

By: Slawson

H.B. No. 4851

A BILL TO BE ENTITLED

AN ACT

relating to the reliability of the electricity supply chain.

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

SECTION 1. Section 38.077, Utilities Code, is amended to read as follows:

Sec. 38.077. RELIABILITY [~~LOAD SHEDDING~~] EXERCISES. (a) In this section, "critical facility" means 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.

(b) The commission and the independent organization certified for the ERCOT power region under Section 39.151 shall conduct simulated or tabletop load shedding exercises with providers of electric generation service and transmission and distribution service in the ERCOT power region.

~~[(b)]~~ The commission shall ensure that each year at least one simulated or tabletop load shedding exercise is conducted during a summer month and one simulated or tabletop load shedding exercise is conducted during a winter month.

(c) The commission and the independent organization certified for the ERCOT power region under Section 39.151 shall conduct simulated or tabletop exercises with providers of electric generation service and transmission and distribution service in the

1 ERCOT power region to mitigate and prepare for a threat of an attack
2 or an actual physical attack on a critical facility. The exercises
3 required by this subsection are in addition to the exercises
4 required by Subsection (b) and any requirements of the North
5 American Electric Reliability Corporation Critical Infrastructure
6 Protection plan standards. The commission and the independent
7 organization shall conduct the exercises under this subsection at
8 least once every two years.

9 (d) A simulated or tabletop exercise conducted under
10 Subsection (c) must identify the roles and responsibilities of the
11 following in the event of a threat of an attack or an actual
12 physical attack on a critical facility:

- 13 (1) transmission and distribution service providers;
14 (2) providers of electric generation service;
15 (3) law enforcement;
16 (4) the independent organization certified for the
17 ERCOT power region under Section [39.151](#); and
18 (5) the commission.

19 (e) A transmission and distribution service provider is not
20 required to disclose the specific location of the provider's
21 critical substations to the commission or the independent
22 organization certified for the ERCOT power region under Section
23 [39.151](#) for the purposes of a simulated or tabletop exercise
24 conducted under Subsection (c).

25 (f) Each provider of electric generation service and of
26 transmission and distribution service that participates in a
27 simulated or tabletop exercise conducted under Subsection (c) shall

1 provide to the independent organization certified for the ERCOT
2 power region under Section 39.151 a written attestation that the
3 provider has coordinated with law enforcement when identifying
4 roles and responsibilities under Subsection (d).

5 SECTION 2. Not later than December 31, 2026, the Public
6 Utility Commission of Texas and the independent organization
7 certified under Section 39.151, Utilities Code, for the ERCOT power
8 region shall conduct a simulated or tabletop exercise with each
9 provider of electric generation service and of transmission and
10 distribution service as required by Section 38.077(c), Utilities
11 Code, as added by this Act.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2025.