

By: Menendez

H.B. No. 2391

A BILL TO BE ENTITLED

AN ACT

relating to electric utility bill payment assistance programs for certain veterans burned in combat.

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

SECTION 1. Section 1502.056, Government Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) If the revenue of a utility system, park, or swimming pool secures the payment of public securities issued or obligations incurred under this chapter, each expense of operation and maintenance, including all salaries, labor, materials, interest, repairs and extensions necessary to provide efficient service, and each proper item of expense, is a first lien against that revenue.

(a-1) For a municipality with a population of more than one million but less than two million, the first lien against the revenue of a municipally owned utility system that secures the payment of public securities issued or obligations incurred under this chapter also applies to funding, as a necessary operations expense, for a bill payment assistance program for utility system customers who ~~+~~

~~(1)~~ have been threatened with disconnection from service for nonpayment of bills and who have been determined by the municipality to be low-income customers.

(a-2) The first lien against the revenue of a municipally

1 owned electric utility system, including a system to which  
2 Subsection (a-1) applies, that secures the payment of public  
3 securities issued or obligations incurred under this chapter also  
4 applies to funding, as a necessary operations expense, for a bill  
5 payment assistance program for the electric utility system's  
6 customers who ~~[+ or~~

7 [(-2-)] are military veterans who have significantly  
8 decreased abilities to regulate their bodies' core temperatures  
9 because of severe burns received in combat.

10 SECTION 2. Section 36.061, Utilities Code, is amended by  
11 adding Subsection (c) to read as follows:

12 (c) An electric utility located in a portion of this state  
13 not subject to retail competition may establish a bill payment  
14 assistance program for a customer who is a military veteran who a  
15 medical doctor certifies has a significantly decreased ability to  
16 regulate the individual's body temperature because of severe burns  
17 received in combat. A regulatory authority shall allow as a cost or  
18 expense a cost or expense of the bill payment assistance program.  
19 The electric utility is entitled to:

20 (1) fully recover all costs and expenses related to  
21 the bill payment assistance program;

22 (2) defer each cost or expense related to the bill  
23 payment assistance program not explicitly included in base rates;  
24 and

25 (3) apply carrying charges at the utility's weighted  
26 average cost of capital to the extent related to the bill payment  
27 assistance program.

1 SECTION 3. Subchapter H, Chapter 39, Utilities Code, is  
2 amended by adding Section 39.359 to read as follows:

3 Sec. 39.359. BILL PAYMENT ASSISTANCE FOR BURNED VETERANS.

4 (a) A retail electric provider may establish a bill payment  
5 assistance program for a customer who is a military veteran who a  
6 medical doctor certifies has a significantly decreased ability to  
7 regulate the individual's body temperature because of severe burns  
8 received in combat.

9 (b) The commission shall compile a list of programs  
10 described by Subsection (a) that are available from retail electric  
11 providers. The commission shall publish the list on the  
12 commission's Internet website and the office shall provide on the  
13 office's Internet website a link to the list.

14 (c) A retail electric provider shall provide to the  
15 commission information necessary to compile the list in the form,  
16 manner, and frequency the commission by rule requires.

17 SECTION 4. Chapter 182, Utilities Code, is amended by  
18 adding Subchapter D to read as follows:

19 SUBCHAPTER D. BILL PAYMENT ASSISTANCE PROGRAM FOR BURNED VETERANS

20 Sec. 182.201. DEFINITIONS. In this subchapter, "electric  
21 cooperative" and "municipally owned utility" have the meanings  
22 assigned by Section 11.003.

23 Sec. 182.202. BURNED VETERANS ASSISTANCE PROGRAM. (a) The  
24 board of directors of an electric cooperative or the governing body  
25 of a municipally owned utility may establish a bill payment  
26 assistance program for a customer who is a military veteran who a  
27 medical doctor certifies has a significantly decreased ability to

1 regulate the individual's body temperature because of severe burns  
2 received in combat.

3 (b) The costs of a bill payment assistance program  
4 established under Subsection (a) are considered a necessary  
5 operations expense.

6 (c) The board of directors of an electric cooperative or the  
7 governing body of a municipally owned utility may determine the  
8 method to fund a bill payment assistance program established under  
9 Subsection (a).

10 SECTION 5. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2013.