Be it enacted by the Legislature of the State of Texas:

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

CHAPTER 2311. ENERGY SECURITY TECHNOLOGIES FOR CRITICAL GOVERNMENTAL FACILITIES

Sec. 2311.001. DEFINITIONS. In this chapter:

(1) “Combined heating and power system” means a system that:
(A) is located on the site of a facility;
(B) is the primary source of both electricity and thermal energy for the facility;
(C) can provide all of the electricity needed to power the facility’s critical emergency operations for at least 14 days; and
(D) has an overall efficiency of energy use that exceeds 60 percent.

(2) “Critical governmental facility” means a building owned by the state, including by an institution of higher education, as defined by Section 61.003, Education Code, or a political subdivision of the state that is expected to:
(A) be continuously occupied;
(B) maintain operations for at least 6,000 hours each year;
(C) have a peak electricity demand exceeding 500 kilowatts; and
(D) serve a critical public health or public safety function during a natural disaster or other emergency situation that may result in a widespread power outage, including a:
(i) command and control center;
(ii) shelter;
(iii) prison or jail;
(iv) police or fire station;
(v) communications or data center;
(vi) water or wastewater facility;
(vii) hazardous waste storage facility;
(viii) biological research facility;
(ix) hospital; or
(x) food preparation or food storage facility.

Sec. 2311.002. COMBINED HEATING AND POWER SYSTEMS. (a) When constructing or extensively renovating a critical governmental facility or replacing major heating, ventilation, and air-conditioning equipment for a critical governmental facility, the entity with charge and control of the facility shall evaluate whether equipping the facility with a combined heating and power system would result in expected energy savings that would exceed the expected costs of purchasing, operating, and maintaining the system over a
20-year period. Notwithstanding Chapter 2302, the entity may equip the facility with a combined heating and power system if the expected energy savings exceed the expected costs.

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

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

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

Passed by the House on April 23, 2013: Yeas 145, Nays 2, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1864 on May 24, 2013: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 1134

H.B. No. 2300

AN ACT
relating to funding and donations for county transportation projects, including projects of county energy transportation reinvestment zones.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter E, Chapter 222, Transportation Code, is amended by adding Sections 222.1071 and 222.1072 to read as follows:

Sec. 222.1071. COUNTY ENERGY TRANSPORTATION REINVESTMENT ZONES.
(a) A county shall determine the amount of the tax increment for a county energy transportation reinvestment zone in the same manner the county would determine the tax increment as provided in Section 222.107(a) for a county transportation reinvestment zone.

(b) A county, after determining that an area is affected by oil and gas exploration and production activities, by order or resolution of the commissioners court:

(1) may designate a contiguous geographic area in the jurisdiction of the county to be a county energy transportation reinvestment zone to promote one or more specified transportation projects located in the zone; and

(2) may jointly administer a county energy transportation reinvestment zone in conjunction with another county or counties, as provided by Subsection (o).

(c) A commissioners court must comply with all applicable laws in the application of this chapter.

(d) Not later than the 30th day before the date a commissioners court proposes to designate an area as a county energy transportation reinvestment zone under this section, the commissioners court must hold a public hearing on the creation of the zone and its benefits to the county and to property in the proposed zone. At the hearing an interested person may speak for or against the designation of the zone, its boundaries, the joint administration of a zone in another county, or the use of tax increment paid into the tax increment account.

(e) Not later than the seventh day before the date of the hearing, notice of the hearing and the intent to create a zone must be published in a newspaper having general circulation in the county.

(f) The order or resolution designating an area as a county energy transportation reinvestment zone must:

(1) describe the boundaries of the zone with sufficient definiteness to identify with ordinary and reasonable certainty the territory included in the zone;