

BILL ANALYSIS

Senate Research Center
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H.B. 1584
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During power outages caused by Hurricane Beryl, many facilities—including licensed assisted living centers, regional airports supporting life flight operations, and fire stations—experienced delayed power restoration despite their assumptions that they were designated as priority facilities. These delays highlighted confusion between "critical infrastructure" and "priority restoration" classifications, raising questions about which facility types qualify for priority restoration and whether electric utilities are required to maintain or share such lists with local emergency management officials.

H.B. 1584 would require an electric utility to maintain a list of priority facilities in its retail service area. Under the bill, a priority facility would mean a facility listed in Utilities Code Section 38.072(b) or a facility for which electric service was considered crucial for public safety, including a hospital, a police station, a fire station, a critical water or wastewater facility, and a confinement facility under the Texas Department of Criminal Justice.

H.B. 1584 would require an electric utility to provide on its website a mechanism for a facility to request to be added to the priority list. The utility would be required to add the requested facility only if it was a priority facility under the definitions provided by the bill. On request, an electric utility would have to disclose to the facility whether it was on the priority list within 14 days of receiving the request.

On a declaration of a natural disaster or other emergency by the governor affecting the utility service area, the utility would be required to provide the priority list to the Texas Division of Emergency Management (TDEM). A priority list submitted to TDEM would be confidential and not subject to disclosure under the Public Information Act.

H.B. 1584 amends current law relating to the creation of a list of priority facilities by electric utilities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 38, Utilities Code, by adding Section 38.0725, as follows:

Sec. 38.0725. LIST OF PRIORITY FACILITIES. (a) Defines "priority facility."

(b) Requires an electric utility to maintain a list of priority facilities in the utility's retail service area.

(c) Requires an electric utility to provide on the utility's Internet website a mechanism for a facility to request that the utility add the facility to the priority facility list. Requires the electric utility to add the requested facility to the list only if the facility is a priority facility.

(d) Requires an electric utility, on request from a facility, to disclose to the facility not later than the 14th day after the date the utility receives the request whether the facility is on the priority facility list.

(e) Requires the electric utility, notwithstanding any other law, on a declaration of a natural disaster or other emergency by the governor affecting the service area of the utility, to provide the list of priority facilities to the Texas Division of Emergency Management (TDEM).

(f) Provides that a priority facility list submitted to TDEM under this section is confidential and not subject to disclosure under Chapter 552 (Public Information), Government Code.

SECTION 2. Effective date: September 1, 2025.