

1-1 By: Williams, Birdwell, Hancock S.B. No. 1655  
 1-2 (In the Senate - Filed March 8, 2013; March 18, 2013, read  
 1-3 first time and referred to Committee on Finance; April 9, 2013,  
 1-4 reported adversely, with favorable Committee Substitute by the  
 1-5 following vote: Yeas 10, Nays 3; April 9, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16		X		
1-17	X			
1-18	X			
1-19	X			
1-20		X		
1-21		X		
1-22			X	

1-23 COMMITTEE SUBSTITUTE FOR S.B. No. 1655 By: Williams

1-24 A BILL TO BE ENTITLED  
 1-25 AN ACT

1-26 relating to authorizing the Public Utility Commission of Texas to  
 1-27 direct the comptroller to return the unappropriated balance of the  
 1-28 system benefit fund to retail electric customers.

1-29 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-30 SECTION 1. Subchapter Z, Chapter 39, Utilities Code, is  
 1-31 amended by adding Section 39.9039 to read as follows:

1-32 Sec. 39.9039. DISBURSEMENT OF SYSTEM BENEFIT FUND BALANCE.

1-33 (a) After consultation with the comptroller, the commission by  
 1-34 rule shall establish a system for transmission and distribution  
 1-35 utilities, retail electric providers, municipally owned utilities,  
 1-36 or electric cooperatives to credit retail electric customers' bills  
 1-37 in amounts necessary to expend as fully as practicable the  
 1-38 appropriated balance of the system benefit fund transferred to a  
 1-39 special fund outside of the general revenue fund by Section 30,  
 1-40 Article VIII, Texas Constitution, in accordance with this section.

1-41 (b) The commission shall direct the comptroller to disburse  
 1-42 as much as practicable of the balance described by Subsection (a) as  
 1-43 soon as practicable and before September 1, 2014, in one or more  
 1-44 installments to transmission and distribution utilities, retail  
 1-45 electric providers, municipally owned utilities, or electric  
 1-46 cooperatives under the system established under Subsection (a) so  
 1-47 that the entities receive disbursements in proportion to the fees  
 1-48 paid by retail electric customers in the service areas of the  
 1-49 entities since the system benefit fund fee was first imposed under  
 1-50 Section 39.903.

1-51 (c) The commission by rule shall require each entity  
 1-52 receiving disbursements under this section to ensure that retail  
 1-53 electric customers, through one or more billings for electric  
 1-54 services between the time the entity receives a disbursement under  
 1-55 this section and August 31, 2014, receive credits that, in the  
 1-56 aggregate, equal the amount of the disbursements received under  
 1-57 this section, less a reasonable amount to reimburse the entity for  
 1-58 administering this section as established by the commission in an  
 1-59 amount not to exceed two percent of the disbursements. The  
 1-60 commission by rule shall ensure that the credit amount that appears

2-1 on a customer's bill is clearly labeled "refund of system benefit  
2-2 fund fee as provided by the Texas Legislature."

2-3 (d) The comptroller and commission jointly shall issue a  
2-4 report on the progress made in developing and implementing the  
2-5 system required to be established by Subsection (a), and in  
2-6 disbursing the amount appropriated from the system benefit fund  
2-7 through that system, not later than December 15, 2014. The report  
2-8 issued under this subsection must be presented in writing to the  
2-9 governor, the lieutenant governor, the speaker of the house of  
2-10 representatives, and the standing committees of the senate and  
2-11 house of representatives having primary jurisdiction over electric  
2-12 utilities.

2-13 (e) The comptroller on September 1, 2014, shall deposit to  
2-14 the credit of the system benefit fund any undisbursed balance of the  
2-15 special fund.

2-16 (f) This section expires September 1, 2015.

2-17 SECTION 2. This Act takes effect immediately if it receives  
2-18 a vote of two-thirds of all the members elected to each house, as  
2-19 provided by Section 39, Article III, Texas Constitution. If this  
2-20 Act does not receive the vote necessary for immediate effect, this  
2-21 Act takes effect September 1, 2013.

2-22 \* \* \* \* \*