

BILL ANALYSIS

S.B. 2154
By: Schwertner
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

After Winter Storm Uri struck Texas in February of this year and paralyzed the state's power grid for upwards of a week, leaving millions of Texans without power during record cold temperatures, Texans were questioning the actions of the Public Utility Commission of Texas (PUC). Following the storm, members of the PUC gave hours of public testimony in front of the legislature and, ultimately, all three commissioners resigned. Subsequently, there have been calls to reform the makeup of the PUC and the requirements for appointment as a commissioner. S.B. 2154 seeks to address those calls by increasing the number of commissioners composing the PUC from three to five and revising the eligibility requirements for appointment as a commissioner.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 2154 amends the Utilities Code to do the following with respect to the membership of the Public Utility Commission of Texas (PUC):

- increase the number of commissioners that compose the PUC from three to five;
- include Texas residency as eligibility requirements for appointment to the PUC;
- change the number of commissioners who must be well informed and qualified in the field of public utilities and utility regulation from all commissioners to at least two commissioners;
- include at least five years of experience as a professional engineer among the qualifying professional experience for appointment;
- change the period within which an applicable conflict of interest disqualifies a person from appointment from two years preceding appointment to one year preceding appointment; and
- include as a disqualifying conflict of interest previous service as governor, lieutenant governor, comptroller of public accounts, commissioner of the General Land Office, attorney general, or a member of the legislature.

The bill requires the governor, not later than the 30th day after the bill's effective date, to appoint a person to the PUC to serve as the PUC presiding officer and provides for the governor's assignment of staggered terms of commissioners appointed to the PUC to fill vacancies or to the newly created positions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.