

1-1 By: Paddie, Anchia, Villalba H.B. No. 1184  
1-2 (Senate Sponsor - Eltife)  
1-3 (In the Senate - Received from the House April 14, 2015;  
1-4 May 4, 2015, read first time and referred to Committee on Business  
1-5 and Commerce; May 21, 2015, reported adversely, with favorable  
1-6 Committee Substitute by the following vote: Yeas 8, Nays 0;  
1-7 May 21, 2015, sent to printer.)

1-8 COMMITTEE VOTE

1-9	Yea	Nay	Absent	PNV
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 1184 By: Huffines

1-20 A BILL TO BE ENTITLED  
1-21 AN ACT

1-22 relating to authorizing certain utility cost savings and  
1-23 alternative fuel programs as eligible for local government energy  
1-24 savings performance contracts.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 302.001, Local Government Code, is  
1-27 amended by amending Subdivision (4) and adding Subdivision (9-a) to  
1-28 read as follows:

1-29 (4) "Energy savings performance contract" means a  
1-30 contract between a local government and a provider for energy or  
1-31 water conservation or usage measures in which the estimated energy  
1-32 savings, utility cost savings, increase in billable revenues, or  
1-33 increase in meter accuracy resulting from the measures is subject  
1-34 to guarantee to offset the cost of the energy or water conservation  
1-35 or usage measures over a specified period. The term includes a  
1-36 contract related to the pilot program described by Subdivision  
1-37 (9-a) and a contract for the installation or implementation of the  
1-38 following in new or existing facilities, including all causally  
1-39 connected work:

1-40 (A) insulation of a building structure and  
1-41 systems within the building;

1-42 (B) storm windows or doors, caulking or weather  
1-43 stripping, multiglazed windows or doors, heat-absorbing or  
1-44 heat-reflective glazed and coated window or door systems, or other  
1-45 window or door system modifications that reduce energy consumption;

1-46 (C) automatic energy control systems, including  
1-47 computer software and technical data licenses;

1-48 (D) heating, ventilating, or air-conditioning  
1-49 system modifications or replacements that reduce energy or water  
1-50 consumption;

1-51 (E) lighting fixtures that increase energy  
1-52 efficiency;

1-53 (F) energy recovery systems;

1-54 (G) electric systems improvements;

1-55 (H) water-conserving fixtures, appliances, and  
1-56 equipment or the substitution of non-water-using fixtures,  
1-57 appliances, and equipment;

1-58 (I) water-conserving landscape irrigation  
1-59 equipment;

1-60 (J) landscaping measures that reduce watering

demands and capture and hold applied water and rainfall, including:  
 (i) landscape contouring, including the use  
 of berms, swales, and terraces; and

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

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

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

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

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

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

(P) programs resulting in utility cost savings;  
or

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

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

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

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

(C) provides for the participation of not fewer  
 than two companies selected by the commission; and

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

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

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