

By: Hall

S.B. No. 1398

A BILL TO BE ENTITLED

AN ACT

relating to protection of critical infrastructure from  
electromagnetic, geomagnetic, terrorist, and cyber-attack threats.

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

SECTION 1. Chapter 418, Government Code, is amended by  
adding Subchapter I to read as follows:

SUBCHAPTER I. ELECTROMAGNETIC THREAT PREPAREDNESS

Sec. 418.201. (a) A technological hazards unit of the  
division shall:

(1) implement a program to develop technical expertise  
in the protection of the electric transmission and distribution  
system against electromagnetic, geomagnetic, and cyber-attack  
threats;

(2) identify and develop technical and electronic  
resources to assist the unit in the unit's functions;

(3) implement a program to educate owners and  
operators of critical infrastructure and vital utility facilities  
and emergency responders about electromagnetic, geomagnetic, and  
cyber-attack threats;

(4) determine critical infrastructure and vital  
utility facilities that are at risk from electromagnetic,  
geomagnetic, and cyber-attack threats;

(5) evaluate emergency planning and response  
technologies related to electromagnetic, geomagnetic, and

1 cyber-attack threats;

2 (6) evaluate technologies available to improve the  
3 resiliency of critical infrastructure and vital utility facilities  
4 against electromagnetic, geomagnetic, or cyber-attack threats;

5 (7) evaluate the capabilities of critical  
6 infrastructure and vital utility facilities to recover from  
7 electromagnetic, geomagnetic, or cyber-attack threats; and

8 (8) develop a comprehensive plan to protect the  
9 critical infrastructure and vital utility facilities of this state  
10 against electromagnetic, geomagnetic, terrorist, and cyber-attack  
11 threats.

12 (b) The division shall implement the comprehensive plan to  
13 protect the critical infrastructure and vital utility facilities of  
14 this state against electromagnetic, geomagnetic, terrorist, and  
15 cyber-attack threats.

16 (c) The governor may instruct an agency to take actions as  
17 are necessary to implement the comprehensive plan.

18 (d) The governor shall develop a cost recovery mechanism for  
19 utilities that incur costs for measures taken to protect the  
20 critical infrastructure of this state against, and prepare the  
21 infrastructure for, electromagnetic, geomagnetic, terrorist, and  
22 cyber-attack threats.

23 SECTION 2. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2015.