

1-1 By: Hall, Nelson S.B. No. 1398  
 1-2 (In the Senate - Filed March 12, 2015; March 18, 2015, read  
 1-3 first time and referred to Committee on Natural Resources and  
 1-4 Economic Development; May 19, 2015, reported adversely, with  
 1-5 favorable Committee Substitute by the following vote: Yeas 8,  
 1-6 Nays 2; May 19, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15		X		
1-16	X			
1-17	X			
1-18	X			
1-19		X		

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1398 By: Hall

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to a study by the Electric Reliability Council of Texas on  
 1-24 securing critical infrastructure from electromagnetic,  
 1-25 geomagnetic, terrorist, and cyber-attack threats.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. (a) In this section, "critical infrastructure"  
 1-28 means an electrical power generating facility, substation,  
 1-29 switching station, electrical control center, or electrical  
 1-30 transmission or distribution facility.

1-31 (b) The Public Utility Commission of Texas shall instruct  
 1-32 the independent organization certified under Section 39.151,  
 1-33 Utilities Code, to commission a study on the security of the Texas  
 1-34 electric grid and the computer systems and networks related to it.  
 1-35 On or before September 1, 2015, the independent organization must  
 1-36 name persons to conduct the study who have expertise in:

- 1-37 (1) electromagnetic pulse disturbances;
- 1-38 (2) cybersecurity;
- 1-39 (3) geomagnetic disturbances;
- 1-40 (4) electric power transmission and distribution  
 1-41 system security; and
- 1-42 (5) terrorism.

1-43 (c) Through the study the independent organization must:

- 1-44 (1) identify the critical infrastructure that is at  
 1-45 risk from electromagnetic, geomagnetic, terrorist, and  
 1-46 cyber-attack threats;
- 1-47 (2) evaluate technologies available to improve the  
 1-48 resiliency of critical infrastructure against electromagnetic,  
 1-49 geomagnetic, terrorist, or cyber-attack threats;
- 1-50 (3) evaluate measures to secure the electric grid and  
 1-51 associated computer systems and networks against damage against  
 1-52 electromagnetic, geomagnetic, terrorist, and cyber-attack threats;  
 1-53 and
- 1-54 (4) assess the projected cost of enhancements to  
 1-55 critical infrastructure that are necessary to secure adequately  
 1-56 against electromagnetic, geomagnetic, terrorist, and cyber-attack  
 1-57 threats.

1-58 (d) Information collected by the independent organization  
 1-59 for the study that is related to the security of the electric grid  
 1-60 is confidential and is not subject to disclosure under Chapter 552,

2-1 Government Code.

2-2 SECTION 2. Not later than December 1, 2016, the Public  
2-3 Utility Commission of Texas shall provide a report on the results of  
2-4 the study required by this Act to the governor, the lieutenant  
2-5 governor, the speaker of the house of representatives, and each  
2-6 standing committee of the senate and the house of representatives  
2-7 with primary jurisdiction over the electric grid and emergency  
2-8 management.

2-9 SECTION 3. This Act takes effect immediately if it receives  
2-10 a vote of two-thirds of all the members elected to each house, as  
2-11 provided by Section 39, Article III, Texas Constitution. If this  
2-12 Act does not receive the vote necessary for immediate effect, this  
2-13 Act takes effect September 1, 2015.

2-14

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