

HB 2093 A STAFF MEASURE SUMMARY

Senate Committee On Business and General Government

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Meeting Dates: 4/23

WHAT THE MEASURE DOES:

Authorizes Department of Administrative Services (DAS) to enter into agreement with public or private entity to acquire, install, maintain, or operate electric vehicle charging stations on land owned or controlled by a state agency. Allows DAS to participate in, sponsor, conduct, or administer cooperative procurements under which public bodies and other authorized purchasers may acquire, install, maintain, or operate electric vehicle chargers. Excludes charging stations from definition of "public improvement" applicable under Public Contracting Code, for sole purpose of authorizing certain cooperative procurements. Requires that related work pay prevailing rate of wage. Modifies requirements applicable to price state agency may charge for use of charging station, by requiring agencies to endeavor to set price within statutorily described range and by eliminating obligation of agency to impose uniform price. Takes effect 91 days following adjournment sine die. Becomes operative on January 1, 2020.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Since 2013, state agencies have been expressly authorized to locate electric vehicle charging stations on agency property. Currently, agencies are required to set the price for the use of these devices at a level that does not exceed 110 percent of the average market price in the county in which the device is located, while also recovering, to the maximum extent practicable, the costs of operating the device. In addition, and subject to these pricing requirements, each state agency is required to set a uniform price for all devices located on agency property. The Department of Administrative Services (DAS) is required to submit reports to the Legislative Assembly concerning the implementation of this authority by February of odd-numbered years through 2023.

House Bill 2093-A makes several changes to procurement and operation of electric vehicle charging stations on agency property. First, the bill authorizes DAS to participate in permissive and interstate cooperative procurement agreements with public and private sector entities for the purpose of acquiring, installing, maintaining, or operating these devices. Second, the bill directs agencies to "endeavor" to set the price for use of an electric vehicle charging station within the statutory range. Third, the bill eliminates the obligation of each agency to set a uniform price across all agency properties. Finally, the measure expressly excludes these cooperative procurement agreements from DAS' legislative reporting obligations.