

## **BILL ANALYSIS**

S.B. 983  
By: Paxton  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

There is an exception under state public information law for the competitive matters of a public power utility. As technology expands across Texas, public providers have expressed a need to expand this exception to include cable, Internet, or broadband service matters due to the highly competitive nature of these matters with regard to pricing and logistics. S.B. 983 seeks to allow certain municipally owned utilities a means to discuss such matters in executive session to help ensure the best outcome in furthering the deployment of competitively priced cable, Internet, and broadband services for the communities they serve. The bill also requires certain utilities providing both electricity and broadband services to maintain separate books and records of broadband service operations and ensure that the rates charged for provision of electric service do not include any broadband service costs or any other costs not related to the provision of electric service.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 983 amends the Government Code to expand the scope of the exception from required disclosure under state public information law for the competitive matters of a public power utility to include among the information excepted from disclosure any matter reasonably related to information involving the provision of cable, Internet, or broadband services by a municipally owned utility that provided such services and electricity services on or before January 1, 2003, including any of the following:

- a capital improvement plan;
- an expense related to the installation of a facility to provide those services;
- bidding and pricing information for installation of the facility;
- risk management information, contracts, and strategies;
- plans, studies, proposals, and analyses for system improvements, additions, or sales or for establishing pricing for providing those services; and
- customer billing, contract, and usage information.

S.B. 983 requires a municipally owned utility that provides electricity and broadband services and that provided electricity services and cable, Internet, or broadband services on or before January 1, 2003, to maintain separate books and records of broadband service operations and ensure that the rates charged for provision of electric service do not include any broadband

service costs or any other costs not related to the provision of electric service. The bill establishes that information included in the separate books and records is not a competitive matter excepted from disclosure under state public information law.

S.B. 983 specifies that its changes relating to the competitive matter exception apply only to a public information request received on or after the bill's effective date.

**EFFECTIVE DATE**

September 1, 2023.