

By: Hefner

H.B. No. 118

A BILL TO BE ENTITLED

AN ACT

relating to the establishment and powers and duties of the Texas
Advisory Committee on Pacific Conflict.

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

SECTION 1. Subtitle C, Title 4, Government Code, is amended
by adding Chapter 438 to read as follows:

CHAPTER 438. TEXAS ADVISORY COMMITTEE ON PACIFIC CONFLICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 438.001. SHORT TITLE. This chapter may be cited as the
Texas Pacific Conflict Stress Test Act.

Sec. 438.002. POLICY STATEMENT. (a) It is the policy of
this state to support the civilian and military command of the
United States and its efforts to promote and maintain prosperity,
peace, and security for the United States and its allies. It is the
policy of this state to enhance the defensive posture of this state,
to protect the citizens and assets of this state, and to contribute
to the broader defensive posture of the United States by reducing
security vulnerabilities within this state.

(b) It is the policy of this state to exercise foresight and
make reasonable preparations for a potential conflict centered in
the Pacific Ocean region which could:

(1) involve attacks on the United States and its
allies in the Pacific Ocean region;

(2) involve asymmetrical attacks on the United States

homeland; and

(3) cause the disruption or complete severing of supply chains between this state and the People's Republic of China, the Republic of China, or other countries in the Pacific Ocean region.

Sec. 438.003. DEFINITIONS. In this chapter:

(1) "Advisory committee" means the Texas Advisory Committee on Pacific Conflict established under this chapter.

(2) "Critical infrastructure" means a publicly or privately owned system or asset, whether physical or virtual, so vital to this state or to the United States that the incapacity or destruction of the system or asset would have a debilitating impact on state or national security, state or national economic security, state or national public health, or any combination of these, and includes:

(A) an oil and gas production, storage, or delivery system;

(B) a water supply, refinement, storage, or delivery system;

(C) a communications network;

(D) an electrical power delivery system;

(E) an emergency service system;

(F) a transportation system or service;

(G) a personal data or classified information storage system, including a cybersecurity system; or

(H) a military installation.

(3) "Critical procurement" means a purchase made by a

1 state agency, a political subdivision of this state, or a private
2 nongovernmental organization that is critical to the proper
3 functioning of state services, state operations, or the operations
4 of this state's critical infrastructure, or the health, safety, or
5 security of this state's citizens.

6 (4) "Pacific conflict" means:

7 (A) a declared war or armed conflict between the
8 United States or any of its allies and another nation that occurs in
9 the land, air, or sea of the Pacific Ocean region and threatens or
10 could reasonably escalate to threaten the supply chains, critical
11 infrastructure, safety, or security of this state or the United
12 States; or

13 (B) a significant deterioration of diplomatic
14 ties or economic engagement between the United States or its allies
15 and another nation that threatens the status quo of trade, travel,
16 and military operations or exercises in the Pacific Ocean region.

17 (5) "State supply chain" means the end-to-end process
18 for shipping goods purchased by a state agency or a political
19 subdivision of this state to the state agency or political
20 subdivision, beginning at the point of origin through any point of
21 distribution, including through vendors, to the destination.

22 (6) "Texas National Guard" has the meaning assigned by
23 Section [437.001](#).

24 SUBCHAPTER B. ADVISORY COMMITTEE

25 Sec. 438.101. ESTABLISHMENT OF TEXAS ADVISORY COMMITTEE ON
26 PACIFIC CONFLICT. The Texas Advisory Committee on Pacific Conflict
27 is established to:

1 (1) develop state security strategies and policies
2 before a Pacific conflict occurs; and

3 (2) collect and prepare information to assist in
4 enhancing this state's command-and-control functions in the event
5 of a conflict described by Subdivision (1).

6 Sec. 438.102. ADVISORY COMMITTEE COMPOSITION AND
7 ADMINISTRATION. (a) The advisory committee consists of the
8 following nine members:

9 (1) one member appointed by the governor;

10 (2) a representative of the Texas National Guard,
11 appointed by the governor;

12 (3) two members appointed by the lieutenant governor;

13 (4) two members appointed by the speaker of the house
14 of representatives;

15 (5) the adjutant general or the adjutant general's
16 designee;

17 (6) the public safety director or the public safety
18 director's designee; and

19 (7) the chief of the Texas Division of Emergency
20 Management or the chief's designee.

21 (b) In making appointments to the advisory committee, the
22 governor, lieutenant governor, and speaker of the house of
23 representatives shall appoint individuals who have applicable
24 knowledge of the threats posed to this state in the event of a
25 Pacific conflict.

26 Sec. 438.103. TERMS; VACANCY. (a) Except as provided by
27 Subsection (b), the appointed advisory committee members shall

1 serve for a term of two years.

2 (b) Subsection (a) does not apply to the advisory committee
3 members redescribed by Sections 438.102(a)(5), (6), and (7).

4 (c) If a vacancy occurs on the advisory committee, the
5 appropriate appointing authority shall appoint a successor in the
6 same manner as the original appointment.

7 Sec. 438.104. ADVISORY COMMITTEE OFFICERS. (a) The member
8 appointed by the governor under Section 438.102(a)(1) shall serve
9 as chair of the advisory committee and must have applicable
10 knowledge of the threats posed to this state in the event of a
11 Pacific conflict and the research and leadership experience to
12 competently and comprehensively perform the advisory committee's
13 duties.

14 (b) The lieutenant governor shall designate one appointee
15 to serve as vice chair of the advisory committee.

16 (c) The advisory committee may elect additional officers
17 from among its members.

18 (d) The advisory committee shall establish and approve
19 duties and responsibilities for advisory committee officers.

20 Sec. 438.105. REIMBURSEMENT FOR EXPENSES. A member of the
21 advisory committee is not entitled to compensation for service on
22 the committee but is entitled to reimbursement for actual and
23 necessary expenses incurred in performing committee duties as
24 provided by the General Appropriations Act.

25 Sec. 438.106. MEETINGS. (a) The advisory committee shall
26 meet at least once every three months, with additional meetings on
27 the call of:

1 (1) a majority of the members of the advisory
2 committee; or

3 (2) the governor.

4 (b) Advisory committee meetings are not subject to Chapter
5 551.

6 Sec. 438.107. GIFTS AND GRANTS. The advisory committee may
7 accept gifts, grants, and donations to pay for the advisory
8 committee's activities under this chapter.

9 SUBCHAPTER C. POWERS AND DUTIES OF ADVISORY COMMITTEE

10 Sec. 438.201. GENERAL POWERS. (a) The advisory committee
11 may consult with and retain external advisors to provide expertise
12 and collaborative research support.

13 (b) The advisory committee may conduct field
14 investigations, hold hearings, receive testimony in any form,
15 consult with federal and state officials, and otherwise take any
16 lawful action to carry out the purposes of the advisory committee.

17 Sec. 438.202. TABLETOP EXERCISE; REPORT. (a) The advisory
18 committee, with assistance from the Texas National Guard, shall
19 conduct a tabletop exercise centered on an invasion of the Republic
20 of China by the People's Republic of China. The exercise must
21 explore the following scenarios:

22 (1) a scenario that would result in aggression against
23 the armed forces of the United States in the Pacific Ocean region;
24 and

25 (2) a scenario that would involve intentional or
26 incidental damage to a state supply chain, a critical
27 infrastructure facility, or another asset.

1 (b) The advisory committee shall produce and submit to the
2 governor a report describing how a Pacific conflict would impact
3 this state not later than May 29, 2026. The advisory committee may
4 request additional tabletop exercise reports following the initial
5 report.

6 Sec. 438.203. SUPPLY CHAINS AND TECHNOLOGICAL SECURITY
7 AUDIT. (a) The advisory committee, with assistance from the
8 adjutant general, shall investigate critical procurements supplied
9 through a state supply chain that would be disrupted in the event of
10 a Pacific conflict.

11 (b) The advisory committee shall produce and submit a report
12 of the committee's findings to the governor not later than May 29,
13 2026.

14 (c) The initial report must:

15 (1) identify all critical procurements produced in or
16 by a foreign adversary, a state-owned enterprise of a foreign
17 adversary, a company domiciled within the territory of a foreign
18 adversary, or a company owned by a company domiciled within the
19 territory of a foreign adversary, or substantially sourced from an
20 entity described by this subdivision;

21 (2) identify all critical procurements manufactured
22 in countries, or by companies, at risk of disruption in the event of
23 a Pacific conflict;

24 (3) identify all critical procurements sourced from
25 any country or company that relies on a supply chain at risk of
26 disruption in the event of a Pacific conflict;

27 (4) recommend alternative sourcing strategies for

1 critical procurements, if available;

2 (5) highlight the difficulty in identifying potential
3 alternative sourcing for critical procurements, if relevant; and

4 (6) specify the level of risk to this state associated
5 with a disruption described by Subdivision (2) or (3) in supply
6 chain sourcing for each critical procurement that is threatened in
7 the event of the disruption.

8 (d) The advisory committee may conduct additional
9 investigations following the initial report.

10 Sec. 438.204. CRITICAL INFRASTRUCTURE PROTECTION. (a) The
11 advisory committee shall investigate potential threats to critical
12 infrastructure in this state in the event of a Pacific conflict.

13 (b) The advisory committee shall produce and submit to the
14 governor a report of the committee's findings not later than May 29,
15 2026.

16 (c) The initial report must:

17 (1) identify all critical infrastructure and other
18 assets within this state that could reasonably be targeted in a
19 malicious act by a foreign adversary in the event of a Pacific
20 conflict and would result in a significant negative impact on the
21 public health, safety, economic security, or physical security of
22 this state's citizens;

23 (2) identify specific risks posed to each critical
24 infrastructure facility or other asset identified under
25 Subdivision (1) in the event of a Pacific conflict, including known
26 vectors of attack such as cyberattack and physical sabotage; and

27 (3) develop strategies to:

1 (A) prevent and protect against threats posed to
2 critical infrastructure and other assets identified under
3 Subdivision (1) in the event of a Pacific conflict; and

4 (B) minimize the damage to this state if a
5 malicious act described by Subdivision (1) succeeds in damaging
6 critical infrastructure in this state.

7 (d) The advisory committee may conduct additional
8 investigations and produce additional reports as the committee
9 determines necessary.

10 Sec. 438.205. OTHER INVESTIGATIONS. The advisory committee
11 may investigate additional matters at its own discretion on a
12 majority vote of the committee.

13 Sec. 438.206. SUBPOENA. (a) The advisory committee may
14 compel by subpoena the attendance of a relevant witness at a hearing
15 or the production for inspection or copying of a record that is
16 relevant to the advisory committee's duties under this chapter.

17 (b) The advisory committee, acting through the attorney
18 general, may bring an action in a district court to enforce a
19 subpoena issued under this section against a person who fails to
20 comply with the subpoena.

21 (c) The court shall order compliance with the subpoena if
22 the court finds that good cause exists to issue the subpoena.

23 Sec. 438.207. CONFIDENTIALITY OF INFORMATION. (a) Except
24 as provided by Subsection (b), any research, data, reports,
25 findings, and other information produced by the advisory committee:

26 (1) is confidential and excepted from the requirements
27 of Section [552.021](#); and

1 (2) shall be maintained by the office of the governor.

2 (b) The governor may disclose information described by
3 Subsection (a). A disclosure by the governor is not considered a
4 disclosure of confidential information or a disclosure to the
5 public for purposes of Section 552.007 and does not waive the right
6 to assert in the future that the information is confidential or
7 excepted from required disclosure under this section or other law.

8 Sec. 438.208. PUBLIC REPORT AND POLICY RECOMMENDATIONS.

9 (a) Notwithstanding Section 438.207 and subject to Subsections (b)
10 and (c), the advisory committee shall make available an annual
11 report with narrative and summary findings from the advisory
12 committee's investigations for the purpose of educating the public.

13 (b) The report may include policy recommendations for
14 consideration by state and local government officials and
15 recommendations to improve the resilience of this state's citizens
16 and critical infrastructure. The report may not include any
17 information the release of which would pose a risk to state security
18 or national security.

19 (c) The advisory committee may not release the report
20 required by Subsection (a) unless the release is approved by a
21 majority vote of the advisory committee.

22 Sec. 438.209. EXPIRATION. The advisory committee is
23 abolished and this chapter expires September 1, 2029.

24 SECTION 2. Not later than October 31, 2025, the governor,
25 the lieutenant governor, and the speaker of the house of
26 representatives shall appoint the members of the Texas Advisory
27 Committee on Pacific Conflict under Sections 438.102(a)(1), (2),

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1 (3), and (4), Government Code, as added by this Act.

2 SECTION 3. This Act takes effect September 1, 2025.