

By: Bernal, Howard, Lopez, Minjarez,
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H.B. No. 872

Substitute the following for H.B. No. 872:

By: Paddie

C.S.H.B. No. 872

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure of certain utility customer information.

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

SECTION 1. Subchapter C, Chapter 552, Government Code, is amended by adding Section 552.1331 to read as follows:

Sec. 552.1331. EXCEPTION: CERTAIN GOVERNMENT-OPERATED UTILITY CUSTOMER INFORMATION. (a) In this section:

(1) "Advanced metering system" means a utility metering system that collects data at regular intervals through the use of an automated wireless or radio network.

(2) "Government-operated utility" has the meaning assigned by Section 182.051, Utilities Code.

(b) Except as provided by Subsection (c) of this section and Section 182.052, Utilities Code, information maintained by a government-operated utility is excepted from the requirements of Section 552.021 if it is information that:

(1) is collected as part of an advanced metering system for usage, services, and billing, including amounts billed or collected for utility usage; or

(2) reveals whether:

(A) an account is delinquent or eligible for disconnection; or

(B) services have been discontinued by the government-operated utility.

1 (b) A customer may request disclosure of information
2 described by Subsection (a) [~~confidentiality~~] by delivering to the
3 government-operated utility an appropriately marked form provided
4 under Subsection (c)(2) [~~(c)(3)~~] or any other written request for
5 disclosure [~~confidentiality~~].

6 (c) A government-operated utility shall include with a bill
7 sent to each customer or shall post on the utility's Internet
8 website:

9 (1) a notice of the customer's right to request
10 disclosure [~~confidentiality~~] under this section [~~subchapter~~]; and

11 (2) [~~a statement of the amount of any fee applicable to~~
12 ~~the request, and~~

13 [~~(3)~~] a form by which the customer may request
14 disclosure [~~confidentiality~~] by marking an appropriate box on the
15 form and returning it to the government-operated utility, either by
16 mail or electronically.

17 (d) A customer may rescind a request for disclosure under
18 this section [~~confidentiality~~] by providing the
19 government-operated utility a written request to withhold the
20 customer's [~~permission to disclose~~] personal information beginning
21 on the date the utility receives the request.

22 SECTION 5. Section 13.043(b-2), Water Code, is amended to
23 read as follows:

24 (b-2) Unless [~~If~~] a ratepayer has requested that a
25 municipally owned utility disclose [~~keep~~] the ratepayer's personal
26 information [~~confidential~~] under Section 182.052, Utilities Code,
27 the municipally owned utility may not disclose the address of the

1 ratepayer under Subsection (b-1)(2).

2 SECTION 6. Section 182.053, Utilities Code, is repealed.

3 SECTION 7. Section 552.1331, Government Code, as added by
4 this Act, applies only to a request for public information received
5 by a governmental body or officer for public information on or after
6 the effective date of this Act.

7 SECTION 8. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2021.