

By: Goldman

H.B. No. 4591

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the membership and meetings of the Texas Energy  
3 Reliability Council.

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

5 SECTION 1. Section 418.303(a), Government Code, as added by  
6 Chapter 426 (S.B. 3), Acts of the 87th Legislature, Regular  
7 Session, 2021, is amended to read as follows:

8 (a) The council is composed of:

- 9 (1) the chairman of the Railroad Commission of Texas;
- 10 (2) the presiding officer of the Public Utility  
11 Commission of Texas;
- 12 (3) the chief executive of the Office of Public  
13 Utility Counsel;
- 14 (4) the presiding officer of the Texas Commission on  
15 Environmental Quality;
- 16 (5) the chair of the Texas Transportation Commission;
- 17 (6) a person to represent the independent organization  
18 certified under Section 39.151, Utilities Code, for the ERCOT power  
19 region, appointed by the governor;
- 20 (7) the chief;
- 21 (8) eight [~~five~~] persons to represent participants in  
22 the natural gas supply chain in this state, appointed by the  
23 Railroad Commission of Texas to represent as many types of  
24 participants as possible;

1           (9) five persons to represent the electric industry,  
2 appointed by the Public Utility Commission of Texas, including:

3           (A) one person to represent entities that provide  
4 dispatchable electric energy to the power grid in this state;

5           (B) one person to represent transmission and  
6 distribution utilities, as defined by Section 31.002, Utilities  
7 Code;

8           (C) one person to represent retail electric  
9 providers, as defined by Section 31.002, Utilities Code;

10          (D) one person to represent municipally owned  
11 utilities, as defined by Section 11.003, Utilities Code; and

12          (E) one person to represent electric  
13 cooperatives;

14          (10) three persons to represent energy sectors not  
15 otherwise represented on the council, appointed by the Public  
16 Utility Commission of Texas; and

17          (11) five persons to represent industrial concerns,  
18 appointed by the governor, including:

19           (A) one person to represent motor fuel producers;  
20 and

21           (B) one person to represent chemical  
22 manufacturers.

23          SECTION 2. Section 418.308, Government Code, is amended by  
24 adding Subsection (c) to read as follows:

25          (c) The council may not develop or present policy  
26 recommendations for participants in the energy and electric  
27 industries or for state agencies or local entities that regulate

1 energy and electric industries except for the purposes of reporting  
2 to the legislature its recommendations under Section 418.310.

3 SECTION 3. Section 418.309, Government Code, is amended by  
4 adding Subsection (e) to read as follows:

5 (e) A member of the council may describe publicly the  
6 subject of any matter deliberated in a meeting of the council. The  
7 description may not contain or disclose specific confidential  
8 information.

9 SECTION 4. As soon as practicable after the effective date  
10 of this Act, the Railroad Commission of Texas shall appoint members  
11 to the Texas Energy Reliability Council as required by this Act.

12 SECTION 5. This Act takes effect September 1, 2023.