

SENATE AMENDMENTS

2nd Printing

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.

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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.

ADOPTED

MAY 26 2015

Atty Gen
Secretary of the Senate

By: _____

____.B. No. _____

Substitute the following for ____B. No. ____:

By: *Don Huffines*

C.S. ____B. No. 1184

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4 savings performance contracts.

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8 read as follows:

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10 contract between a local government and a provider for energy or
11 water conservation or usage measures in which the estimated energy
12 savings, utility cost savings, increase in billable revenues, or
13 increase in meter accuracy resulting from the measures is subject
14 to guarantee to offset the cost of the energy or water conservation
15 or usage measures over a specified period. The term includes a
16 contract related to the pilot program described by Subdivision
17 (9-a) and a contract for the installation or implementation of the
18 following in new or existing facilities, including all causally
19 connected work:

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

22 (B) storm windows or doors, caulking or weather
23 stripping, multiglazed windows or doors, heat-absorbing or
24 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;
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23 to make use of water collected as part of a storm-water system
24 installed for water quality control;
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26 originating on the premises or from other sources, including
27 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

1 utility cost savings resulting from the pilot program to be
2 appropriated only to the commission.

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 27, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1184 by Paddie (Relating to authorizing certain utility cost savings and alternative fuel programs as eligible for local government energy savings performance contracts.),
As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would amend Local Government Code definitions related to energy savings performance contracts, including provisions related to utility cost savings, a contract related to a pilot program described in the bill and certain alternative fuel programs. Texas A&M reports that no significant fiscal implication to the State is anticipated as a result of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 303 Facilities Commission, 304 Comptroller of Public Accounts, 710
Texas A&M University System Administrative and General Offices

LBB Staff: UP, EK, CL, SD, PM, LCO, SZ

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 19, 2015

TO: Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1184 by Paddie (Relating to authorizing certain utility cost savings and alternative fuel programs as eligible for local government energy savings performance contracts.),
Committee Report 2nd House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend Local Government Code definitions related to energy savings performance contracts, including provisions related to utility cost savings, a contract related to a pilot program described in the bill and certain alternative fuel programs. Texas A&M reports that no significant fiscal implication to the State is anticipated as a result of the bill.

Local Government Impact

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Source Agencies: 303 Facilities Commission, 304 Comptroller of Public Accounts, 710
Texas A&M University System Administrative and General Offices

LBB Staff: UP, EK, CL, SD, PM, LCO, SZ

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 8, 2015

TO: Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1184 by Paddie (Relating to authorizing certain utility cost savings and alternative fuel programs as eligible for local government energy savings performance contracts.),
As Engrossed

No significant fiscal implication to the State is anticipated.

The bill would amend Local Government Code definitions related to energy savings performance contracts, including provisions related to utility cost savings, a contract related to a pilot program described in the bill and certain alternative fuel programs. Texas A&M reports that no significant fiscal implication to the State is anticipated as a result of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 303 Facilities Commission, 304 Comptroller of Public Accounts, 710
Texas A&M University System Administrative and General Offices

LBB Staff: UP, CL, SD, EK, PM, LCO, SZ

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 25, 2015

TO: Honorable Drew Darby, Chair, House Committee on Energy Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1184 by Paddie (relating to authorizing certain utility cost savings and alternative fuel programs as eligible for local government energy savings performance contracts.), **Committee Report 1st House, Substituted**

<p>No fiscal implication to the State is anticipated.</p>
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The bill would amend the Local Government Code to permit alternative fuel programs for local government vehicles and programs resulting in utility cost savings in energy savings performance contracts between local governments and certain providers.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, SZ, SD, EK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 12, 2015

TO: Honorable Drew Darby, Chair, House Committee on Energy Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1184 by Paddie (Relating to authorizing certain alternative fuel programs as eligible for local government energy savings performance contracts.), **As Introduced**

<p>No fiscal implication to the State is anticipated.</p>
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The bill would amend the Local Government Code to permit alternative fuel programs for local government vehicles in energy savings performance contracts between local governments and certain providers.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, SZ, SD, EK