

Amend **HB 1600** by adding the following appropriately numbered section:

SECTION _____. Subchapter A, Chapter 32, Utilities Code, is amended by adding Section 32.006 to read as follows:

Sec. 32.006. JURISDICTION OVER SITING OF CERTAIN ELECTRIC GENERATING FACILITIES. (a) Notwithstanding any other provision of this subtitle, the commission has jurisdiction over the siting of any proposed electric generating facility proposed to be located in an area less than three miles from the municipal boundaries of a municipality in which retail customers to be served by the facility reside if the municipality is located on the border between this state and Mexico and has a population of more than 600,000. A person may not begin construction of a facility subject to this subsection until the site is approved by the commission.

(b) The commission by rule shall establish a procedure for an electric utility to apply for, and procedures and criteria for an electric generating facility to receive, approval of the site for a proposed facility subject to this section.