

By: Rosenthal

H.B. No. 3180

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to eligibility criteria regarding commissioners of the  
3 Public Utility Commission of Texas and the governing body of the  
4 independent organization certified to manage the ERCOT power  
5 region.

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

7 SECTION 1. Section 12.053(a), Utilities Code, is amended to  
8 read as follows:

9 (a) To be eligible for appointment, a commissioner must:

- 10 (1) be a qualified voter;
- 11 (2) be a citizen of the United States;
- 12 (3) be a resident of this state;
- 13 (4) be a competent and experienced administrator;
- 14 (5) [~~4~~] be well informed and qualified in the field  
15 of public utilities and utility regulation; and
- 16 (6) [~~5~~] have at least five years of experience in  
17 the administration of business or government or as a practicing  
18 attorney or certified public accountant.

19 SECTION 2. Section 39.151, Utilities Code, is amended by  
20 adding Subsections (g-2) and (g-3) to read as follows:

21 (g-2) To qualify to serve as a member of the governing body  
22 under Subsection (g)(4), (5), (6), or (7), a person must be a  
23 resident of this state.

24 (g-3) To maintain certification as an independent

1 organization under this section, an organization's chief executive  
2 officer must be a resident of this state.

3 SECTION 3. (a) An independent organization certified under  
4 Section 39.151, Utilities Code, by the Public Utility Commission of  
5 Texas before September 1, 2021, shall hold elections and select new  
6 members as needed to modify the organization's governing body to  
7 comply with Section 39.151, Utilities Code, as amended by this Act,  
8 as soon as practicable, but not later than September 1, 2022.

9 (b) An independent organization certified under Section  
10 39.151, Utilities Code, by the Public Utility Commission of Texas  
11 before September 1, 2021, shall ensure that the chief executive  
12 officer of the organization is a resident of this state as soon as  
13 practicable, but not later than September 1, 2022.

14 (c) After September 1, 2022, the Public Utility Commission  
15 of Texas may decertify an independent organization whose governing  
16 body or chief executive officer does not comply with Section  
17 39.151, Utilities Code, as amended by this Act.

18 SECTION 4. This Act takes effect September 1, 2021.