

By: Paddie, Anchia, Villalba

H.B. No. 1184

A BILL TO BE ENTITLED

AN ACT

relating to authorizing certain utility cost savings and alternative fuel programs as eligible for local government energy savings performance contracts.

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

SECTION 1. Section 302.001, Local Government Code, is amended by amending Subdivision (4) and adding Subdivision (9-a) to read as follows:

(4) "Energy savings performance contract" means a contract between a local government and a provider for energy or water conservation or usage measures in which the estimated energy savings, utility cost savings, increase in billable revenues, or increase in meter accuracy resulting from the measures is subject to guarantee to offset the cost of the energy or water conservation or usage measures over a specified period. The term includes a contract related to the pilot program described by Subdivision (9-a) and a contract for the installation or implementation of the following in new or existing facilities, including all causally connected work:

(A) insulation of a building structure and systems within the building;

(B) storm windows or doors, caulking or weather stripping, multiglazed windows or doors, heat-absorbing or heat-reflective glazed and coated window or door systems, or other

1 window or door system modifications that reduce energy consumption;

2 (C) automatic energy control systems, including
3 computer software and technical data licenses;

4 (D) heating, ventilating, or air-conditioning
5 system modifications or replacements that reduce energy or water
6 consumption;

7 (E) lighting fixtures that increase energy
8 efficiency;

9 (F) energy recovery systems;

10 (G) electric systems improvements;

11 (H) water-conserving fixtures, appliances, and
12 equipment or the substitution of non-water-using fixtures,
13 appliances, and equipment;

14 (I) water-conserving landscape irrigation
15 equipment;

16 (J) landscaping measures that reduce watering
17 demands and capture and hold applied water and rainfall, including:

18 (i) landscape contouring, including the use
19 of berms, swales, and terraces; and

20 (ii) the use of soil amendments that
21 increase the water-holding capacity of the soil, including compost;

22 (K) rainwater harvesting equipment and equipment
23 to make use of water collected as part of a storm-water system
24 installed for water quality control;

25 (L) equipment for recycling or reuse of water
26 originating on the premises or from other sources, including
27 treated municipal effluent;

1 (M) equipment needed to capture water from
2 nonconventional, alternate sources, including air-conditioning
3 condensate or graywater, for nonpotable uses;

4 (N) metering or related equipment or systems that
5 improve the accuracy of billable-revenue-generation systems; ~~[or]~~

6 (O) alternative fuel programs resulting in
7 energy cost savings and reduced emissions for local government
8 vehicles, including fleet vehicles;

9 (P) programs resulting in utility cost savings;
10 or

11 (Q) other energy or water conservation-related
12 improvements or equipment, including improvements or equipment
13 relating to renewable energy or nonconventional water sources or
14 water reuse.

15 (9-a) "Pilot program" means a pilot program operated
16 by the Energy Systems Laboratory at the Texas A&M Engineering
17 Experiment Station, in consultation with the Texas Facilities
18 Commission and the State Energy Conservation Office, that:

19 (A) establishes and implements energy efficiency
20 improvements to state-owned buildings maintained by the
21 commission;

22 (B) generates savings in utility costs resulting
23 from the improvements resulting in at least a 30 percent return on
24 the costs of the improvements; and

25 (C) provides for any money attributable to
26 utility cost savings resulting from the pilot program to only be
27 appropriated to the commission.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2015.