

AN ACT

relating to priorities for restoration of electric service following an extended power outage.

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

SECTION 1. Subchapter D, Chapter 38, Utilities Code, is amended by adding Section 38.072 to read as follows:

Sec. 38.072. PRIORITIES FOR POWER RESTORATION TO CERTAIN MEDICAL FACILITIES. (a) In this section:

(1) "Assisted living facility" has the meaning assigned by Section 247.002, Health and Safety Code.

(2) "Extended power outage" has the meaning assigned by Section 13.1395, Water Code.

(3) "Hospice services" has the meaning assigned by Section 142.001, Health and Safety Code.

(4) "Nursing facility" has the meaning assigned by Section 242.301, Health and Safety Code.

(b) The commission by rule shall require an electric utility to give to the following the same priority that it gives to a hospital in the utility's emergency operations plan for restoring power after an extended power outage:

(1) a nursing facility;

(2) an assisted living facility; and

(3) a facility that provides hospice services.

(c) The rules adopted by the commission under Subsection (b)

1 must allow an electric utility to exercise the electric utility's  
2 discretion to prioritize power restoration for a facility after an  
3 extended power outage in accordance with the facility's needs and  
4 with the characteristics of the geographic area in which power must  
5 be restored.

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

11 (e) An electric cooperative shall report the emergency  
12 operations plan for restoring power to a facility listed in  
13 Subsection (b) to the board of directors of the electric  
14 cooperative.

15 SECTION 2. This Act takes effect September 1, 2011.

S.B. No. 937

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 937 passed the Senate on April 7, 2011, by the following vote: Yeas 29, Nays 2.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 937 passed the House on May 25, 2011, by the following vote: Yeas 147, Nays 0, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor