

By: Patterson

H.B. No. 1897

A BILL TO BE ENTITLED

AN ACT

relating to requirements for the approval by the Public Utility Commission of Texas of certain coastal facilities for the provision of electric service.

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

SECTION 1. Subchapter B, Chapter 37, Utilities Code, is amended by adding Section 37.0561 to read as follows:

Sec. 37.0561. COASTAL WIND POWER FACILITY. (a) In this section, "wind power facility" includes:

(1) a wind turbine generator; and

(2) 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, an energy storage facility, or telecommunications equipment.

(b) In addition to any applicable requirements of Section 33.2053(b), Natural Resources Code, the commission shall comply with the requirements of this section when considering an application for a certificate of convenience and necessity related to installing or operating:

(1) a wind power facility located in the area in the Gulf of Mexico seaward of the coast that is within three marine leagues of the coast, as set under Section 11.0111, Natural Resources Code; or

1 (2) a transmission or distribution facility that
2 directly interconnects to a wind power facility located in the area
3 in the Gulf of Mexico seaward of the coast that is within three
4 marine leagues of the coast, as set under Section 11.0111, Natural
5 Resources Code.

6 (c) The commission may not grant a certificate described by
7 Subsection (b) if the commission finds that:

8 (1) the wind power facility or interconnected
9 transmission facility:

10 (A) may negatively affect established industries
11 or community values based on established industries, including:

12 (i) shipping routes;

13 (ii) general tourism; or

14 (iii) recreational and commercial fishing;

15 (B) may negatively affect the environment, such
16 as by negatively affecting the general welfare of wildlife or
17 disrupting migratory patterns; or

18 (C) may create risks for the safety of coastal
19 residents, industries, or wildlife due to the facility's location
20 in an area historically susceptible to natural disasters; or

21 (2) the public convenience and necessity does not
22 require and will not require the installation or operation of the
23 facility because electricity service is adequate in the areas that
24 would be served by the facility.

25 SECTION 2. This Act applies only to an application for a
26 certificate of convenience and necessity for which the Public
27 Utility Commission of Texas has not issued a final order before the

H.B. No. 1897

1 effective date of this Act.

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