

By: Hinojosa, West, Royce

S.B. No. 445

A BILL TO BE ENTITLED

AN ACT

relating to design and construction standards for newly constructed state buildings.

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

SECTION 1. Subchapter I, Chapter 2166, Government Code, is amended by adding Section 2166.409 to read as follows:

Sec. 2166.409. HIGH-PERFORMANCE, SUSTAINABLE DESIGN AND CONSTRUCTION SPECIFICATIONS FOR NEW STATE BUILDING. (a) This section applies to the construction of a new state building, including a building construction project otherwise exempt from this chapter under Section 2166.003, except that this section does not apply to a project constructed by and for an institution of higher education as defined by Section 61.003, Education Code.

(b) A building to which this section applies must be designed and constructed so that the building may be:

(1) certified by the United States Green Building Council to meet the silver standard under the Leadership in Energy and Environmental Design (LEED) rating system as that standard exists as of September 1, 2007; or

(2) certified by the Green Building Initiative to achieve a two-globe rating under the Green Globes USA environmental assessment and rating system as that system exists as of September 1, 2007.

(c) A contract between the commission or an agency that is

1 otherwise exempt from this chapter under Section 2166.003 and a
2 private design professional relating to services in connection with
3 construction of a building to which this section applies must
4 provide that, for billing purposes, any service provided by the
5 private design professional that is necessary to satisfy the
6 requirements of Subsection (b) is considered an additional service
7 rather than a basic service.

8 SECTION 2. Subchapter B, Chapter 55, Education Code, is
9 amended by adding Section 55.115 to read as follows:

10 Sec. 55.115. HIGH-PERFORMANCE, SUSTAINABLE DESIGN AND
11 CONSTRUCTION SPECIFICATIONS FOR CERTAIN NEWLY CONSTRUCTED
12 FACILITIES. (a) This section applies to a newly constructed
13 facility of an institution of higher education any part of which is
14 financed by revenue bonds issued under this subchapter.

15 (b) A facility to which this section applies must be
16 designed and constructed so that the facility may be:

17 (1) certified by the United States Green Building
18 Council to meet the silver standard under the Leadership in Energy
19 and Environmental Design (LEED) rating system as that standard
20 exists as of September 1, 2007; or

21 (2) certified by the Green Building Initiative to
22 achieve a two-globe rating under the Green Globes USA environmental
23 assessment and rating system as that system exists as of September
24 1, 2007.

25 (c) A contract between an institution of higher education
26 and an architect relating to services in connection with
27 construction of a facility to which this section applies must

1 provide that, for billing purposes, any service provided by the
2 architect that is necessary to satisfy the requirements of
3 Subsection (b) is considered an additional service rather than a
4 basic service.

5 SECTION 3. Section 55.115, Education Code, and Section
6 2166.409, Government Code, as added by this Act, apply only to a
7 facility or building for which the contract for design services is
8 entered into on or after September 1, 2007.

9 SECTION 4. This Act takes effect September 1, 2007.