

By: Villalba

H.B. No. 1736

A BILL TO BE ENTITLED

AN ACT

relating to building energy efficiency performance standards;
establishing the Building Energy Efficiency Advisory Committee.

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

SECTION 1. Section 388.003(b-1), Health and Safety Code, as
added by Chapter 939 (H.B. 3693), Acts of the 80th Legislature,
Regular Session, 2007, is amended to read as follows:

(b-1) The ~~[If the]~~ State Energy Conservation Office may
adopt and substitute for the energy codes described by Subsection
(a) or (b) [determines, based on written recommendations from the
laboratory, that the energy efficiency provisions of] the latest
published edition ~~[editions]~~ of the International Residential Code
energy efficiency provisions or the latest published edition of the
International Energy Conservation Code, based on written findings
from the laboratory on the stringency of the editions and comments
and recommendations from the Building Energy Efficiency Advisory
Committee ~~[for residential or commercial energy efficiency and air~~
~~quality are equivalent to or more stringent than the provisions of~~
~~editions adopted under Subsection (a) or (b), the office by rule may~~
~~adopt and substitute in the energy code the equivalent or more~~
~~stringent editions for of the initial editions described by~~
~~Subsection (a) or (b)]~~. The ~~[If the State Energy Conservation~~
~~Office adopts the latest published editions of the International~~
~~Residential Code or the International Energy Conservation Code into~~

~~the energy code, the] office:~~

(1) may not adopt an edition under this subsection more often than once every six years; and

(2) shall establish by rule an effective date for an adopted edition ~~[the new editions]~~ that is not earlier than nine months after the date of adoption. ~~[The laboratory shall submit recommendations concerning the latest published editions of the International Residential Code or the International Energy Conservation Code not later than six months after publication of new editions.]~~

SECTION 2. Section 388.003, Health and Safety Code, is amended by amending Subsections (b-3) and (i) and adding Subsection (b-4) to read as follows:

(b-3) The ~~[In developing written recommendations under Subsection (b-1), the]~~ laboratory shall:

(1) submit findings on the stringency of the latest published edition of the International Residential Code energy efficiency provisions and of the International Energy Conservation Code to the State Energy Conservation Office not later than six months after publication of a new edition; and

(2) in developing the findings, consider the comments submitted under Subsection (b-2) and the comments and recommendations of the Building Energy Efficiency Advisory Committee on the latest published editions.

(b-4) The State Energy Conservation Office may amend or establish an energy rating index that is used to measure compliance in a voluntary compliance path of an energy code edition before

1 adopting the edition under Subsection (b-1). The office may adopt
2 an energy rating index for each climate zone in this state.

3 (i) A local amendment adopted under Subsection (d) may not
4 conflict with the compliance paths described by this subsection. A
5 building certified by a national, state, or local accredited energy
6 efficiency program and determined by the laboratory to be in
7 compliance with the energy efficiency requirements of this section
8 shall ~~[may, at the option of the municipality,]~~ be considered in
9 compliance. The United States Environmental Protection Agency's
10 Energy Star Program certification of energy code equivalency shall
11 be considered in compliance. An energy rating index in a voluntary
12 compliance path of an energy code adopted by the State Energy
13 Conservation Office under Subsection (b-1) shall be considered in
14 compliance.

15 SECTION 3. Chapter 388, Health and Safety Code, is amended
16 by adding Section 388.0035 to read as follows:

17 Sec. 388.0035. BUILDING ENERGY EFFICIENCY ADVISORY
18 COMMITTEE. (a) The State Energy Conservation Office shall
19 establish the Building Energy Efficiency Advisory Committee.

20 (b) The advisory committee is appointed by the State Energy
21 Conservation Office and composed of 13 members who have an interest
22 in the adoption of energy codes.

23 (c) The advisory committee must include:

24 (1) two commercial builders who are members of a
25 statewide trade association;

26 (2) two residential builders who are members of a
27 statewide trade association;

1 (3) two building code officials;

2 (4) two members who represent environmental groups;

3 (5) two members who are certified as energy raters by
4 the Residential Energy Services Network or a comparable
5 organization or certified as code inspectors by the International
6 Code Council;

7 (6) one member who is an architect registered under
8 Chapter 1051, Occupations Code, or engineer licensed under Chapter
9 1001, Occupations Code;

10 (7) one member who represents the electric utility
11 industry; and

12 (8) one public member.

13 (d) Chapter 2110, Government Code, applies to the
14 committee, except for Sections 2110.002 and 2110.008.

15 (e) The committee may submit to the laboratory and the State
16 Energy Conservation Office:

17 (1) comments on energy codes under consideration for
18 adoption under Section 388.003(b-1); and

19 (2) recommended energy rating indexes for each climate
20 zone in this state that may be used to measure compliance in a
21 voluntary compliance path recognized by the International
22 Residential Code energy efficiency provisions or the International
23 Energy Conservation Code.

24 SECTION 4. Section 388.003(b-1), Health and Safety Code, as
25 added by Chapter 262 (S.B. 12), Acts of the 80th Legislature,
26 Regular Session, 2007, is repealed.

27 SECTION 5. Not later than January 1, 2016, the State Energy

1 Conservation Office shall appoint the members of the Building
2 Energy Efficiency Advisory Committee as provided by Section
3 388.0035, Health and Safety Code, as added by this Act.

4 SECTION 6. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2015.