

HB 2093 STAFF MEASURE SUMMARY

House Committee On Rules

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 1/28

WHAT THE MEASURE DOES:

Authorizes Department of Administrative Services to enter into agreement with public or private entity to acquire, install, maintain or operate electric vehicle charging stations for public use, on premises owned or controlled by state agency. Excludes charging stations from definition of "public improvement" applicable under Public Contracting Code, for sole purpose of authorizing certain cooperative procurements. 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 after 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 in February of 2019, 2021 and 2023.

House Bill 2093 makes several changes to this existing scheme. First, the bill directs agencies to "endeavor" to set the price for use of an electric vehicle charging station within the statutory range. Second, the bill eliminates the obligation of each agency to set a uniform price across all agency property. Third, 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. Finally, the bill expressly excludes these cooperative procurement agreements from DAS' legislative reporting obligations.