

## **BILL ANALYSIS**

Senate Research Center

S.B. 937  
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Business & Commerce  
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Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The goal of this legislation is to help nursing homes, assisted living facilities, and hospice care centers after hurricanes or other natural disasters that result in power outages. Currently, electric companies follow guidelines for power restoration, prioritizing services vital to public safety. Hospitals by rule are required to be a priority for the purposes of power restoration; however, nursing homes, assisted living facilities, and hospice care centers are not. These facilities provide medical care, and some patients, particularly those in nursing homes, are reliant on medical equipment that runs on electricity.

S.B. 937 requires utility companies to treat nursing homes, assisted living facilities, and hospice care centers like hospitals for the purposes of electricity restoration.

S.B. 937 amends current law relating to priorities for restoration of electric service following an extended power outage.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Public Utility Commission of Texas in SECTION 1 (Section 38.072, Utilities Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter D, Chapter 38, Utilities Code, by adding Section 38.072, as follows:

Sec. 38.072. PRIORITIES FOR POWER RESTORATION TO CERTAIN MEDICAL FACILITIES. (a) Defines, in this section, "assisted living facility," "extended power outage," "hospice services," and "nursing facility."

(b) Requires the Public Utility Commission of Texas (PUC) by rule to require an electric utility to give to the following the same priority that it gives to a hospital in its emergency operations plan for restoring power after an extended power outage: a nursing facility, an assisted living facility, and a facility that provides hospice services.

(c) Requires that the rules adopted by PUC under Subsection (b) allow an electric utility to exercise the electric utility's discretion to prioritize power restoration for a facility after an extended power outage in accordance with the facility's needs and with the characteristics of the geographic area in which power must be restored.

(d) Requires a municipally owned utility to report the emergency operations plan for restoring power to a facility listed in Subsection (b) to the municipality's governing body or the body vested with the power to manage and operate the municipally owned utility.

(e) Requires an electric cooperative to report the emergency operations plan for restoring power to a facility listed in Subsection (b) to the board of directors of the electric cooperative.

SECTION 2. Effective date: September 1, 2011.