

1-1 By: Schwertner S.B. No. 2154
 1-2 (In the Senate - Filed March 22, 2021; March 22, 2021, read
 1-3 first time and referred to Committee on Jurisprudence;
 1-4 March 23, 2021, reported favorably by the following vote: Yeas 5,
 1-5 Nays 0; March 23, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			

1-13 A BILL TO BE ENTITLED
 1-14 AN ACT

1-15 relating to the membership of the Public Utility Commission of
 1-16 Texas.

1-17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-18 SECTION 1. Section 12.051(a), Utilities Code, is amended to
 1-19 read as follows:

1-20 (a) The commission is composed of five [~~three~~]
 1-21 commissioners appointed by the governor with the advice and consent
 1-22 of the senate.

1-23 SECTION 2. Section 12.053, Utilities Code, is amended by
 1-24 amending Subsections (a) and (b) and adding Subsection (a-1) to
 1-25 read as follows:

1-26 (a) To be eligible for appointment, a commissioner must:

1-27 (1) be a qualified voter;

1-28 (2) be a citizen of the United States;

1-29 (3) be a resident of this state;

1-30 (4) be a competent and experienced administrator;

1-31 [~~(4) be well informed and qualified in the field of~~
 1-32 ~~public utilities and utility regulation;~~] and

1-33 (5) have at least five years of experience:

1-34 (A) in the administration of business or
 1-35 government or

1-36 (B) as a practicing attorney, [~~or~~] certified
 1-37 public accountant, or professional engineer.

1-38 (a-1) At least three commissioners, including the presiding
 1-39 officer, must be well informed and qualified in the field of public
 1-40 utilities and utility regulation.

1-41 (b) A person is not eligible for appointment as a
 1-42 commissioner if the person:

1-43 (1) at any time during the one year [~~two years~~]
 1-44 preceding appointment:

1-45 (A) personally served as an officer, director,
 1-46 owner, employee, partner, or legal representative of a public
 1-47 utility regulated by the commission or of an affiliate or direct
 1-48 competitor of a public utility regulated by the commission; [~~or~~]

1-49 (B) owned or controlled, directly or indirectly,
 1-50 more than a 10 percent interest in a public utility regulated by the
 1-51 commission or in an affiliate or direct competitor of a public
 1-52 utility regulated by the commission; or

1-53 (C) served as an executive officer listed under
 1-54 Section 1, Article IV, Texas Constitution, other than the secretary
 1-55 of state, or a member of the legislature; or

1-56 (2) is not qualified to serve under Section 12.151,
 1-57 12.152, or 12.153.

1-58 SECTION 3. (a) Not later than the 30th day after the
 1-59 effective date of this Act, the governor shall appoint a person to
 1-60 the Public Utility Commission of Texas to serve as the presiding
 1-61 officer of the commission in accordance with Section 12.053,

2-1 Utilities Code, as amended by this Act.

2-2 (b) In making appointments of commissioners to the Public
2-3 Utility Commission of Texas under Section 12.051, Utilities Code,
2-4 as amended by this Act, the governor shall assign staggered terms to
2-5 the commissioners appointed to fill vacancies and to the
2-6 commissioners appointed to new positions to ensure that the
2-7 requirements of Section 30a, Article XVI, Texas Constitution, are
2-8 met.

2-9 SECTION 4. This Act takes effect immediately if it receives
2-10 a vote of two-thirds of all the members elected to each house, as
2-11 provided by Section 39, Article III, Texas Constitution. If this
2-12 Act does not receive the vote necessary for immediate effect, this
2-13 Act takes effect September 1, 2021.

2-14

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