

- SUBJECT:** Replacing a compliance path for energy efficiency building standards
- COMMITTEE:** Energy Resources — committee substitute recommended
- VOTE:** 9 ayes — Goldman, Anchia, Craddick, Darby, Geren, T. King, Leman, Longoria, Reynolds
- 0 nays
- 2 absent — Herrero, Ellzey
- WITNESSES:** For — Phil Crone, Dallas Builders Association; James Rodriguez, Greater Fort Worth Builders Association; (*Registered, but did not testify:* David Mintz, Texas Apartment Association; Scott Norman, Texas Association of Builders)
- Against — None
- On — Cyrus Reed, Lone Star Chapter Sierra Club; (*Registered, but did not testify:* William Stevens, Panhandle Producers and Royalty Owners Association; Hector Rivero, Texas Chemical Council; Maston Stafford, TexEnergy Solutions, Inc. and US-Eco Logic, Inc.)
- BACKGROUND:** Under Health and Safety Code sec. 388.003, a building may be considered in compliance with state energy efficiency requirements if the building is certified by a national, state, or local accredited energy efficiency program and determined to be in compliance with statutory energy efficiency requirements. The U.S. Environmental Protection Agency's Energy Star Program certification of energy code equivalency also is considered in compliance, as is the Energy Rating Index Compliance Alternative or a subsequent alternative compliance path.
- Some have suggested that federal energy conservation requirements may be too costly and rigorous and that providing homeowners and builders with an alternative way to achieve energy efficiency would be beneficial.

DIGEST: CSHB 3215 would amend Health and Safety Code sec. 388.003 to allow the use of Standard 301 of the American National Standard for the Calculation and Labeling of the Energy Performance of Dwelling and Sleeping Units using an Energy Rating Index, as it existed on January 1, 2021, as a standard considered to be in compliance with certain state building energy efficiency standards. This standard would replace the Energy Rating Index Compliance Alternative and subsequent alternative compliance path for that purpose.

The bill also would remove outdated provisions related to energy rating indexes used to measure compliance for single-family residential construction and would repeal a provision that set statutory provisions related to such indexes to expire September 1, 2025.

The bill would take effect September 1, 2021.