

**House Bill 5323**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subtitle A, Title 2, Utilities Code, is amended by adding Chapter 18 to read as follows:

CHAPTER 18. TEXAS ENERGY WASTE ADVISORY COMMITTEE

Sec. 18.001. DEFINITION. In this chapter, "committee" means the Texas Energy Waste Advisory Committee.

Sec. 18.002. ESTABLISHMENT OF COMMITTEE. The Texas Energy Waste Advisory Committee is created to make recommendations for coordinating and improving state agency and interagency programs that reduce energy waste, increase energy efficiency, and enhance demand response programs in order to increase reliability of electric service in the ERCOT power region in accordance with Section 39.159.

Sec. 18.003. COMMITTEE MEMBERSHIP. (a) The committee is composed of **seven** ex officio members as follows:

- (1) the presiding officer of the commission;
- (2) the chief executive officer of the independent organization certified under Section 39.151 for the ERCOT power region;
- (3) the comptroller;
- (4) the executive director of the Texas Department of Licensing and Regulation;
- (5) the director of the Texas Department of Housing and Community Affairs;

(6) the presiding officer of the Texas Commission on Environmental Quality; and

(7) the commissioner of the General Land Office.

SENATE VERSION (IE)

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Sec. 18.003. COMMITTEE MEMBERSHIP. (a) The committee is composed of **eight** ex officio members as follows: [FA1(1)]

- (1) the presiding officer of the commission;
- (2) the chief executive officer of the independent organization certified under Section 39.151 for the ERCOT power region;
- (3) the comptroller;
- (4) the executive director of the Texas Department of Licensing and Regulation;
- (5) the director of the Texas Department of Housing and Community Affairs;

( ) the executive director of the Texas Facilities Commission; [FA1(2)]

(6) the presiding officer of the Texas Commission on Environmental Quality; and

(7) the commissioner of the General Land Office.

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(b) An ex officio member may designate an employee of the member's agency or office to serve in the member's place.

(c) The presiding officer of the commission or an employee of the commission designated by the presiding officer shall serve as the chair of the committee.

(d) The committee shall meet quarterly at the call of the chair.

Sec. 18.004. PROGRAM EVALUATION AND RECOMMENDATIONS. To improve the reliability of electric service in the ERCOT power region, the committee shall solicit information from and make recommendations to the following state agencies and organizations regarding state programs that have the potential to reduce demand for electricity in the ERCOT wholesale market during high risk hours identified by the commission:

(1) the commission;

(2) the independent organization certified under Section 39.151 for the ERCOT power region;

(3) the comptroller;

(4) the State Energy Conservation Office;

(5) the Texas Department of Licensing and Regulation;

(6) the Texas Department of Housing and Community Affairs;

(7) the Texas Commission on Environmental Quality; and

(8) the General Land Office.

Sec. 18.005. ADMINISTRATIVE SUPPORT. The commission shall

provide the committee with administrative support, including meeting space and staff necessary to assist the committee in carrying out the committee's duties under this chapter.

SENATE VERSION (IE)

(b) An ex officio member may designate an employee of the member's agency or office to serve in the member's place.

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(5) the Texas Department of Licensing and Regulation;

(6) the Texas Department of Housing and Community Affairs;

( ) the Texas Facilities Commission; [FA1(3)]

(7) the Texas Commission on Environmental Quality; and

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<p><u>Sec. 18.006. CONFIDENTIALITY OF CERTAIN INFORMATION. (a) Except as provided by Subsection (b), the committee is not subject to Chapter 551 or 552, Government Code.</u></p> <p><u>(b) Information written, produced, collected, assembled, or maintained under law or in connection with the transaction of official business by the committee or an officer or employee of the committee is subject to Section 552.008, Government Code, in the same manner as public information.</u></p> <p><u>Sec. 18.007. REPORT. Not later than September 1 of each even-numbered year, the committee shall provide to the legislature a report on the committee's activities and recommendations.</u></p>	<p><u>Sec. 18.006. CONFIDENTIALITY OF CERTAIN INFORMATION. (a) Except as provided by Subsection (b), the committee is not subject to Chapter 551 or 552, Government Code.</u></p> <p><u>(b) Information written, produced, collected, assembled, or maintained under law or in connection with the transaction of official business by the committee or an officer or employee of the committee is subject to Section 552.008, Government Code, in the same manner as public information.</u></p> <p><u>Sec. 18.007. REPORT. Not later than December 1 of each even-numbered year, the committee shall provide to the legislature a report on the committee's activities and recommendations.</u> [FA1(4)]</p>	
<p>SECTION 2. This Act takes effect September 1, 2025.</p>	<p>SECTION 2. Same as House version.</p>	