

AN ACT

relating to emergency preparedness information about water facilities.

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

SECTION 1. Sections 13.1396(b), (c), (d), (e), and (g), Water Code, are amended to read as follows:

(b) An affected utility shall submit to ~~[the county judge,~~ the office of emergency management of each county in which the utility has more than one customer, the Public Utility Commission of Texas, and the office of emergency management of the governor~~]~~ a copy of:

(1) the affected utility's emergency preparedness plan approved under Section 13.1395; and

(2) the commission's notification to the affected utility that the plan is accepted.

(c) Each affected utility shall submit to each electric utility that provides transmission and distribution service to the affected utility, each retail electric provider that sells electric power to the affected utility, ~~[the county judge and]~~ the office of emergency management of each county in which the utility has water and wastewater facilities that qualify for critical load status under rules adopted by the Public Utility Commission of Texas, ~~[and to]~~ the Public Utility Commission of Texas, and the division of emergency management of the governor:

1 (1) information identifying the location and  
2 providing a general description of all water and wastewater  
3 facilities that qualify for critical load status; and

4 (2) emergency contact information for the affected  
5 utility, including:

6 (A) the person who will serve as a point of  
7 contact and the person's telephone number;

8 (B) the person who will serve as an alternative  
9 point of contact and the person's telephone number; and

10 (C) the affected utility's mailing address.

11 (d) An affected utility shall:

12 (1) annually submit the information required by  
13 Subsection (c) to each electric utility that provides transmission  
14 and distribution service to the affected utility and to each retail  
15 electric provider that sells electric power to the affected  
16 utility; and

17 (2) immediately update the information provided under  
18 Subsection (c) as changes to the information occur.

19 (e) Each ~~[Not later than February 1 of each year, the county~~  
20 ~~judge of each county that receives the information required by~~  
21 ~~Subsections (c) and (d) shall:~~

22 ~~[(1) submit the information for each affected utility~~  
23 ~~to each retail electric provider that sells electric power to an~~  
24 ~~affected utility and each electric utility that provides~~  
25 ~~transmission and distribution service to an affected utility; and~~

26 ~~[(2) in cooperation with the] affected utility shall~~  
27 ~~[7] submit~~ annually to each electric utility that provides

1 transmission and distribution service to the affected utility and  
2 to each retail electric provider that sells electric power to the  
3 affected utility [~~for each affected utility~~] any forms reasonably  
4 required by an electric utility or retail electric provider for  
5 determining critical load status, including a critical care  
6 eligibility determination form or similar form.

7 (g) If an electric utility determines that an affected  
8 utility's facilities do not qualify for critical load status, the  
9 electric utility and the retail electric provider, not later than  
10 the 30th day after the date the electric utility or retail electric  
11 provider receives the information required by Subsections (c) and  
12 (d), shall provide a detailed explanation of the electric utility's  
13 determination to the affected utility and the office of emergency  
14 management of each county in which the affected utility's  
15 facilities are located [~~each county judge that submitted the~~  
16 ~~information~~].

17 SECTION 2. Section 13.1396(a)(2), Water Code, is repealed.

18 SECTION 3. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2011.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2619 was passed by the House on April 20, 2011, by the following vote: Yeas 147, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2619 was passed by the Senate on May 24, 2011, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor