

By: King of Parker

H.B. No. 3615

A BILL TO BE ENTITLED

AN ACT

relating to chilled water service and district cooling systems.

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

SECTION 1. Section 11.003, Utilities Code, is amended by adding Subdivision (8-a) and amending Subdivision (11) to read as follows:

(8-a) "District cooling system" means a system that produces chilled water at a central plant and pipes that water to buildings for air conditioning.

(11) "Municipally owned utility" means a utility owned, operated, and controlled by a municipality or by a nonprofit corporation the directors of which are appointed by one or more municipalities and includes any district cooling system operated by the utility.

SECTION 2. Section 552.133 (a-1)(2), Government Code, is amended by adding Subdivision (P) to read as follows:

(P) information related to a chilled water program or program designed to used chilled water to reduce peak demand.

SECTION 3. Section 552.113 (b), Government Code, is amended to read as follows:

(b) Information or records are excepted from the requirements of Section 552.021 if the information or records are reasonably related to a competitive matter, as defined in this section. Information or records of a municipally owned utility

1 that are reasonably related to a competitive matter are not subject
2 to disclosure under this chapter, whether or not, under the
3 Utilities Code, the municipally owned utility has adopted customer
4 choice or serves in a multiply certificated service area. This
5 section does not limit the right of a public power utility governing
6 body to withhold from disclosure information deemed to be within
7 the scope of any other exception provided for in this chapter,
8 subject to the provisions of this chapter. Information reasonably
9 related to a municipally owned utility's rate review process and
10 how the municipality or municipally owned utility sets rates for
11 electric service and chilled water service or any other service
12 designed by the municipality or municipally owned utility to curb
13 peak demand or shift load are subject to disclosure under this
14 chapter and are not excepted from disclosure under this Act.

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