

Amend the Turner Amendment to CSHB 1779 by adding the following items:

(1) Add the following Sections to the bill:

SECTION \_\_. Section 304.001(d), Local Government Code, is amended to read as follows:

(d) A political subdivision corporation may negotiate on behalf of its incorporating political subdivisions and the citizens of member political subdivisions who create citizen aggregation programs under Section 304.002 for the purchase of electricity, make contracts for the purchase of electricity, purchase electricity, and take any other action necessary to purchase electricity for use in the public facilities or by citizens of the political subdivision or subdivisions represented by the political subdivision corporation. In this subsection, "electricity" means electric energy, capacity, energy services, ancillary services, or other electric services for retail or wholesale consumption by the political subdivisions.

SECTION \_\_. Section 304.002, Local Government Code, is amended by amending Subsection (a) and adding Subsections (b-1), (d), (e), and (f) to read as follows:

(a) political subdivision aggregator may negotiate for the purchase of electricity and energy services, contract for the purchase of electricity, purchase electricity, and take any other action necessary to purchase electricity on behalf of the citizens of the political subdivision or subdivisions. ~~The citizens must affirmatively request to be included in the aggregation services by the political subdivision aggregator.~~

(b-1) The governing body of a political subdivision with a population of less than 125,000 may adopt an ordinance or resolution providing for automatic enrollment of citizens of the political subdivision in aggregation services. If the governing body of the political subdivision provides for automatic enrollment of the citizens in aggregation services, the political subdivision shall send to each citizen by mail a 60 day written notice that citizens served by an affiliated retail electric provider will be automatically enrolled unless a citizen expressly requests to not be enrolled.

(d) An affiliated retail electric provider and the transmission and distribution utility shall provide to a political subdivision any information the political subdivision considers necessary to solicit or administer an aggregation program under this section, including the name, address, electric service identifier, and monthly usage of each residential customer who reside in the political subdivision. The consent of a customer may not be required as a condition of providing information to a political subdivision under this subsection. The political subdivision may provide to a third party or an aggregator information received under this subsection, but only for the purpose of bidding on, implementing, and administering the aggregation program.

(e) This section is not intended to abrogate an electric service contract between a citizen of any municipality and a competitive retail electric provider.

(f) Any savings attributable to the aggregation program shall be directed to citizen participants except that the political subdivision may recover its actual administrative costs.