

## **BILL ANALYSIS**

Senate Research Center  
89R14315 CS-D

H.B. 5323  
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Business & Commerce  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Texas has many incentive programs, market products, and regulatory requirements that are developed to increase both energy efficiency and electricity demand response capabilities within the state. Each cluster of programs is managed by a separate state agency, and none of these programs are designed with universal perspective.

Since passage of S.B. 3 during the 87th Regular Session, the Public Utility Commission (PUC) has adopted a target reliability standard for the ERCOT power region, which is a goal that presumably all state programs could be designed to meet. Some parties have suggested state agencies should be required to collaborate on programmatic approaches to achieve the goal of ensuring a reliable state power grid.

H.B. 5323 seeks to establish the Texas Energy Waste Advisory Committee to recommend policies and coordinate interagency programs to reduce energy waste, increase energy efficiency, and enhance demand response programs to assist in achieving the reliability needs of the power region.

H.B. 5323 amends current law relating to the creation of the Texas Energy Waste Advisory Committee.

### **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 Subtitle A, Title 2, Utilities Code, by adding Chapter 18, as follows:

#### **CHAPTER 18. TEXAS ENERGY WASTE ADVISORY COMMITTEE**

Sec. 18.001. DEFINITION. Defines "committee."

Sec. 18.002. ESTABLISHMENT OF COMMITTEE. Provides that the Texas Energy Waste Advisory Committee (committee) is created to make recommendations for coordinating and improving state agency and interagency programs that reduce energy waste, increase energy efficiency, and enhance demand response programs in order to increase reliability of electric service in the ERCOT power region in accordance with Section 39.159 (Power Region Reliability and Dispatchable Generation).

Sec. 18.003. COMMITTEE MEMBERSHIP. (a) Provides that the committee is composed of seven ex officio members, including certain persons.

(b) Authorizes an ex officio member to designate an employee of the member's agency or office to serve in the member's place.

(c) Requires the presiding officer of the Public Utility Commission of Texas (PUC) or an employee of the PUC designated by the presiding officer to serve as the chair of the committee.

(d) Requires the committee to meet quarterly at the call of the chair.

Sec. 18.004. PROGRAM EVALUATION AND RECOMMENDATIONS. Requires the committee, to improve the reliability of electric service in the ERCOT power region, to solicit information from and make recommendations to certain state agencies and organizations regarding state programs that have the potential to reduce demand for electricity in the ERCOT wholesale market during high risk hours identified by the PUC.

Sec. 18.005. ADMINISTRATIVE SUPPORT. Requires the PUC to provide the committee with administrative support, including meeting space and staff necessary to assist the committee in carrying out the committee's duties under this chapter.

Sec. 18.006. CONFIDENTIALITY OF CERTAIN INFORMATION. (a) Provides that, except as provided by Subsection (b), the committee is not subject to Chapter 551 (Open Meetings) or 552 (Public Information), Government Code.

(b) Provides that information written, produced, collected, assembled, or maintained under law or in connection with the transaction of official business by the committee or an officer or employee of the committee is subject to Section 552.008 (Information for Legislative Purposes), Government Code, in the same manner as public information.

Sec. 18.007. REPORT. Requires the committee, not later than September 1 of each even-numbered year, to provide to the legislature a report on the committee's activities and recommendations.

SECTION 2. Effective date: September 1, 2025.