

BILL ANALYSIS

Senate Research Center
86R21024 SRA-D

H.B. 2320
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Business & Commerce
5/4/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The report issued by the Governor's Commission to Rebuild Texas, which was established following Hurricane Harvey, included recommendations for the state to do the following: continue to cultivate relationships with private technology providers to coordinate their assistance in the early days of a disaster when communications systems are damaged or destroyed; investigate ways to improve the hardening of utilities and facilities; improve oversight, accountability, and availability of individuals in the building trades offering services to disaster survivors; and increase utility customers' awareness of utility payment relief programs.

H.B. 2320 seeks to act on these recommendations.

H.B. 2320 amends current law relating to services provided during and following a disaster.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 418, Government Code, by adding Sections 418.054, 418.055, and 418.056, as follows:

Sec. 418.054. COMMUNICATIONS IMMEDIATELY FOLLOWING A DISASTER. Requires the Texas Division of Emergency Management (TDEM), in collaboration with other appropriate entities selected by TDEM, to the extent practicable to include private wireless communication, Internet, and cable service providers in the disaster planning process and determine the availability of the providers' portable satellite communications equipment and portable mobile telephone towers to assist in response and recovery immediately following disasters.

Sec. 418.055. HARDENING OF UTILITY FACILITIES AND CRITICAL INFRASTRUCTURE. (a) Defines "critical infrastructure."

(b) Requires TDEM to identify methods for hardening utility facilities and critical infrastructure in order to maintain operations of essential services during disasters.

(c) Requires TDEM, in collaboration with the Texas Commission on Environmental Quality, the Railroad Commission of Texas, and any other state agencies selected by TDEM:

(1) determine methods for effectively reducing risks and impacts on utility facilities and critical infrastructure from a disaster; and

(2) encourage public and private entities that are responsible for utility facilities and critical infrastructure to implement the methods determined under Subdivision (1).

(d) Provides that this section does not apply to a utility facility owned or controlled by a utility regulated by the Public Utility Commission of Texas (PUC).

Sec. 418.056. REPORT ON BUILDING TRADE SERVICES FOLLOWING DISASTERS. (a) Requires TDEM, not later than November 1, 2020, to submit a report to members of the legislature on improving the oversight, accountability, and availability of building trade services following disasters. Requires the report to include:

(1) strategies to increase the availability of tradespeople, including plumbers and electricians, following a disaster;

(2) approaches to increase prosecutions of alleged fraud related to building trade services offered following a disaster; and

(3) methods to encourage performance bond requirements in contracts for building trade services to be performed following a disaster.

(b) Requires TDEM to consult with the Texas Department of Licensing and Regulation and any other state agencies selected by TDEM, local governments, trade associations, and law enforcement groups in preparing the report described by Subsection (a).

(c) Provides that this section expires January 1, 2021.

SECTION 2. Amends Subchapter A, Chapter 17, Utilities Code, by adding Section 17.010, as follows:

Sec. 17.010. DISASTER BILLING AWARENESS. Requires the PUC in cooperation with TDEM to:

(1) promote public awareness of bill payment assistance available during a disaster for electric, water, and wastewater services, including assistance for consumers on level billing plans; and

(2) provide the public with information about billing practices during a disaster to ensure that consumers of electric, water, and wastewater services have an adequate understanding of their rights.

SECTION 3. Requires TDEM and the PUC, not later than December 1, 2019, to begin the public awareness campaign required by Section 17.010, Utilities Code, as added by this Act.

SECTION 4. Effective date: September 1, 2019.