

By: Patterson

H.B. No. 1895

A BILL TO BE ENTITLED

AN ACT

relating to the operation or expansion of a wind-powered generation facility.

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

SECTION 1. Subchapter A, Chapter 35, Utilities Code, is amended by adding Section 35.0024 to read as follows:

Sec. 35.0024. WIND-POWERED GENERATION FACILITY DETERMINATION. (a) Before an electric cooperative, electric utility, municipally owned utility, power generation company, or other person required by commission rule to register with the commission before generating electricity may begin operation of or expand a wind-powered generation facility, the cooperative, utility, company, or person must submit documentation to the commission establishing that:

(1) the Federal Aviation Administration has determined the facility will not be a hazard to air navigation; and

(2) the Military Aviation and Installation Assurance Siting Clearinghouse, or its successor agency, has determined that:

(A) the facility will not have an adverse impact on military operations or readiness; or

(B) a mitigation agreement has been executed to overcome an adverse impact on military operations or readiness.

(b) The commission may impose an administrative penalty under Section 15.023 on an electric cooperative or municipally

1 owned utility that violates Subsection (a).

2       SECTION 2. Section 35.0024, Utilities Code, as added by  
3 this Act, applies only to a wind-powered generation facility  
4 installed on or after the effective date of this Act. A  
5 wind-powered generation facility installed before the effective  
6 date of this Act is governed by the law as it existed immediately  
7 before that date, and the law is continued in effect for that  
8 purpose.

9       SECTION 3. This Act takes effect September 1, 2025.