

AN ACT

relating to an advisory body on 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. TEXAS ELECTRIC GRID SECURITY COUNCIL.

(a) The legislature finds that there is a public interest in mitigating the risk of cyber and physical attacks that may affect the reliability of electric systems operating in Texas. The Texas Electric Grid Security Council is established as an advisory body to facilitate the creation, aggregation, coordination, and dissemination of best security practices for the electric industry, including the generation, transmission, and delivery of electricity.

(b) The Texas Electric Grid Security Council is composed of:

(1) the commissioner designated as presiding officer of the commission under Section 12.052 or a representative designated by the commissioner;

(2) the chief executive officer of the independent organization certified under Section 39.151 for the ERCOT power region or a representative designated by the chief executive officer; and

(3) the governor or a representative designated by the governor.

1 (c) The member of the council designated by Subsection
2 (b)(1) shall serve as presiding officer.

3 (d) The council shall convene at the call of the presiding
4 officer.

5 (e) A member of the council is not entitled to compensation.
6 Members are entitled to reimbursement for travel and other
7 necessary expenses related to the activities of the council as
8 provided by the General Appropriations Act.

9 (f) A member of the council may apply for a secret security
10 clearance or an interim security clearance granted by the United
11 States government. A member of the council may not access
12 classified information or participate in a briefing or meeting
13 involving classified information unless the member has a secret
14 security clearance.

15 (g) The independent organization certified under Section
16 39.151 shall:

17 (1) provide information and resources requested by the
18 council; and

19 (2) maintain nonclassified information obtained or
20 created by the council, provide members of the council with access
21 to the information, and retain the information for five years after
22 the date that the council obtains or creates the information.

23 (h) In carrying out its functions, the council may consult
24 and coordinate with:

25 (1) the Texas Division of Emergency Management;

26 (2) the United States Department of Energy;

27 (3) the United States Department of Homeland Security;

1 (4) the North American Electric Reliability
2 Corporation;

3 (5) the Texas Reliability Entity;

4 (6) federal and state agencies;

5 (7) members of the electric industry; and

6 (8) grid security experts.

7 (i) On a request by the governor, the lieutenant governor,
8 the chair of the house of representatives committee having
9 jurisdiction over energy utility regulation, or the chair of the
10 senate committee having jurisdiction over energy utility
11 regulation, the council shall issue to the requestor
12 recommendations regarding:

13 (1) the development of educational programs or
14 marketing materials to promote the development of a grid security
15 workforce;

16 (2) the development of grid security best practices;

17 (3) preparation for events that threaten grid
18 security; and

19 (4) amendments to the state emergency management plan
20 to ensure coordinated and adaptable response and recovery efforts
21 after events that threaten grid security.

22 (j) The council may prepare a report outlining grid security
23 response efforts that do not involve classified or highly
24 sensitive, company-specific information. If the council prepares
25 the report, the council shall deliver the report to the governor,
26 lieutenant governor, and legislature on or before the December 1
27 immediately preceding a regular session of the legislature.

1 (k) The meetings of the council and information obtained or
2 created by the council are not subject to the requirements of
3 Chapter 551 or 552, Government Code.

4 SECTION 2. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 475 passed the Senate on April 3, 2019, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 21, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 475 passed the House, with amendment, on May 15, 2019, by the following vote: Yeas 143, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor