

## **BILL ANALYSIS**

Senate Research Center  
85R3031 AAF-D

S.B. 59  
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Business & Commerce  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Legislature has passed numerous energy and water usage reporting requirements for state agencies and institutions of higher education. The laws currently in place create a confusing set of requirements that at times overlap or are inconsistent. S.B. 59 would serve to reconcile some of these provisions by eliminating duplicative reporting requirements and clarifying others.

What's more, S.B. 59 would modify the due date of the State Energy Conservation Office's (SECO) biennial report on the status and effectiveness of the utility management and conservation efforts of state agencies and higher education institutions. This would ensure that SECO has additional time to collect the necessary information for the report. S.B. 59 also would broaden the language concerning the percentage goals for reducing a state agency's or institution's energy use in its comprehensive energy and water management plan so as to account for other types of alternative fuels such as natural gas or electricity that agencies or higher education institutions may use.

As proposed, S.B. 59 amends current law relating to energy and water management planning and reporting requirements for state agencies and institutions of higher education.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 447.009, Government Code, as follows:

Sec. 447.009. ENERGY AND WATER MANAGEMENT PLANNING; REPORTING.

(a) Requires the State Energy Conservation Office (SECO) to provide energy and water management planning assistance to a state agency or an institution of higher education (IHE), including assistance to:

(1) Redesignates existing text of Subdivision (2) as Subdivision (1) and makes a nonsubstantive change. Deletes existing text of Subdivision (1) relating to preparation by the agency or IHE of a long-range plan for the delivery of reliable, cost-effective utility services for the state agency or IHE.

(2) Redesignates existing Subdivision (3) as Subdivision (2) and makes conforming changes. Deletes existing text of Subdivision (4) relating to assistance to state agencies other than IHEs in meeting the requirements of Section 447.002, including assistance in scheduling and assigning priorities to implementation plans to ensure that state agencies adopt qualified cost-effective efficiency measures and programs for all state facilities not later than September 1, 2006.

(b) Deletes existing text of Subsection (b) and redesignates existing Subsection (c) as Subsection (b). Makes conforming changes and includes transportation fuel, rather than gasoline, under an agency's or IHE's comprehensive energy and water management plan. Deletes existing text requiring a state agency or an IHE that occupies a state-owned

building to prepare and implement a five-year energy and water management plan and to submit that plan to SECO upon request, requiring the agency or IHE to update its plan annually, and requiring a state agency or an IHE that occupies a building not owned by the state to cooperate with SECO in addressing the energy or water management of that building.

(c) Redesignates existing Subsection (d) as Subsection (c). Makes a conforming change.

(d) Redesignates existing Subsection (e) as Subsection (d). Requires SECO, not later than January 15 of each odd-numbered year, rather than December 1 of each even-numbered year, to submit a report to the governor and the Legislative Budget Board on the status and effectiveness of the utility management and conservation efforts of state agencies and IHE.

SECTION 2. Effective date: September 1, 2017.