

By: Paddie, et al.

H.B. No. 13

Substitute the following for H.B. No. 13:

By: Harless

C.S.H.B. No. 13

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the establishment of the Texas Energy Disaster
3 Reliability Council.

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

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

7 SUBCHAPTER F. TEXAS ENERGY DISASTER RELIABILITY COUNCIL

8 Sec. 186.101. DEFINITIONS. In this subchapter:

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

11 (2) "Disaster" means:

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

14 (B) an extended power outage.

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

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

19 (5) "Gas provider" means:

20 (A) a natural gas pipeline facility operator; or

21 (B) an operator of a natural gas well.

22 (6) "Public utility" means an entity that generates,
23 transmits, or distributes electric energy to the public, including
24 an electric cooperative, an electric utility, a municipally owned

1 utility, or a river authority.

2 (7) "Railroad commission" means the Railroad
3 Commission of Texas.

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

6 Sec. 186.102. COUNCIL. The Texas Energy Disaster
7 Reliability Council is established to:

8 (1) prevent extended power outages caused by
9 disasters;

10 (2) implement procedures to manage emergencies caused
11 by disasters;

12 (3) maintain records of critical infrastructure
13 facilities to maintain service in a disaster;

14 (4) coordinate the delivery of fuel to providers of
15 electric generation service in a disaster;

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

18 (6) study and make recommendations on methods to
19 maintain the reliability of the electric grid in this state during a
20 disaster, including methods for maintaining the reliability of
21 natural gas supply networks.

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

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

24 (2) the executive director of the utility commission;

25 (3) the chairman of the railroad commission;

26 (4) the executive director of the railroad commission;

27 (5) the chief executive officer of the independent

1 organization certified under Section 39.151 for the ERCOT power
2 region; and

3 (6) the chief of the division.

4 (b) The chief of the division shall serve as the presiding
5 officer of the council.

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

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

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

15 (1) the United States Department of Energy;

16 (2) the United States Department of Homeland Security;

17 (3) the North American Electric Reliability
18 Corporation;

19 (4) the Texas Reliability Entity;

20 (5) federal and state agencies;

21 (6) members of the electric industry;

22 (7) members of the natural gas industry; and

23 (8) grid security experts.

24 (f) A public utility or gas provider shall provide to the
25 council any information requested by the council.

26 (g) The meetings of the council and information obtained or
27 created by the council are not subject to the requirements of

1 Chapter 551 or 552, Government Code.

2 (h) Chapter 2110, Government Code, does not apply to the
3 council.

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

8 (b) The report must include recommendations on methods to
9 strengthen the electric supply chain in this state and to decrease
10 the frequency of extended power outages caused by a disaster in this
11 state.

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