

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**April 4, 2023**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Business & Commerce

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB1751** by Kolkhorst (relating to the regulation and tax treatment of facilities in the ERCOT power region that demand a large load of interruptible power.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Utilities code to define “virtual currency” and “virtual currency mining facility” (VCMF), and to direct the Electric Reliability Council of Texas (ERCOT) to allow VCMFs to participate in an emergency demand response program only if the amount of demand from all VCMFs in the program is less than ten percent of the total load in the program.

Based on the analysis of the Public Utility Commission of Texas, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

The bill would have a positive, but indeterminate, fiscal impact to local taxing jurisdictions other than school districts due to virtual currency mining facilities not being eligible to receive a property tax abatement or limitation, thus limiting the amount of properties that would qualify for future property tax abatements or limitations

**Source Agencies:** 304 Comptroller of Public Accounts, 473 Public Utility Commission of Texas

**LBB Staff:** JMc, SZ, GDZ, JBel