

By: Tinderholt

H.B. No. 400

A BILL TO BE ENTITLED

AN ACT

relating to the security of the electric grid.

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

SECTION 1. Subchapter Z, Chapter 39, Utilities Code, is amended by adding Section 39.917 to read as follows:

Sec. 39.917. GRID SECURITY COUNCIL. (a) The governor shall appoint members of the grid security council. Council membership must include at least one representative of each of the following:

(1) the commission;

(2) the independent organization certified under Section 39.151 for the ERCOT power region;

(3) the Texas Military Department;

(4) the Texas Division of Emergency Management;

(5) the State Office of Risk Management; and

(6) power generation companies.

(b) The council shall monitor economic, environmental, regulatory, and technological developments that may affect the security of the electric grid.

(c) Not later than the November 1 preceding each regular session of the legislature, the council shall prepare and submit a report to the legislature analyzing:

(1) the developments listed in Subsection (b); and

(2) the progress made towards implementing the council's previous grid security recommendations.

1 (d) The governor shall designate a member of the council to
2 serve as presiding officer.

3 (e) A member of the council is not entitled to compensation.

4 SECTION 2. (a) The grid security council shall evaluate
5 security vulnerabilities of the electric grid and strategies for
6 securing the grid against:

- 7 (1) cyber threats;
- 8 (2) physical threats;
- 9 (3) weather threats;
- 10 (4) solar storm threats;
- 11 (5) threats of sabotage; and
- 12 (6) threats relating to electromagnetic pulses.

13 (b) Not later than November 1, 2020, the council shall
14 prepare and submit a report to the legislature with recommendations
15 for addressing the threats identified in Subsection (a) of this
16 section. The council's report shall include recommendations for:

- 17 (1) state agency rule changes;
- 18 (2) legislation; and
- 19 (3) management changes at the Public Utility
20 Commission of Texas, the Texas Military Department, the Texas
21 Division of Emergency Management, and the State Office of Risk
22 Management.

23 SECTION 3. The first report described by Section 39.917(c),
24 Utilities Code, as added by this Act, is due November 1, 2022.

25 SECTION 4. This Act takes effect September 1, 2019.