

1-1 By: Slawson (Senate Sponsor - Paxton) H.B. No. 4952
 1-2 (In the Senate - Received from the House May 15, 2023;
 1-3 May 15, 2023, read first time and referred to Committee on Business
 1-4 & Commerce; May 22, 2023, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 10, Nays 0;
 1-6 May 22, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR H.B. No. 4952 By: Campbell

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to the reliability of the electricity supply chain.
 1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-25 SECTION 1. Section 38.077, Utilities Code, is amended to
 1-26 read as follows:
 1-27 Sec. 38.077. RELIABILITY [LOAD SHEDDING] EXERCISES. (a)
 1-28 In this section, "critical facility" means a transmission
 1-29 substation and any associated control centers that, if rendered
 1-30 inoperable or damaged because of a physical attack, could cause
 1-31 widespread instability, uncontrolled separation, or cascading
 1-32 outages within an interconnection.
 1-33 (b) The commission and the independent organization
 1-34 certified for the ERCOT power region under Section 39.151 shall
 1-35 conduct simulated or tabletop load shedding exercises with
 1-36 providers of electric generation service and transmission and
 1-37 distribution service in the ERCOT power region.
 1-38 [~~(b)~~] The commission shall ensure that each year at least
 1-39 one simulated or tabletop load shedding exercise is conducted
 1-40 during a summer month and one simulated or tabletop load shedding
 1-41 exercise is conducted during a winter month.
 1-42 (c) The commission and the independent organization
 1-43 certified for the ERCOT power region under Section 39.151 shall
 1-44 conduct simulated or tabletop exercises with providers of electric
 1-45 generation service and transmission and distribution service in the
 1-46 ERCOT power region to mitigate and prepare for a threat of an attack
 1-47 or an actual physical attack on a critical facility. The exercises
 1-48 required by this subsection are in addition to the exercises
 1-49 required by Subsection (b) and any requirements of the North
 1-50 American Electric Reliability Corporation Critical Infrastructure
 1-51 Protection plan standards. The commission and the independent
 1-52 organization shall conduct the exercises under this subsection at
 1-53 least once every two years.
 1-54 (d) A simulated or tabletop exercise conducted under
 1-55 Subsection (c) must identify the roles and responsibilities of the
 1-56 following in the event of a threat of an attack or an actual
 1-57 physical attack on a critical facility:
 1-58 (1) transmission and distribution service providers;
 1-59 (2) providers of electric generation service;
 1-60 (3) law enforcement;

2-1 (4) the independent organization certified for the
2-2 ERCOT power region under Section 39.151; and

2-3 (5) the commission.

2-4 (e) A transmission and distribution service provider is not
2-5 required to disclose the specific location of the provider's
2-6 critical substations to the commission or the independent
2-7 organization certified for the ERCOT power region under Section
2-8 39.151 for the purposes of a simulated or tabletop exercise
2-9 conducted under Subsection (c).

2-10 (f) Each provider of electric generation service and of
2-11 transmission and distribution service that participates in a
2-12 simulated or tabletop exercise conducted under Subsection (c) shall
2-13 provide to the independent organization certified for the ERCOT
2-14 power region under Section 39.151 a written attestation that the
2-15 provider has coordinated with law enforcement when identifying
2-16 roles and responsibilities under Subsection (d).

2-17 SECTION 2. Not later than December 31, 2024, the Public
2-18 Utility Commission of Texas and the independent organization
2-19 certified under Section 39.151, Utilities Code, for the ERCOT power
2-20 region shall conduct a simulated or tabletop exercise with each
2-21 provider of electric generation service and of transmission and
2-22 distribution service as required by Section 38.077(c), Utilities
2-23 Code, as added by this Act.

2-24 SECTION 3. This Act takes effect immediately if it receives
2-25 a vote of two-thirds of all the members elected to each house, as
2-26 provided by Section 39, Article III, Texas Constitution. If this
2-27 Act does not receive the vote necessary for immediate effect, this
2-28 Act takes effect September 1, 2023.

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