

By: Murr

H.B. No. 1466

A BILL TO BE ENTITLED

AN ACT

relating to repairs to be completed by telecommunications utility providers during a state declared disaster.

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

SECTION 1. Section 52.104, Texas Utilities Code, is amended by adding Section 52.104 (4) as follows:

Section 52.104. COMMISSION MAY INVESTIGATE

(4) "As established by commission rule, complaints received by the commission regarding a specific telecommunications utility provider's response to repairs, maintenance and restoration of service to areas affected by an event constituting a state declared disaster or emergency shall be investigated by the commission in conjunction with the Texas Office of Attorney General. A report of the investigation shall be submitted to the commission, the Federal Communications Commission or successor regulatory agency, and made available to the public within ninety (90) days of the notice of the complaint.

(a) Based on findings of fact from this investigation, the commission shall impose monetary penalties and other enforcement actions deemed appropriate, with a minimum amount assessed at \$1,000 per occurrence or per day, whichever is greater. The commission may also recommend criminal charges be pursued.

(b) The commission may adopt establish rules and guidelines for lengths of time deemed appropriate to reasonably make repairs

1 and restore telecommunications service for counties having a
2 population of 50,000 or less, but the maximum permitted time to
3 restore service shall be ten (10) working days. A
4 telecommunications provider may petition the commission for an
5 extension of this time frame. Any telecommunications provider
6 seeking an extension of the time frame shall provide notice to its
7 affected customers, by way of notice provisions and requirements
8 promulgated by the commission.

9 (c) For purposes of this section, complaints shall include
10 any complaint relating to any conduct or state declared disaster or
11 emergency occurring after January 1, 2018.

12 SECTION 2. This ACT takes effect on September 1, 2019.