

BILL ANALYSIS

C.S.S.B. 913
By: Zaffirini
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that a number of state laws address energy and water conservation efforts by state agencies and institutions of higher education and require state agencies and institutions of higher education to report energy and water usage. The parties contend that these laws create a confusing set of requirements that are duplicative or inconsistent and that clarity is needed for matters regarding reporting and regarding reduction goals for certain fuels. C.S.S.B. 913 seeks to address these issues.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 913 amends the Government Code to remove a requirement for a state agency or an institution of higher education to develop a long-range plan for the delivery of reliable, cost-effective utility services for the agency or institution that must be used in preparing the agency's or institution's five-year construction and major renovation plans and submitted to the State Energy Conservation Office (SECO) on request. The bill, for purposes of the requirement that each state agency and institution of higher education set percentage goals for reducing the agency's or institution's use of water, electricity, gasoline, and natural gas as part of the agency's or institution's comprehensive energy and water management planning for which SECO is required to provide assistance, replaces the reference to the reduction of the use of gasoline with a reference to the reduction of the use of transportation fuel. The bill removes a requirement for a state agency or an institution of higher education that occupies a state-owned building to prepare, implement, and annually update a five-year energy and water management plan to be submitted to SECO on request and a requirement for a state agency or an institution of higher education that occupies a building not owned by the state to cooperate with SECO in addressing the energy or water management of that building.

C.S.S.B. 913 changes from December 1 of each even-numbered year to January 15 of each odd-numbered year the date by which SECO is required to submit a report to the governor and the Legislative Budget Board (LBB) on the status and effectiveness of the utility management and conservation efforts of state agencies and institutions of higher education. The bill repeals a statutory provision requiring each state agency to develop a plan for conserving energy that includes a percentage goal for reducing the agency's use of electricity, gasoline, and natural gas, to file a quarterly report with the governor and the LBB listing the goals identified in the

agency's energy conservation plan and a description of the progress made by the agency in meeting those goals, and to make the report available to the public on the agency's website.

C.S.S.B. 913 repeals Section 2166.409, Government Code.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 913 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Sections 447.009(c) and (e), Government Code, are amended to read as follows:

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 447.009, Government Code, is amended to read as follows:

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

(a) The state energy conservation office shall provide energy and water management planning assistance to a state agency or an institution of higher education, including assistance to:

(1) ~~[preparation by the agency or institution of a long-range plan for the delivery of reliable, cost effective utility services for the state agency or institution;~~

~~[(2) assistance to] the Department of Public Safety for energy emergency contingency planning, using state or federal funds when available; and~~

~~(2) [(3) assistance to] each state agency or institution of higher education in preparing comprehensive energy and water management plans[; and~~

~~[(4) assistance to state agencies other than institutions of higher education 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) ~~[A state agency or an institution of higher education shall develop the plan described in Subsection (a)(1) and submit the plan to the state energy conservation office upon request. The agency or institution shall use the plan in preparing its five-year construction and major renovation plans. After other energy saving or water-~~

(c) The state energy conservation office shall prepare guidelines for preparation of the plan described in Subsection (a)(3) and develop a template for state agencies and institutions of higher education to use in creating the plan. Each state agency and institution of higher education shall set percentage goals for reducing the agency's or institution's use of water, electricity, transportation fuel [~~gasoline~~], and natural gas and include those goals in the agency's or institution's comprehensive energy and water management plan. A state agency or an institution of higher education that occupies a state-owned building shall prepare and implement a five-year energy and water management plan and shall submit that plan to the office upon request. The agency or institution shall update its plan annually. A state agency or an institution of higher education that occupies a building not owned by the state shall cooperate with the office in addressing the energy or water management of that building.

(e) Not later than January 15 [~~December 1~~] of each odd-numbered [~~even-numbered~~] year, the state energy conservation office shall 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 institutions of higher education. The report must include information submitted to the office from each state agency and institution of higher education. The office shall post the report on the office's Internet website.

SECTION 2. Section 2166.409, Government Code, is repealed.

~~saving alternatives are considered, district heating and cooling or on-site generation of electricity may be considered in planning for reliable, efficient, and cost effective utility services.~~

~~[(e)]~~ The state energy conservation office shall prepare guidelines for preparation of the plan described in Subsection (a)(2) [~~(a)(3)~~] and develop a template for state agencies and institutions of higher education to use in creating the plan. Each state agency and institution of higher education shall set percentage goals for reducing the agency's or institution's use of water, electricity, transportation fuel [~~gasoline~~], and natural gas and include those goals in the agency's or institution's comprehensive energy and water management plan. ~~[A state agency or an institution of higher education that occupies a state-owned building shall prepare and implement a five-year energy and water management plan and shall submit that plan to the office upon request. The agency or institution shall update its plan annually. A state agency or an institution of higher education that occupies a building not owned by the state shall cooperate with the office in addressing the energy or water management of that building.]~~

~~(c)~~ ~~[(d)]~~ The comprehensive energy and water management plan described in Subsection (a)(2) [~~(a)(3)~~] shall be included in the five-year construction and major repair and rehabilitation plans for institutions of higher education as required by Section 61.0651, Education Code.

~~(d)~~ ~~[(e)]~~ Not later than January 15 [~~December 1~~] of each odd-numbered [~~even-numbered~~] year, the state energy conservation office shall 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 institutions of higher education. The report must include information submitted to the office from each state agency and institution of higher education. The office shall post the report on the office's Internet website.

SECTION 2. Same as engrossed version.

SECTION 3. This Act takes effect
September 1, 2015.

SECTION 3. Same as engrossed version.