

By: Anchia

H.B. No. 4557

A BILL TO BE ENTITLED

1 AN ACT
2 relating to customer disclaimers by billing utilities and the
3 creation of a statewide alert system.

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

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

8 (c) A billing utility may not:

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

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

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

22 (d) If a customer's telephone or retail electric bill is
23 charged a fee for any amount directly or indirectly related to a
24 power outage, the billing utility must provide the customer written

1 notice of such charge. A notice under this subsection must be:

2 (1) referred to as "BLACKOUT FEES";

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

4 and

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

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

11 SUBCHAPTER J. STATEWIDE DISASTER ALERT SYSTEM

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

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

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

1 the disaster.

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

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