87R10669 CXP-D

By:  Rosenthal H.B. No. 3180

A BILL TO BE ENTITLED

AN ACT

relating to eligibility criteria regarding commissioners of the Public Utility Commission of Texas and the governing body of the independent organization certified to manage the ERCOT power region.

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

SECTION 1.  Section 12.053(a), Utilities Code, is amended to read as follows:

(a)  To be eligible for appointment, a commissioner must:

(1)  be a qualified voter;

(2)  be a citizen of the United States;

(3)  be a resident of this state;

(4)  be a competent and experienced administrator;

(5) [~~(4)~~]  be well informed and qualified in the field of public utilities and utility regulation; and

(6) [~~(5)~~]  have at least five years of experience in the administration of business or government or as a practicing attorney or certified public accountant.

SECTION 2.  Section 39.151, Utilities Code, is amended by adding Subsections (g-2) and (g-3) to read as follows:

(g-2)  To qualify to serve as a member of the governing body under Subsection (g)(4), (5), (6), or (7), a person must be a resident of this state.

(g-3)  To maintain certification as an independent organization under this section, an organization's chief executive officer must be a resident of this state.

SECTION 3.  (a) An independent organization certified under Section 39.151, Utilities Code, by the Public Utility Commission of Texas before September 1, 2021, shall hold elections and select new members as needed to modify the organization's governing body to comply with Section 39.151, Utilities Code, as amended by this Act, as soon as practicable, but not later than September 1, 2022.

(b)  An independent organization certified under Section 39.151, Utilities Code, by the Public Utility Commission of Texas before September 1, 2021, shall ensure that the chief executive officer of the organization is a resident of this state as soon as practicable, but not later than September 1, 2022.

(c)  After September 1, 2022, the Public Utility Commission of Texas may decertify an independent organization whose governing body or chief executive officer does not comply with Section 39.151, Utilities Code, as amended by this Act.

SECTION 4.  This Act takes effect September 1, 2021.