

House Bill 1184
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 window or door system modifications that reduce energy consumption;

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

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

(E) lighting fixtures that increase energy efficiency;

(F) energy recovery systems;

(G) electric systems improvements;

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

SENATE VERSION (CS)

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 window or door system modifications that reduce energy consumption;

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

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

(E) lighting fixtures that increase energy efficiency;

(F) energy recovery systems;

(G) electric systems improvements;

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

CONFERENCE

House Bill 1184
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

(I) water-conserving landscape irrigation equipment;
(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; [Ø]
(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

SENATE VERSION (CS)

(I) water-conserving landscape irrigation equipment;
(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; [Ø]
(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

CONFERENCE

House Bill 1184
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

SENATE VERSION (CS)

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. Same as House version.

CONFERENCE