

Senate Bill 349

By: Senator Hill of the 32nd

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 3 of Title 46 of the Official Code of Georgia Annotated,  
2 relating to generation and distribution of electricity generally, so as to provide for legislative  
3 findings; to provide for the development, content, and review of grid security plans; to  
4 provide for recovery of costs; to provide for coordination of efforts; to provide for related  
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 The General Assembly finds and declares as follows:

- 9 (1) The maintenance of Georgia's electrical transmission grid system is critical to ensure  
10 the health and safety of the people of this state;
- 11 (2) It is recognized that such electrical transmission grid system within the State of  
12 Georgia is part of a regional system that is governed and administered by the SERC  
13 Reliability Corporation;
- 14 (3) It is further recognized that such regional system is vulnerable to natural and nuclear  
15 electromagnetic pulse and other manmade and natural acts that could disrupt service from  
16 such system for a period of time that could pose significant risk to the national security of  
17 the region and the nation;
- 18 (4) It is thus incumbent upon the people of Georgia to take measures through its elected  
19 leadership to protect the portion of the electrical transmission grid system located within  
20 this state to the greatest extent possible;
- 21 (5) It is further recognized that such protection cannot be implemented without the support  
22 and cooperation of Georgia's electric utility organizations, regulatory authorities, and  
23 security agencies; and
- 24 (6) It is the intent of the General Assembly that such cooperation be conducted in such a  
25 manner so as to preserve the confidential nature of certain elements of the grid system but  
26 also to ensure that the system is satisfactorily protected.

27 **SECTION 2.**

28 Article 1 of Chapter 3 of Title 46 of the Official Code of Georgia Annotated, relating to  
 29 generation and distribution of electricity generally, is amended by adding a new part to read  
 30 as follows:

31 "Part 532 46-3-68.

33 (a) All electrical utilities in this state, both publicly and privately owned, shall develop and  
 34 implement a plan to address the vulnerability of the electrical transmission grid system  
 35 within their boundaries to natural and nuclear electromagnetic pulse and other manmade  
 36 or natural acts that could pose a threat to local, state, or national security. The plan shall  
 37 uniformly be called 'THE PLAN OF THE (NAME OF ELECTRIC UTILITY) TO  
 38 PROTECT THE ELECTRICAL TRANSMISSION GRID SYSTEM WITHIN ITS  
 39 BOUNDARIES FROM MANMADE OR NATURAL ACTS OF DISRUPTION,' referred  
 40 to in this Code section as the 'grid security plan'.

41 (b) A utility's grid security plan shall include:

42 (1) A description of the electrical grid system within its jurisdictional boundaries;

43 (2) An analysis of potential manmade and natural short-term, medium-term, and  
 44 long-term threats to the system;

45 (3) The utility's plan for addressing such threats including the anticipated costs of  
 46 implementing such plan;

47 (4) The timetable for implementation based upon a prioritization of vulnerabilities and  
 48 mitigation measures; and

49 (5) A plan to ensure a minimum 72 hour back-up electrical supply for critical community  
 50 infrastructure.

51 (c) Each grid security plan shall be reviewed by independent electromagnetic pulse experts  
 52 and both the grid security plan and expert review shall be submitted to both the adjutant  
 53 general and the director of the Georgia Emergency Management Agency no later than  
 54 December 31, 2016. The adjutant general and the director of the Georgia Emergency  
 55 Management Agency shall review each grid security plan and jointly submit a report to the  
 56 Governor stating their comments and recommendations no later than February 28, 2017.  
 57 The Governor shall then approve, conditionally approve, or disapprove the grid security  
 58 plans.

59 (d) The grid security plans prepared by the electric utilities as well as the report prepared  
 60 by the adjutant general and the director of the Georgia Emergency Management Agency  
 61 shall be deemed to be classified and protected by applicable laws and regulations and

62 exempt from public disclosure and open records publication under Article 4 of Chapter 18  
63 of Title 50 and other applicable laws regarding public inspection and disclosure.

64 (e) The costs borne by the utilities in both the development and implementation of the grid  
65 security plans shall be deemed to be recoverable cost items to be paid by consumers as  
66 determined by the Georgia Public Service Commission.

67 (f) The adjutant general and the director of the Georgia Emergency Management Agency  
68 shall develop their own action plans within 90 days consistent with the grid security plans  
69 as approved or conditionally approved by the Governor.

70 (g) The adjutant general and the director of the Georgia Emergency Management Agency  
71 shall coordinate with their counterparts in the states comprising the regional grid system  
72 as well as with the Federal Energy Regulatory Commission to assist in the development of  
73 a regional response to regional grid vulnerabilities."

74 **SECTION 3.**

75 All laws and parts of laws in conflict with this Act are repealed.