



## Legislative Summary - 81st Texas Legislature

The 81<sup>st</sup> Texas Legislature has come and gone. Twice. A brief Special Session called for July 1<sup>st</sup> – primarily to handle extension of Texas Department of Transportation and other agencies whose Sunset bills had failed in the Regular Session – was over by the 3<sup>rd</sup>. Both chambers acted efficiently for the Special Session.

The Regular Session, which opened with high hopes and over 200 bills introduced relating to energy efficiency and renewable energy, was, to say the least, NOT efficient. The hope that Texas policy makers might move the state into leadership position for a future clean energy economy was dashed on rocks of partisan rancor. Here are a few that escaped the general meltdown:

- SB 184 – a study bill on greenhouse gas reduction strategies – might recommend energy efficiency like several national and international studies on the subject
- HB 1937 – authorizes municipalities to establish voluntary assessment contracts with property owners for EE/RE improvements
- HB 1822 – requires standardized, defined terms to be used in utility bills
- HB 1935 – authorizes a green job skills grant program using some of the federal stimulus funds
- SB 1 – the General Appropriations Act establishes a state budget and authorizes use of American Reinvestment and Recovery Act stimulus funds

### Senate Bill 184

Senate Author: Watson

Effective: 9-1-09

House Sponsor: Chisum

Senate Bill 184 amends the Government Code to require the comptroller of public accounts, by December 31, 2010, to prepare and deliver to each member of the legislature a report that includes a list of "no regrets" greenhouse gas emissions reduction strategies for Texas. The bill requires the comptroller to appoint one or more advisory committees to assist in identifying and evaluating the strategies and requires one representative from the Railroad Commission of Texas, the General Land Office, the Texas Commission on Environmental Quality, the Texas Department of Agriculture, and a Texas institution of higher education to serve on the committee or committees.

"... including a list of strategies for reducing emissions of greenhouse gases in this state that:

- (1) shall result in net savings for consumers or businesses in this state;
- (2) can be achieved without financial cost to consumers or businesses in this state; or
- (3) help businesses in the state maintain global competitiveness. ..."

<http://www.capitol.state.tx.us/tlodocs/81R/billtext/doc/SB00184F.doc>

**House Bill 1937**

House Author: Villarreal et al.

Effective: 9-1-09

Senate Sponsor: Seliger

House Bill 1937 amends the Local Government Code to authorize the governing body of a municipality to designate all or part of the municipality as an area within which authorized municipal officials and property owners may enter into contracts to assess properties to finance certain energy efficiency public improvements to developed lots and the installation of distributed generation renewable energy sources or energy efficiency improvements permanently fixed to real property. The bill prohibits an assessment from being used to finance facilities for undeveloped lots or lots undergoing development or to finance the purchase or installation of appliances not permanently fixed to real property, and authorizes a municipality to impose an assessment only with the consent of the owner of the assessed property at the time of the assessment. The bill requires the governing body of a municipality to adopt a resolution indicating the body's intention to designate an area for assessment, describes the required content of the resolution, and requires an appropriate municipal official to prepare a report containing specified information relating to the assessment proposal. The bill authorizes a property owner, on the written consent of an authorized municipal official, to purchase directly the related equipment and materials and to contract directly for the installation of the distributed generation renewable energy sources or energy efficiency improvements. The bill specifies that such an assessment and any interest or penalties on the assessment constitutes a lien against the lot on which the assessment is imposed until the assessment, interest, or penalty is paid.

<http://www.capitol.state.tx.us/tlodocs/81R/billtext/doc/HB01937F.doc>

**House Bill 1822**

House Author: Solomons

Effective Date: September 1, 2009

Senate Sponsor: Fraser

Under Utilities Code, sec. 17.004(a), telecommunications and retail electric service customers are entitled to bills presented in a clear, readable format and easy-to-understand language. HB 1822 would require the PUC to identify a list of defined terms common to the telecommunications and electricity industries and require certificated telecommunications utilities, retail electric providers, and electric utilities to uniformly label and use these terms on each retail bill sent to a customer. A service provider, retail electric provider, or billing agent could submit charges for a new product or service on a telephone or retail electric bill only if it used the defined terms as required by PUC rules. There are also requirements for certain notice to customers regarding expiration of fixed rate retail electric products. PUC is to adopt rules no later than December 1, 2009.

<http://www.capitol.state.tx.us/tlodocs/81R/billtext/doc/HB01822F.doc>

**House Bill 1935**

House Author: Villarreal et al.

Effective: 9-1-09

Senate Sponsor: Duncan et al.

House Bill 1935 amends the Government Code to establish the Jobs and Education for Texans (JET) fund and grant program and the Texas green job skills development fund and grant program. The JET fund and grant program is administered by the comptroller of public accounts with the assistance of a seven-member advisory board appointed by the governor, lieutenant governor, speaker of the house of representatives, and certain other entities. The green job skills development fund and grant program is administered by the comptroller in cooperation with the Texas Workforce Commission and the State Energy Conservation Office. The JET grant program awards grants to public junior colleges, public technical institutes, and eligible nonprofit organizations that prepare low-income students for careers in high-demand occupations, and provides scholarships for students in career and technical education programs who demonstrate financial need. The green job skills grant program awards grants to regional partnerships that present a plan to implement a training program for jobs in the field of renewable energy or energy efficiency to target workers in declining industries, unemployed workers, veterans, and other eligible individuals. The bill establishes certain reporting requirements for the comptroller under both grant programs. Both funds are accounts in the general revenue fund consisting of gifts, grants, and donations and legislative appropriations. The bill takes effect contingent on a specific appropriation for the implementation of the bill being provided in a general appropriations act of the 81st Legislature.

### SB1

The Appropriations Act is essential to the operation of state government. So it's a very good thing that this piece of legislative work got done. It's huge and complex and what's perhaps of most interest is Article XII allocating the American Reinvestment & Recovery Act (ARRA) funds. Largest allocations of particular interest to the energy efficiency community go to:

• Comptroller		\$284,800,000
○ State Energy Program	218,800,000	
○ Energy Eff. & Conservation Block Grant Prog.	45,600,000	
○ Energy Star Appliance Rebates Prog.	20,400,000	
• TX Dept. of Housing & Community Affairs		\$565,075,732
○ Weatherization Assistance	326,975,732	
○ Community Services Block Grants	48,200,000	
○ HOME Program	148,400,000	
○ Homelessness Prevention	41,500,000	
• Texas Workforce Commission		\$436,811,767
○ Child Care & Development Block Grant	198,511,767	
○ Employment Services	27,200,000	
○ Senior Community Service Employment Prog.	1,300,000	
○ Workforce Investment act (WIA) – Adults	24,300,000	
○ WIA – Skills Development Program	10,000,000	
○ WIA – Dislocated Workers	53,800,000	
○ WIA – Youth	82,000,000	
○ Unemployment Insurance – improve systems	39,700,000	
○ Section 15 of Art. XII directs TWC to use WIA funds to facilitate a Green Jobs Training Program (see HB 1935 above).		

For updates on ARRA funds, see the State Energy Conservation Office's web page <http://www.seco.cpa.state.tx.us/arra/>