

BILL ANALYSIS

C.S.H.B. 1584
By: Hull
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

During power outages resulting from Hurricane Beryl, facilities such as licensed assisted living homes, regional airports assisting with life flight, and fire stations were not restored in a timely manner despite believing they were on a priority restoration list. These facilities cited confusion by transmission and distribution companies over what type of facilities qualified for priority restoration and questioned whether existing priority restoration lists were adequately maintained or shared with local emergency management. The author has further informed the committee that local leaders such as Mayor John Whitmire have also raised concerns about electric utilities' coordination with local emergency management agencies regarding priority restoration needs and about the utilities' methods of designating priority restoration status during natural disasters, planned outages, or emergency situations. C.S.H.B. 1584 seeks to address these issues by requiring electric utilities to maintain a list of priority facilities in their retail service area and to provide for a mechanism through which facilities may request to be included on such a list or to verify their inclusion.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1584 amends the Utilities Code to require an electric utility to maintain a list of priority facilities in the utility's retail service area. For this purpose, "priority facility" means a nursing facility, an assisted living facility, an end stage renal disease facility, a facility that provides hospice services, or a facility for which electric service is considered crucial for the protection or maintenance of public safety, including a hospital, police station, fire station, critical water or wastewater facility, and a confinement facility operated by or under a contract with any division of the Texas Department of Criminal Justice (TDCJ).

C.S.H.B. 1584 requires an electric utility do the following with respect to maintenance of its priority facility list:

- provide on the utility's website a mechanism for a facility to request that the utility add the facility to the list;
- add a requesting facility to the list only if the facility is a priority facility; and
- disclose to a facility whether it is on the list not later than the 14th day after the date the utility receives the request of such disclosure.

C.S.H.B. 1584 requires an electric utility to provide the list of priority facilities to the Texas Division of Emergency Management (TDEM) on a declaration of a natural disaster or other emergency by the governor affecting the utility's service area. The bill establishes that such a submitted list is confidential and not subject to disclosure under state public information law.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1584 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas both versions define "priority facility," the substitute includes a specification in the definition not present in the introduced that a facility for which electric service is considered crucial includes a hospital, police station, fire station, critical water or wastewater facility, and a confinement facility operated by or under a contract with any division of TDCJ. The substitute omits the introduced version's requirements for the Public Utility Commission of Texas by rule to adopt criteria for determining whether a facility is one for which electric service is considered crucial for the protection or maintenance of public safety and for that criteria to automatically include hospitals, police stations, fire stations, and critical water and wastewater facilities.

The introduced required an electric utility, on request from a facility, to disclose to the facility not later than the 14th day after the date of the request whether the facility is on the priority facility list. The substitute changes the deadline by which the electric utility must make the disclosure to the 14th day after the date the utility receives the request.

While the introduced required an electric utility to provide the list of priority facilities to each applicable local emergency management agency on a declaration of a natural disaster or other emergency by the governor affecting the service area of the utility, the substitute requires that list to be provided to TDEM instead. The substitute includes a provision not present in the introduced establishing that such a list is confidential and not subject to disclosure under state public information law.