

## **BILL ANALYSIS**

Senate Research Center  
88R1598 MP-D

S.B. 2453  
By: Menéndez  
Business & Commerce  
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As Filed

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

The Government Code restricts governmental entities from prohibiting the use of building products that have been approved for use by a national model code with various exemptions. Exemptions include restrictions to comply with state agency programs, insurance eligibility, historical landmarks, and dark-sky provisions. This restriction has been interpreted to prevent the State Energy Conservation Office (SECO) from adopting the 2021 International Energy Conservation Code (IECC) and the Energy Chapter of the 2021 International Residential Code (IRC). These new codes have been shown by the Energy Systems Laboratory to be 5-10 percent more efficient than current state code. Allowing SECO to implement the new codes would ensure that new construction is more energy and cost efficient.

S.B. 2453 allows SECO to adopt the 2021 IECC and 2021 IRC Energy Chapter by adding the following exemptions to Section 3000.002(c) of the Government Code: an energy code as adopted by the State Energy Conservation Office, energy and water conservation design standard established by the State Energy Conservation Office, and a high-performance building standard approved by a board of regents.

As proposed, S.B. 2453 amends current law relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction of residential or commercial buildings.

### **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 3000.002(c), Government Code, as follows;

(c) Provides that Section 3000.002 (Certain Regulations Regarding Building Products, Materials, or Methods Prohibited) does not apply to an energy code as adopted by the State Energy Conservation Office under Section 388.003(a) (relating to providing that the energy efficiency chapter of the International Energy Conservation Code is adopted, to achieve energy conservation in single-family residential construction) or (b) (relating to providing that the energy efficiency chapter of the International Energy Conservation Code is adopted, to achieve energy conservation in all other residential, commercial, and industrial construction), Health and Safety Code; to an energy and water conservation design standard established by the State Energy Conservation Office under Section 447.004 (Design Standards); and to a high-performance building standard approved by a board of regents under Section 55.115 (High-Performance, Sustainable Design, Construction, and Renovation Standards for Certain Facilities), Education Code.

SECTION 2. Effective date: September 1, 2023.