By:  Middleton S.B. No. 383

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting interconnection of an offshore wind power facility.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Title 6, Utilities Code, is amended by adding Chapter 301A to read as follows:

CHAPTER 301A. OFFSHORE WIND POWER FACILITY

 Sec. 301A.001.  DEFINITIONS.  In this Chapter:

(1) "Offshore" means located within the territorial sea, as defined by 33 CFR 2.22.

(2) "Wind power facility" includes:

(A)  a wind turbine generator; and

(B)  a facility or equipment used to support the operation of a wind turbine generator, including an electrical transmission or communications line, an electric transformer, a battery storage facility, and energy storage facility, or telecommunications equipment.

Sec. 301A.002.  INTERCONNECTION PROHIBITED.  The commission shall not approve interconnection of a wind power facility, transmission, or distribution facility located offshore, if the commission has reason to believe that such a facility may:

(1)  negatively impact previously established industries, violating preestablished community values relying on such industries, including but not limited to:

(A)  shipping routes;

(B)  general tourism; and

(C)  recreational and commercial fishing;

(2)  negatively impact environmental factors, including but not limited to:

(A)  general welfare of wildlife; and

(B)  disruption of migratory patterns;

(3)  present a risk to the life and safety of residents, nearby industries, and wildlife, if located within an area with historical exposure to natural disasters; or

(4)  be deemed unnecessary, in accordance with Section 37.056, Public Utilities Code, due to lack of need for additional service and the presence of adequate existing services in the area adjacent to the offshore wind power facility.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.