

1 AN ACT

2 relating to certain energy security technologies for critical
3 governmental facilities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 2311, Government Code, as added by
6 Chapter 1280 (H.B. 1831), Acts of the 81st Legislature, Regular
7 Session, 2009, is amended to read as follows:

8 CHAPTER 2311. ENERGY SECURITY TECHNOLOGIES FOR CRITICAL
9 GOVERNMENTAL FACILITIES

10 Sec. 2311.001. DEFINITIONS. In this chapter:

11 (1) "Combined heating and power system" means a system
12 that:

13 (A) is located on the site of a facility;

14 (B) is the primary source of both electricity and
15 thermal energy for the facility;

16 (C) can provide all of the electricity needed to
17 power the facility's critical emergency operations for at least 14
18 days; and

19 (D) has an overall efficiency of energy use that
20 exceeds 60 percent.

21 (2) "Critical governmental facility" means a building
22 owned by the state, including by an institution of higher
23 education, as defined by Section 61.003, Education Code, or a
24 political subdivision of the state that is expected to:

- 1 (A) be continuously occupied;
- 2 (B) maintain operations for at least 6,000 hours
3 each year;
- 4 (C) have a peak electricity demand exceeding 500
5 kilowatts; and
- 6 (D) serve a critical public health or public
7 safety function during a natural disaster or other emergency
8 situation that may result in a widespread power outage, including
9 a:
- 10 (i) command and control center;
- 11 (ii) shelter;
- 12 (iii) prison or jail;
- 13 (iv) police or fire station;
- 14 (v) communications or data center;
- 15 (vi) water or wastewater facility;
- 16 (vii) hazardous waste storage facility;
- 17 (viii) biological research facility;
- 18 (ix) hospital; or
- 19 (x) food preparation or food storage
20 facility.

21 Sec. 2311.002. COMBINED HEATING AND POWER SYSTEMS. (a)
22 When constructing or extensively renovating a critical
23 governmental facility or replacing major heating, ventilation, and
24 air-conditioning equipment for a critical governmental facility,
25 the entity with charge and control of the facility shall evaluate
26 whether equipping the facility with a combined heating and power
27 system would result in expected energy savings that would exceed

1 the expected costs of purchasing, operating, and maintaining the
2 system over a 20-year period. Notwithstanding Chapter 2302, the
3 entity may equip the facility with a combined heating and power
4 system if the expected energy savings exceed the expected costs.

5 (b) The State Energy Conservation Office shall establish
6 guidelines for the evaluation under Subsection (a).

7 SECTION 2. Chapter 2311, Government Code, as added by
8 Chapter 1408 (H.B. 4409), Acts of the 81st Legislature, Regular
9 Session, 2009, is repealed.

10 SECTION 3. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 1864 was passed by the House on April 23, 2013, by the following vote: Yeas 145, Nays 2, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1864 on May 24, 2013, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1864 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor