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By:  Raymond H.B. No. 4895

A BILL TO BE ENTITLED

AN ACT

relating to the emergency coordination of advanced communications service.

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

SECTION 1.  Subtitle C, Title 2, Utilities Code, is amended by adding Chapter 67 to read as follows:

CHAPTER 67. EMERGENCY COORDINATION OF ADVANCED COMMUNICATIONS SERVICE

Sec. 67.0101.  DEFINITION. In this chapter, "advanced communications service" means:

(1)  interconnected Voice over Internet Protocol service, such as home telephone service provided by an Internet service provider;

(2)  non-interconnected Voice over Internet Protocol service, such as using a computer to engage in voice communication over the Internet;

(3)  electronic messaging service, such as text messaging, instant messaging, or e-mail; or

(4)  interoperable videoconferencing service.

Sec. 67.0102.  POWER TO REGULATE AND SUPERVISE. (a) The commission has authority to regulate and supervise a provider of advanced communications service for the purposes of this chapter.

(b)  This chapter does not grant the commission authority to regulate and supervise a provider of advanced communications service for a purpose other than the purposes of this chapter.

Sec. 67.0103.  EMERGENCY COORDINATION. (a) The commission by rule shall provide for coordination among providers of advanced communications service during times of emergency, including requiring providers of wireless advanced communications service to have in place reasonable roaming and peering agreements for times of emergency that can be employed without additional negotiation.

(b)  The commission shall distribute a set of recommended best practices on how providers of advanced communications service and providers of electricity service should coordinate in order to ensure that advanced communications service remains operational during times of emergency and load shedding events.

(c)  The commission shall:

(1)  establish a process by which providers of advanced communications service and providers of electricity service share information regarding infrastructure that is used in the provision of advanced communications service to facilitate prioritizing the restoration of power to critical parts of advanced communications service networks necessary for emergency response and restoration efforts in a manner that promotes the most efficient and effective use of resources during times of emergency and load shedding events;

(2)  ensure that providers of advanced communications service take reasonable and technically feasible measures to integrate backup power, including generators and batteries, into advanced communications service networks to continue the provision of advanced communications service during and following times of emergency and during load shedding events, with particular focus on consumers' ability to send and receive emergency communications; and

(3)  take all necessary, reasonable measures to ensure appropriate coordination, including at incident command centers established during times of emergency, between providers of electricity service and providers of advanced communications service and, where appropriate, state and local representatives to ensure the providers:

(A)  are aware of where infrastructure used in the provision of advanced communications service is located to avoid inadvertently damaging such infrastructure and delaying restoration of advanced communications service during and following times of emergency and load shedding events;

(B)  communicate with each other on a regular and ongoing basis regarding the progress of network restoration during and following times of emergency and load shedding events; and

(C)  are aware of their respective restoration plans, priorities, and critical sites in advance of any emergency and during and following times of emergency and load shedding events.

SECTION 2.  This Act takes effect September 1, 2023.