

By: Thompson

H.B. No. 5145

A BILL TO BE ENTITLED

AN ACT

relating to the sharing and protection of certain utility  
proprietary customer information.

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

SECTION 1. Subchapter A, Chapter 17, Utilities Code, is  
amended by adding Section 17.011 to read as follows:

Sec. 17.011. SHARING PROPRIETARY CUSTOMER INFORMATION. (a)  
In this section, "proprietary customer information" means any  
identifying information compiled by a retail electric provider  
about an individual customer that may be used for communication  
regarding emergencies, billing, or service-related matters,  
including the customer's:

(1) name;

(2) telephone number;

(3) e-mail address; or

(4) home address.

(b) An electric utility providing electric delivery  
services for a retail electric provider may request from the retail  
electric provider any proprietary customer information reasonably  
necessary for the electric utility to communicate with a customer  
regarding an emergency affecting service, an interruption of  
service, or restoration of service. The retail electric provider  
shall provide to the electric utility the proprietary customer  
information not later than 48 hours after the request is made. The

1 retail electric provider is not required to obtain a prior  
2 verifiable authorization from the customer before complying with  
3 this subsection.

4 (c) Notwithstanding Section 39.157(d)(4), an electric  
5 utility may provide the proprietary customer information to another  
6 person without prior verifiable authorization from the customer as  
7 necessary for communication with the customer regarding an  
8 emergency affecting service, an interruption of service, or  
9 restoration of service.

10 (d) An electric utility or another person who obtains  
11 proprietary customer information under this section:

12 (1) shall, for purposes of protecting the  
13 confidentiality, integrity, and accessibility of the information,  
14 establish, implement, and maintain reasonable administrative,  
15 technical, and physical data security practices that are  
16 appropriate to the volume and nature of the information at issue,  
17 including encryption and secure data storage; and

18 (2) may not retain the information for longer than  
19 reasonably necessary to communicate with the customer regarding an  
20 emergency affecting service, an interruption of service, or  
21 restoration of service.

22 (e) Except as provided by Subsection (f), Subchapter B,  
23 Chapter 15, does not apply to a violation of this section.

24 (f) Section 15.021 applies to a violation of this section.

25 (g) This section does not affect the application of Chapter  
26 541, Business & Commerce Code, to a person that is not an electric  
27 utility or a retail electric provider.

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