

BILL ANALYSIS

S.B. 2148
By: Hall
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that recent events across the nation, including natural disasters and intentional sabotage, have exposed how vulnerable critical electrical infrastructure can be to damage and destruction from a variety of easy-to-deploy means. While suppliers generally prioritize safeguarding their critical facilities, there is currently no statutory requirement for them to identify duties and responsibilities of certain personnel in preventing or responding to an attack. S.B. 2148 addresses this issue by requiring the Public Utility Commission of Texas and ERCOT to conduct simulated or tabletop exercises every other year with electric generation service and transmission and distribution service providers in the ERCOT power region to mitigate and prepare for a threat of an attack or actual physical attack on critical facilities.

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

S.B. 2148 amends the Utilities Code to require the Public Utility Commission of Texas (PUC) and ERCOT to conduct simulated or tabletop exercises with providers of electric generation service and transmission and distribution service in the ERCOT power region to mitigate and prepare for a threat of an attack or an actual physical attack on a critical facility at least once every two years. The bill establishes that such exercises are in addition to the required load shedding exercises and any requirements of the North American Electric Reliability Corporation Critical Infrastructure Protection plan standards. The bill requires the PUC and ERCOT, not later than December 31, 2026, to conduct such a simulated or tabletop exercise with each provider of electric generation service and of transmission and distribution service.

S.B. 2148 requires a simulated or tabletop exercise under the bill's provisions to identify the roles and responsibilities of transmission and distribution service providers, providers of electric generation service, law enforcement, ERCOT, and the PUC in the event of a threat of an attack or an actual physical attack on a critical facility. The bill establishes that a transmission and distribution service provider is not required to disclose the specific location of the provider's critical substations to the PUC or ERCOT for the purposes of the simulated or tabletop exercise.

S.B. 2148 requires each provider of electric generation service and of transmission and distribution service that participates in a simulated or tabletop exercise under the bill's provisions

to provide to ERCOT a written attestation that the provider has coordinated with law enforcement when identifying roles and responsibilities.

S.B. 2148 defines "critical facility" for these purposes as a transmission substation and any associated control centers that, if rendered inoperable or damaged because of a physical attack, could cause widespread instability, uncontrolled separation, or cascading outages within an interconnection.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.