

BILL ANALYSIS

Senate Research Center
76R3932 SMH-D

S.B. 305
By: Brown
Natural Resources
2/26/1999
As Filed

DIGEST

In 1997 H.B. 3530, 75th Legislature, amended the Education Code by authorizing the boards of trustees of school districts, the governing boards of institutions of higher education, and the governing bodies of state facilities to enter into performance contracts for energy conservation measures. The energy conservation program has not fully supported feasible water conservation and reuse projects, because water conservation was not included in H.B. 3530. S.B.305 would include defined types of water conservation measures with all other energy conservation measures in the types of activities that school districts, institutions of higher education, and state agencies may contract to conduct.

PURPOSE

As proposed, S.B. 305 regulates contracts by school districts, institutions of higher education, and state agencies for water conservation measures.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 44.901, Education Code, by adding new heading, as follows:

Sec. 44.901. New heading: ENERGY OR WATER CONSERVATION MEASURES

SECTION 2. Amends Sections 44.901(a)-(f), Education Code, to authorize the board of trustees of a school district (board) to enter into a contract for energy or water conservation measures to reduce energy or water consumption of operating costs of school facilities in accordance with this section. Provides that a contract to which this section applies includes a contract for the installation of modifications or replacements that reduce energy or water consumption and certain other water- saving equipment or technology. Requires the person with whom the board contracts to be experienced in the conservation measures addressed by the contract. Makes conforming changes.

SECTION 3. Reenacts and amends Section 51.927, Education Code, as amended by Chapters 627 and 1142, Acts of the 75th Legislative, Regular Session, 1997, as follows:

Sec. 51.927. New heading: ENERGY OR WATER CONSERVATION MEASURES. Requires the Texas Higher Education Coordinating Board, in consultation with the State Energy Conservation Office and the Texas Energy Council with regard to energy conservation measures, to establish guidelines and an approval process for contracts awarded under this section. Makes conforming changes.

SECTION 4. Amends the heading of Section 2166.406, Government Code, by adding a new heading, as follows:

Sec. 2166.406. New heading: ENERGY OR WATER CONSERVATION MEASURES

SECTION 5. Amends Sections 2166.406(a)-(h), (k), and (l), Government Code, to require a state agency to submit the selected proposal to the State Energy Conservation Office and the Texas Energy Coordination Council for review and comment before awarding a contract for energy conservation measures. Makes conforming changes.

SECTION 6. Effective date: September 1, 1999.

SECTION 7. Emergency clause.