensively renovating a critical governmental facility or replacing major heating, ventilation, and air-conditioning equipment for a critical governmental facility, the entity with charge and control of the facility shall evaluate whether equipping the 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. Notwithstanding Chapter 2302, the entity may equip the facility with a combined heating and power system if the expected energy savings exceed the expected costs.

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

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE