

- SUBJECT:** Adoption of updated energy-efficient building standards
- COMMITTEE:** Energy Resources — committee substitute recommended
- VOTE:** 6 ayes — Keffer, Crabb, Farabee, Gonzalez Toureilles, Hardcastle, Strama
0 nays
3 absent — Crownover, Craddick, Rios Ybarra
- WITNESSES:** For — Luke Metzger, Environment Texas; Kate Robertson, Environment Defense Fund; (*Registered, but did not testify:* Carol Biedrzycki, Texas Ratepayers Organization to Save Energy; Paul Cauduro, Texas Association of Builders; Rich Herweck, Tommy John, Texas CHP Initiative; Greg Herzog, Texas Medical Association; Matthew Johnson, Public Citizen; Margaret Keliher, Texas Business for Clean Air; Bee Moorhead, Texas Impact; Cyrus Reed, Lone Star Chapter, Sierra Club; Carl Richie, TXU Energy)

Against — None

On — (*Registered, but did not testify:* Paul Cauduro, Texas Association of Builders; Barry Smitherman, Public Utility Commission of Texas)
- BACKGROUND:** Under SB 5 by Brown, the 77th Legislature in 2001 adopted the energy efficiency chapter of the International Residential Code, as it existed on May 1, 2001, as Texas' energy code for single-family residential construction. The bill also led to the adoption of the International Energy Conservation Code (IECC), as it existed on May 1, 2001, as the state's energy code for all other residential, commercial, and industrial construction.

HB 3693 by Straus and SB 12 by Averitt, enacted by the 80th Legislature in 2007, allow the State Energy Conservation Office (SECO) to adopt more stringent energy efficiency performance standards than those specified in then-current law, based on recommendations from the Energy Systems Laboratory at the Texas A&M University and the latest edition of the International Residential Code or of the IECC.

The 2009 IECC is a national, consensus-based model code for training and qualifying building officials and inspection personnel. The 2009 IECC is expected to result in significant energy savings and related emissions reductions, estimated at 12 to 15 percent annual improvement for average homes, with higher reductions in air conditioning electrical use.

In the past three years, a growing number of cities, including Dallas, Houston, and Austin, have adopted more recent model codes than the current state minimum, which is the 2001 IECC.

DIGEST:

CSHB 2783 would reenact and amend the Health and Safety Code, sec. 388.033, as amended by Chapters 262 (SB 12) and 939 (HB 3693) by providing that, beginning January 1, 2012, the energy efficiency provisions of the International Residential Code, as it existed on May 1, 2009, would be adopted as the energy code for single-family and duplex residential construction as well as all other residential, commercial, and industrial construction. These provisions would prevail to the extent of any conflict in law.

CSHB 2783 would allow SECO, municipalities, and counties to adopt or amend provisions that were equal to or more stringent than those adopted if the provisions were based on the written recommendations of the laboratory.

SECO would be required to establish, by rule, procedures for persons or organizations with an interest in the adoption of energy codes to comment on the codes under consideration.

CSHB 2783 would require municipalities to establish procedures for administration and enforcement of code, including procedures to ensure that code-certified inspectors or approved energy efficiency program verifiers perform inspections and enforce the code in the inspector's jurisdiction.

The bill would take effect September 1, 2009.

NOTES:

The committee substitute differs from the bill as filed by adding a provision specifying that the 2009 IECC will be adopted January 1, 2012.