

By: Thierry

H.B. No. 1931

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the duties of the State Energy Conservation Office
3 regarding advanced clean energy project grants and loans and the
4 creation of an inclusion task force for the energy industry.

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

6 SECTION 1. Section 447.013, Government Code, is amended by
7 amending Subsection (i) and adding Subsections (k), (l), and (m) to
8 read as follows:

9 (i) A recipient of a grant or loan under this section is
10 encouraged to purchase goods and services from small businesses, as
11 that term is defined by Section 481.401, and historically
12 underutilized businesses, as that term is defined by Section
13 2161.001 [~~those terms are defined by former Section 481.191, as~~
14 ~~that section existed on January 1, 2015~~].

15 (k) The State Energy Conservation Office shall require each
16 recipient of a grant awarded or loan made under this section, as a
17 condition for receipt of the grant or loan, to annually submit a
18 detailed plan for increasing procurements from historically
19 underutilized businesses in renewable energy, advanced
20 technologies, and demonstration and other clean energy projects.

21 The plan:

22 (1) must include short-term and long-term goals,
23 schedules for completing stages of the procurement contract, and
24 methods for encouraging general contractors and grant or loan

1 recipients to engage historically underutilized businesses in
2 subcontracts for renewable energy, advanced technologies, and
3 demonstration and other clean energy projects; and

4 (2) may not include a requirement that the recipient
5 of the grant or loan achieve a specified number or percentage of
6 procurements from historically underutilized businesses compared
7 to the recipient's total procurements.

8 (1) The State Energy Conservation Office shall require as a
9 condition for receipt of a grant or loan under this section that
10 each recipient submit an annual report to the office, in the form
11 and not later than the date required by the office, regarding
12 implementation of the plan established under Subsection (k). The
13 recipient shall post the report on the recipient's Internet website
14 and the office shall post a copy of the report on the office's
15 Internet website.

16 (m) The State Energy Conservation Office shall:

17 (1) develop guidelines to be used by each grant or loan
18 recipient in establishing the plan under Subsection (k); and

19 (2) develop and require every grant or loan recipient
20 to implement an outreach program to inform historically
21 underutilized businesses of the actions necessary to apply for
22 procurement contracts under this section.

23 SECTION 2. Chapter 447, Government Code, is amended by
24 adding Section 447.014 to read as follows:

25 Sec. 447.014. INCLUSION TASK FORCE FOR ENERGY INDUSTRY.

26 (a) In this section, "diverse" and "diversity" mean the inclusion
27 of different types of people, including:

- 1 (1) black Americans;
2 (2) Hispanic Americans;
3 (3) Native Americans;
4 (4) Asian Pacific Americans;
5 (5) women; and
6 (6) veterans, as defined by 38 U.S.C. Section 101(2),
7 who have suffered at least a 20 percent service-connected
8 disability, as defined by 38 U.S.C. Section 101(16).

9 (b) The State Energy Conservation Office shall establish an
10 inclusion task force to consider and make recommendations on
11 diversity in the energy industry, including diversity of corporate
12 governing boards and procurement from diverse businesses.

13 (c) The inclusion task force shall:

- 14 (1) identify and promote energy companies that are
15 actively engaged in diversity issues;
16 (2) explore the status of diverse representation on
17 energy company governing boards;
18 (3) recommend actions for the State Energy
19 Conservation Office to encourage energy companies to increase
20 procurement from diverse suppliers; and
21 (4) make recommendations to the office regarding
22 legislation to accomplish diversity as described by Subsection (b).

23 SECTION 3. Section 447.013, Government Code, as amended by
24 this Act, applies only to a grant awarded or loan made on or after
25 the effective date of this Act.

26 SECTION 4. As soon as practicable after the effective date
27 of this Act, the State Energy Conservation Office shall establish

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1 the inclusion task force as required by Section 447.014, Government
2 Code, as added by this Act.

3 SECTION 5. This Act takes effect September 1, 2017.