By:  Schwertner S.B. No. 1093

(In the Senate - Filed February 22, 2023; March 9, 2023, read first time and referred to Committee on Business & Commerce; April 6, 2023, reported adversely, with favorable Committee Substitute by the following vote: Yeas 11, Nays 0; April 6, 2023, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Schwertner           X

King                 X

Birdwell             X

Campbell             X

Creighton            X

Johnson              X

Kolkhorst            X

Menéndez             X

Middleton            X

Nichols              X

Zaffirini            X

COMMITTEE SUBSTITUTE FOR S.B. No. 1093 By:  Nichols

A BILL TO BE ENTITLED

AN ACT

relating to facilities included in the electricity supply chain.

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

SECTION 1.  Section 37.157, Utilities Code, is amended to read as follows:

Sec. 37.157.  MAPS. (a) An electric utility shall file with the commission one or more maps that show each utility facility and that separately illustrate each utility facility for the generation, transmission, or distribution of the utility's services on a date the commission orders.

(b)  Each electric utility, transmission and distribution utility, electric cooperative, and municipally owned utility shall provide the utility's service area boundary map, using good faith efforts, in a geographic information system format to the commission. The service area boundary map may be provided to the commission in a geodatabase feature class or shapefile.

SECTION 2.  Section 38.201, Utilities Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (a-1) to read as follows:

(a)  In this subchapter, "electricity supply chain" means:

(1)  facilities and methods used for producing, treating, processing, pressurizing, storing, or transporting natural gas for delivery to electric generation facilities; [~~and~~]

(2)  critical infrastructure necessary to maintain electricity service; and

(3)  roads necessary to access facilities in the electricity supply chain.

(a-1)  A reference in this subchapter to the "electricity supply chain" includes water and wastewater treatment plants.

(b)  The Texas Electricity Supply Chain Security and Mapping Committee is established to:

(1)  map this state's electricity supply chain;

(2)  identify critical infrastructure sources in the electricity supply chain;

(3)  establish best practices to prepare facilities [~~that provide electric service and natural gas service~~] in the electricity supply chain to maintain service in an extreme weather event and recommend oversight and compliance standards for those facilities; and

(4)  designate priority service needs to prepare for, respond to, and recover from an extreme weather event.

(c)  The committee is composed of:

(1)  the executive director of the commission;

(2)  the executive director of the Railroad Commission of Texas;

(3)  the president and the chief executive officer of the independent organization certified under Section 39.151 for the ERCOT power region; [~~and~~]

(4)  the chief of the Texas Division of Emergency Management; and

(5)  the executive director of the Texas Department of Transportation.

SECTION 3.  Section 38.202(c), Utilities Code, is amended to read as follows:

(c)  The commission, the Railroad Commission of Texas, [~~and~~] the Texas Division of Emergency Management, and the Texas Department of Transportation shall provide staff as necessary to assist the committee in carrying out the committee's duties and responsibilities.

SECTION 4.  Section 38.203, Utilities Code, is amended by amending Subsection (a) and adding Subsections (f), (g), (h), and (i) to read as follows:

(a)  The committee shall:

(1)  map the state's electricity supply chain in order to designate priority electricity service needs during extreme weather events;

(2)  identify and designate the sources in the electricity supply chain necessary to operate critical infrastructure, as defined by Section 421.001, Government Code;

(3)  develop a communication system between critical infrastructure sources, the commission, and the independent organization certified under Section 39.151 for the ERCOT power region to ensure that electricity and natural gas supplies in the electricity supply chain are prioritized to those sources during an extreme weather event; and

(4)  establish best practices to prepare facilities [~~that provide electric service and natural gas service~~] in the electricity supply chain to maintain service in an extreme weather event and recommend oversight and compliance standards for those facilities.

(f)  On request, the committee shall provide view-only access to the electricity supply chain map to:

(1)  an electric utility, a transmission and distribution utility, an electric cooperative, or a municipally owned utility;

(2)  an operator of a gas supply chain facility, as defined by Section 86.044, Natural Resources Code; or

(3)  an operator of a gas pipeline facility described by Section 121.2015.

(g)  Access to the electricity supply chain map by an entity described by Subsection (f)(1) is limited to the critical natural gas facilities on the map that are located in the requesting entity's service area.

(h)  The committee may not provide an entity described by Subsection (f)(1) with access to the electricity supply chain map unless the entity has complied with Section 37.157.

(i)  Access to the electricity supply chain map by an operator described by Subsections (f)(2) and (3) is limited to the critical natural gas facilities operated by the requesting operator.

SECTION 5.  The Public Utility Commission of Texas shall require each entity to which Section 37.157(b), Utilities Code, as added by this Act, applies to comply with that section not later than September 30, 2023.

SECTION 6.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

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