

By: Sanford

H.B. No. 2814

A BILL TO BE ENTITLED

AN ACT

relating to the use of utility usage information by governmental entities.

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

SECTION 1. SHORT TITLE. This Act may be cited as the Data Electronic Limitations Act, DELTA.

SECTION 2. Subchapter A, Chapter 17, Utilities Code, is amended by adding Section 17.010 to read as follows:

Sec. 17.010. GOVERNMENTAL USAGE OF PRIVATE PERSON OR PRIVATE ENTITY'S UTILITY USAGE INFORMATION. (a) In this section,

"governmental entity" includes:

(1) this state;

(2) a state agency;

(3) a county, municipality, or special district; or

(4) a combination of entities described by

Subdivisions (1)-(3).

(b) Other than gross usage of information to improve rate standards, a governmental entity may not use information or devices related to utility usage by a private person or business to legislate to restrict usage.

(c) An independent organization certified under Section 39.151 may collect and store information for planning purposes, provided that the information is not collected or stored in association with the name of a private person.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2013.