By:  Anchia H.B. No. 4557

A BILL TO BE ENTITLED

AN ACT

relating to customer disclaimers by billing utilities and the creation of a statewide alert system.

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

SECTION 1.  Section 17.152, Utilities Code, is amended by adding Subdivision (3) and adding Subsection (d) to read as follows:

(c)  A billing utility may not:

(1)  disconnect or terminate telecommunications or electric service to any customer for nonpayment of an unauthorized charge; [~~or~~]

(2)  file an unfavorable credit report against a customer who has not paid charges the customer has alleged were unauthorized unless the dispute regarding the unauthorized charge is ultimately resolved against the customer, except that the customer shall remain obligated to pay any charges that are not in dispute, and this subsection does not apply to those undisputed charges[~~.~~]; or

(3)  charge a customer's telephone or retail electric bill a fee for any amount directly or indirectly related to a power outage due to a mechanical failure incurred by the billing utility.

(d)  If a customer's telephone or retail electric bill is charged a fee for any amount directly or indirectly related to a power outage, the billing utility must provide the customer written notice of such charge. A notice under this subsection must be:

(1)  referred to as "BLACKOUT FEES";

(2)  printed on the first page of the customer's bill; and

(3)  in type that is at least 10-point font, boldfaced, capitalized, underlined, and otherwise set out from surrounding written material so as to be conspicuous with other information on the customer's bill.

SECTION 2.  Subchapter A, Chapter 418, Government Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. STATEWIDE DISASTER ALERT SYSTEM

Sec. 418.302.  ESTABLISHMENT OF ALERT SYSTEM. (a) The division, with the cooperation of the office of the governor, the commission, and ERCOT, shall develop and implement a statewide disaster alert system to activate in the event of a disaster affecting any location in this state.

Sec. 418.303.  ACTIVATION OF ALERT SYSTEM. (a) When the division determines a disaster has occurred or the occurrence or threat of disaster is imminent or is notified of a declaration of disaster under this chapter, the division shall immediately activate any alert system implemented under this subchapter. A participating local governmental entity shall, in coordination with the division, choose the manner in which the alert system is activated and notifications are issued within the entity's geographic region.

(b)  The division, or local governmental entity, as appropriate, may issue updated notifications for the duration of the disaster.

Sec. 418.306.  RULES. (a) The division may adopt rules necessary to implement this subchapter. (b) The division may consult with the commission, ERCOT, or an electric utility when drafting the rules required by subsection (a).

SECTION 3.  This Act takes effect September 1, 2021.