

Amend CSSB 2627 (house committee printing) as follows:

(1) On page 7, after line 24, insert the following new appropriately lettered subsection:

(____) The commission may not provide a grant under this section to an entity that has received a loan under Section 34.0104.

(h)

(3) On page 7, between lines 24 and 25, insert the following:

(i) The commission shall provide for the proceeds of each grant awarded under this section to be disbursed to the grant recipient by equal annual payments over a 10-year period that begins on the first anniversary of the commercial operations date of the facility for which the grant is provided. The annual payments are subject to being withheld or discounted in accordance with Subsection (j). The total of the annual disbursements may not exceed the maximum amount as limited by Subsection (f).

(j) The commission by rule shall establish performance standards for grant recipients based on reliability metrics, appropriate for the types of facilities for which grants may be provided, for performance during the 100 hours with the least quantity of operating reserves for each year. The commission may not disburse a grant recipient's annual payment under Subsection (i) if the performance of the facility for which the grant was provided is equal to or below the median performance standard established under this subsection during a test period designated by the commission for that year. The commission may disburse a discounted amount of a grant recipient's annual payment under Subsection (i) if the performance of the facility for which the grant was provided is above the median performance standard established under this subsection during a test period designated by the commission for that year but less than an optimal performance standard established by the commission. The commission shall by rule adopt a system for determining the amount by which the commission will discount an annual payment based on facility performance under this subsection.

(4) On page 8, strike lines 6-10 and insert the following:

(c) The commission shall require each recipient of a loan

under this chapter to enter into a debt covenant that requires the recipient to meet facility performance standards adopted by the commission. The commission by rule shall adopt performance standards for the purposes of this subsection based on reliability metrics appropriate for the types of facilities for which loans may be provided.

(d) Before December 1, 2026, the commission may provide:

(1) for grants under Section 34.0103, not more than 15 percent of the money available in the fund on December 1, 2023;

(2) for loans and grants under Sections 34.0104 and 34.0105, not more than 60 percent of the money available in the fund on December 1, 2023; and

(3) for grants or loans under Subchapter B, not more than 25 percent of the money available in the fund on December 1, 2023.

(5) On page 8, line 11, strike "(d) Subsection (c)" and substitute "(e) Subsection (d)".