

By: Paddie, et al.

H.B. No. 13

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas Energy Disaster Reliability Council.

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

SECTION 1. Chapter 186, Utilities Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. TEXAS ENERGY DISASTER RELIABILITY COUNCIL

Sec. 186.101. DEFINITIONS. In this subchapter:

(1) "Council" means the Texas Energy Disaster Reliability Council established under this subchapter.

(2) "Disaster" means:

(A) a disaster defined by Section 418.004, Government Code; or

(B) an extended power outage.

(3) "Division" means the Texas Division of Emergency Management.

(4) "Extended power outage" means an interruption in electric service lasting more than 24 hours.

(5) "Gas provider" means:

(A) a natural gas pipeline facility operator;

(B) an operator of a natural gas well; or

(C) an entity that produces, processes, or transports natural gas in this state or otherwise participates in the natural gas supply chain in this state.

1 (6) "Public utility" means an entity that generates,
2 transmits, or distributes electric energy to the public, including
3 an electric cooperative, an electric utility, a municipally owned
4 utility, or a river authority.

5 (7) "Railroad commission" means the Railroad
6 Commission of Texas.

7 (8) "Utility commission" means the Public Utility
8 Commission of Texas.

9 Sec. 186.102. COUNCIL. The Texas Energy Disaster
10 Reliability Council is established to:

11 (1) prevent extended natural gas supply failures or
12 power outages caused by disasters;

13 (2) implement procedures to manage emergencies caused
14 by disasters;

15 (3) maintain records of critical infrastructure
16 facilities to maintain service in a disaster;

17 (4) coordinate the delivery of fuel to serve human
18 needs natural gas customers and providers of electric generation
19 service in a disaster;

20 (5) monitor supply chains for the electric grid in
21 this state to minimize service disruptions; and

22 (6) study and make recommendations on methods to
23 maintain the reliability of the electric grid in this state during a
24 disaster, including methods for maintaining the reliability of
25 natural gas supply networks.

26 Sec. 186.103. MEMBERS. (a) The council consists of:

27 (1) the presiding officer of the utility commission;

- 1 (2) the executive director of the utility commission;
- 2 (3) the chairman of the railroad commission;
- 3 (4) the executive director of the railroad commission;
- 4 (5) the chief executive officer of the independent
5 organization certified under Section 39.151 for the ERCOT power
6 region; and
- 7 (6) the chief of the division.

8 (b) The chief of the division shall serve as the presiding
9 officer of the council.

10 (c) The council shall hold meetings during the weeks of
11 March 1 and September 1 of each year.

12 (d) In addition to the meetings required by Subsection (c),
13 the council shall convene as soon as reasonably possible during or
14 in anticipation of a disaster to address an actual or potential
15 extended power outage caused by a disaster in order to coordinate
16 fuel supplies and minimize the duration of the outage.

17 (e) In carrying out its functions, the council may consult
18 and coordinate with:

- 19 (1) the United States Department of Energy;
- 20 (2) the United States Department of Homeland Security;
- 21 (3) the North American Electric Reliability
22 Corporation;
- 23 (4) the Texas Reliability Entity;
- 24 (5) federal and state agencies;
- 25 (6) local governmental officials, including mayors,
26 county judges, and emergency management officials;
- 27 (7) members of the electric industry;

1 (8) members of the natural gas industry; and

2 (9) grid security experts.

3 (f) A public utility or gas provider shall provide to the
4 council any information related to a disaster requested by the
5 council. Information obtained by the council under this subsection
6 is confidential and not subject to disclosure by the council if the
7 information is critical energy infrastructure information as
8 defined by the independent organization certified under Section
9 39.151 for the ERCOT power region or federal law.

10 (g) Except as provided by Subsection (g-1), the meetings of
11 the council and information obtained or created by the council are
12 not subject to the requirements of Chapter 551 or 552, Government
13 Code.

14 (g-1) Information written, produced, collected, assembled,
15 or maintained under law or in connection with the transaction of
16 official business by the council or an officer or employee of the
17 council is subject to Section 552.008, Government Code, in the same
18 manner as public information.

19 (h) Chapter 2110, Government Code, does not apply to the
20 council.

21 Sec. 186.104. REPORT. (a) Not later than November 1 of
22 each even-numbered year, the council shall submit to the
23 legislature a report on the reliability and stability of the
24 electric supply chain in this state.

25 (b) The report must include recommendations on methods to
26 strengthen the electric supply chain in this state and to decrease
27 the frequency of extended power outages caused by a disaster in this

1 state.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2021.